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Privacy Notice (How we use pupil information)

Who we are

We are Elmfield Rudolf Steiner School, Love Lane, Stourbridge, West Midlands, DY8 2EA. We are an Independent School, for children aged 3 to 18. This privacy notice explains how we collect, store and use personal data about our pupils. We, Elmfield Rudolf Steiner School, are the 'data controller' for the purposes of the General Data Protection Regulation (GDPR) and as such we are obliged to inform you of the information we hold on you and your child(ren), what we use it for, who we share it with, and for how long we keep it.

The categories of pupil and parent information that we collect, hold and share include:

- Personal information, such as name, and address
- Characteristics, such as nationality and special educational needs
- Pupil and curricular records, including examination results, examination candidate numbers and URNs
- Attendance information, such as sessions attended, number of absences and absence reasons, and exclusion information
- Safeguarding information
- Assessment information, such as data scores, tracking and internal and external testing.
- Details of any medical conditions
- Details of any support received, including care packages, plans and support
- Contact details, contact preferences, date of birth

Why we collect and use this information

We use the pupil and parent data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care, and to protect pupil welfare

- to assess the quality of our services (including monitoring staff performance)
- to comply with the law regarding data sharing
- for safeguarding and pupil welfare purposes
- administer admissions waiting lists
- to inform you about school events

The lawful basis on which we use this information

Our lawful basis for collecting and processing information is defined in GDPR under Article 6. The following elements of the article apply:

- a) Data subject gives consent for one or more specific purposes.
- b) Processing is necessary to comply with the legal obligations of the controller.
- c) Processing is necessary to protect the vital interests of the data subject (pupil, parent/carers).
- d) Processing is necessary for tasks in the public interest or exercise of authority vested in the controller (the provision of education).

Our lawful basis for collecting and processing pupil information is further defined under Article 9, in that some of the information we process is deemed to be sensitive, or special category data. The following elements of the article apply:

- a) The data subject (pupil, parent or carer) has given explicit consent.
- b) It is necessary to fulfil the obligations of controller (school) or of data subject (pupil, parent or carer).
- c) It is necessary to protect the vital interests of the data subject (pupil, parent or carer).
- d) Processing is carried out by a foundation or not-for-profit organisation.
- e) Reasons of public interest in the area of public health.
- f) It is in the public interest.

Collecting pupil information

Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with GDPR, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

On some occasions we process personal information on the basis of consent, for example, when we wish to take and use pupil images. Consent can be withdrawn at any time. We will make this clear when we ask for consent and explain how consent can be withdrawn.

We collect and obtain information from pupils, parents, carers, teachers and other professionals where relevant (e.g. social workers etc).

How we use the information you provide to us

Some of the reasons listed above for collecting and using pupils' personal data overlap, and there may be several grounds which justify our use of this data. Such reasons include:

The submission of the annual school census return, including a set of named pupil records, is a statutory requirement on schools under Section 537A of the Education Act 1996. Putting the school census on a statutory basis means that schools do not need to obtain parental or pupil consent to the provision of the information ensures schools are protected from any legal challenge that they are breaching a duty of confidence to pupils helps to ensure that returns are completed by schools.

Storing pupil data

We hold personal data about our pupils while they are attending our school. We may also need to keep it beyond their attendance at the school if this is necessary in order to comply with our legal obligations.

We will only retain the data we collect for as long as is necessary. This will be to satisfy the purpose for which it has been collected in accordance with our data retention schedule, and as identified in our data audit. Please contact us if you would like further clarification on our retention timescales.

We have a data protection policy and procedures in place, including strong organisations and technical measures, which are regularly reviewed. Further information can be found on our website.

Who we share pupil information with

We share pupil information with appropriate external agencies to meet our legal obligation or where we have sought your permission. The agencies who we routinely share pupil information with include:

- schools and colleges that the pupils attend after leaving us
- local authorities
- the Department for Education (DfE)
- providers of alternative educational provision
- our auditors
- health and social welfare organisations
- police forces, courts and tribunals

Full details of who we share pupil information with is included in our data mapping document. If you have any questions on who we share the information with, please contact our Data Protection Lead.

Why we share pupil information

We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so.

We share pupils' data with the Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

We are also required to share information about our pupils with the (DfE) under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

Data collection requirements:

To find out more about the data collection requirements placed on us by the Department for Education (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

The National Pupil Database (NPD)

The NPD is owned and managed by the Department for Education and contains information about pupils in schools in England. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the Department. It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

We are required by law, to provide information about our pupils to the DfE as part of statutory data collections such as the school census and early years' census. Some of this information is then stored in the NPD. The law that allows this is the Education (Information About Individual Pupils) (England) Regulations 2013.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The department may share information about our pupils from the NPD with third parties who promote the education or well-being of children in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department has robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested: and
- the arrangements in place to store and handle the data

To be granted access to pupil information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the department's data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

For information about which organisations the department has provided pupil information, (and for which project), please visit the following website:

<https://www.gov.uk/government/publications/national-pupil-database-requests-received>

To contact DfE: <https://www.gov.uk/contact-dfe>

Requesting access to your personal data

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold, through a Subject Access Request. Parents/carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child has provided consent. Parents also have the right to make a subject access request with respect to any personal data the school holds about them.

We will provide information in a way that is:

- concise
- transparent
- intelligible
- easily accessible
- uses clear and plain language

To make a request for your personal information, or be given access to your child's educational record, contact in the first instance our Data Protection Lead, Lesley Taberer.

Data subjects have the following rights with regards to their personal information, as follows:

- Confirmation that their personal data is being processed
- Access to a copy of the data
- The purpose of the data processing
- The categories of personal data concerned
- Who the data has been or will be shared with
- How long the data will be stored for, or if this isn't possible, the criteria used to determine this period

- Where relevant, the existence of the right to request rectification, erasure or restrictions, or to object to such processing
- The right to lodge a complaint with the ICO or another supervisory authority
- The source of the data, if not the individual
- The safeguards provided if the data is being transferred internationally

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

Complaints

We take any complaints about our collection and use of personal information very seriously. If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concerns about our data processing, please raise this with us in the first instance. To make a complaint please contact our Data Protection Lead, Lesley Taberer,

Contact

If you would like to discuss anything in this privacy notice, please contact:

In the first instance, our Data Protection Lead, Lesley Taberer – lesley.taberer@elmfield.com

Our Data Protection Officer (DPO) is provided by SIPS Education Ltd. The named Data Protection Officers are Laura Hadley, Sue Courtney-Donovan and Amanda Moore, who can be contacted via gdpr@sipseducation.co.uk

You can also report a concern online to the Information Commissioners Office at

<https://ico.org.uk/concerns>

Telephone Number 0303 123 1113

Address: Information Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF 12.

Changes to this privacy notice

This privacy notice may be updated from time to time. We encourage you to check this privacy notice from time to time to ensure you understand how your data will be used and to see any minor updates. If material changes are made to the privacy notice, for example, how we would like to use your personal data, we will provide a more prominent notice by email.

Lesley Taberer
Bursar
08/06/2018

Amended 14/12/2018

Amended 30/10/2019