



# W.L.S.J. GDPR Privacy Notice and Consent Form

## Consent Form for the Sharing of Data at WLSJ in line with requirements of the General Data Protection Regulations (GDPR)

*(This consent form is to be used only when consent is needed on a legal basis for processing personal data. Consent is not necessary if there is a legal obligation to process personal data. Legal obligation could come from The Education Act 1996, Pupil Registration Regulations, The Children and Families Act 2014, The Education Act 2002, School Standards and Framework Act 1998, The Academies Act 2011, etc.)*

Dear Parents/ Carers,

All organisations must have a legal basis for processing your personal information or your child's personal data. This legal basis could be a legal obligation, life or death situations, as part of a contract with you or through consent given by you. You can give consent for yourself or your child if they are under the age of 13. If your child is 13 or older then they need to give consent themselves.

The General Data Protection Regulation (GDPR) May 2018 explains that:

- *Consent must be a freely given, specific, informed and an unambiguous indication of your wishes. There must be a clear affirmative action showing your consent. Also, consent can be removed, however there may be another legal basis for processing your personal data.*

This form is used to record evidence of your explicit consent to process the personal data.

### Who processes your information?

Westhead Lathom St. James C.E. Primary School manages the personal information you provide to us with great care. Your Headteacher, Helen Clark is the data controller. She is responsible for the accuracy and safe-keeping of data. The school determines the purposes for which, and the manner in which, any personal data relating to pupils and their families is to be processed. Our independent data protection officer is a named Governor. Their role is to oversee and monitor the school's data protection procedures, to ensure they are compliant with the GDPR and report to the headteacher, Helen Clark. Mrs. Tither, the school's office manager, deals with and inputs personal information. Mrs. Tither can be contacted on 01695 574078 or [bursar@wlsj.lancs.sch.uk](mailto:bursar@wlsj.lancs.sch.uk).

In some cases, your data will be outsourced to a third party processor; however, this will only be done with your consent, unless the law requires the school to share your data. Where the school outsources data to a third party processor, the same data protection standards that Westhead Lathom St. James C.E. Primary School upholds are imposed on the processor.

### Why do we collect and use your information?

Westhead Lathom St. James C.E. Primary School holds the legal right to collect and use personal data relating to pupils and their families, and we may also receive information regarding them from their previous school, LA and/or the DfE. We collect and use personal data in order to meet legal requirements and legitimate interests set out in the GDPR and UK law, including those in relation to the following:

- Article 6 and Article 9 of the GDPR
- Education Act 1996
- Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013

In accordance with the above, the personal data of pupils and their families is collected and used for the following reasons:

- To support pupil learning
- To monitor and report on pupil progress
- To provide appropriate pastoral care

- To assess the quality of our service
- To comply with the law regarding data sharing
- To safeguard pupils

### **Which data is collected?**

The categories of pupil information that the school collects, holds and shares include the following:

- Personal information – e.g. names, pupil numbers and addresses
- Characteristics – e.g. ethnicity, language, nationality, country of birth and free school meal eligibility
- Attendance information – e.g. number of absences and absence reasons
- Assessment information – e.g. national curriculum assessment results
- Relevant medical information
- Information relating to SEND
- Behavioural information – e.g. number of temporary exclusions

Whilst the majority of the personal data you provide to the school is mandatory, some is provided on a voluntary basis. When collecting data, the school will inform you whether you are required to provide this data or if your consent is needed. Where consent is required, the school will provide you with specific and explicit information with regards to the reasons the data is being collected and how the data will be used.

### **How long is your data stored for?**

Personal data relating to pupils at Westhead Lathom St. James C.E. Primary School and their families is stored in line with the Lancashire's policy for Information and Records Management. In accordance with the GDPR, the school does not store personal data indefinitely; data is only stored for as long as is necessary to complete the task for which it was originally collected.

### **Will my information be shared?**

The school is required to share pupils' data with the DfE on a statutory basis. The National Pupil Database (NPD) is managed by the DfE and contains information about pupils in schools in England. Westhead Lathom St. James C.E. Primary School is required by law to provide information about our pupils to the DfE as part of statutory data collections, such as the school census; some of this information is then stored in the NPD. The DfE may share information about our pupils from the NDP with third parties who promote the education or wellbeing of children in England by:

- Conducting research or analysis.
- Producing statistics.
- Providing information, advice or guidance.

The DfE has robust processes in place to ensure the confidentiality of any data shared from the NDP is maintained.

Westhead Lathom St. James C.E. Primary School will not share your personal information with any third parties without your consent, unless the law allows us to do so. The school routinely shares pupils' information with:

- Pupils' destinations upon leaving the school
- The Local Authority
- Supportive outside service providers. E.g. CAMHS, Twinkle House, Min Y Don, Rotary Club, Sports Partnership and on-line educational subscriptions.
- The NHS
- The DfE

### **What are your rights?**

Parents and pupils have the rights in relation to the processing of their personal data. You have the right to:

- Be informed about how Westhead Lathom St. James C.E. Primary School uses your personal data.
- Request access to the personal data that Westhead Lathom St. James C.E. Primary School holds.
- Request that your personal data is amended if it is inaccurate or incomplete.
- Request that your personal data is erased where there is no compelling reason for its continued processing.
- Request that the processing of your data is restricted.
- Object to your personal data being processed.

You have the right to withdraw this consent at any time. If you have a concern about the way Westhead Lathom St. James C.E. Primary School and/or the DfE is collecting or using your personal data, you can raise a concern with the Information Commissioner's Office (ICO). The ICO can be contacted on 0303 123 1113, Monday-Friday 9am-5pm.

#### **Where can you find out more information?**

If you would like to find out more information about how we and/or the DfE collect, use and store your personal data, please visit our website ([www.wlsj.lancs.sch.uk](http://www.wlsj.lancs.sch.uk)) or download our GDPR Data Protection Policy.



### W.L.S.J. GDPR Privacy Notice Declaration

I give my consent for Westhead Lathom St. James C.E. Primary School to process my personal information as detailed on the attached sheet and I understand that I can withdraw my consent at any time by contacting the school and requesting that they no longer process this personal information unless there is a legal obligation to do so.

**Please sign and return to the school office.**

I, \_\_\_\_\_ ( PRINT NAME), declare that I understand:

- Westhead Lathom St. James C.E. Primary School has a legal and legitimate interest to collect and process my personal data in order to meet statutory requirements.
- How my data is used.
- Westhead Lathom St. James C.E. Primary School may share my data with the DfE, and subsequently the LA.
- Westhead Lathom St. James C.E. Primary School will not share my data to any other third parties without my consent, unless the
- law requires the school to do so.
- Westhead Lathom St. James C.E. Primary School will always ask for explicit consent where this is required, and I must provide
- this consent if I agree to the data being processed.
- My data is retained in line with the school's GDPR Data Protection Policy.
- My rights to the processing of my personal data.
- Where I can find out more information about the processing of my personal data.
- 

Signed: \_\_\_\_\_

Date:

Name(s) of child(ren):	1.
	2.
	3.

**Appendix: GDPR Overview – General Data Protection Regulations: with effect from 25<sup>th</sup> May 2018**

**The Processing of Information by WLSJ CE School**

What Data Do We Process?	Why Do We Process It / How is it used ( <i>Legal Basis</i> )?	Where Is it Stored ?	Sharing Information <i>In line with our Information Sharing Policy ('need to know')</i>			How do we protect the data we hold?
			Who do we Share With	What do we share?	How do we share it?	
<p><b>Children and Families</b>                      N: Names                      A: Addresses                      C: Contact details                      D: Date of birth                      P: Photos                      V: Videos                      M: Medical Information                      Ac: Academic Information                      At: Attendance Information                      SEN: SEND Information                      S: Safeguarding Information                      H: H&amp;S Information (including bumps)  <b>Workforce</b>                      (Governors &amp; staff)                      WN: Name                      WA: Address                      WC: Contact Details</p>	<p>'Legal Basis' – GDPR stipulates we can only process information in the following circumstances:</p> <p>A. Consent has been obtained                      B. It is necessary for the performance of a contract                      C. In compliance with a legal obligation.                      D. To protect vital interests.                      E. To carry out tasks in the public interest.                      F. For the purposes of legitimate interests.</p> <p>We will process information, therefore, for the following reasons:</p> <p>☐ We have a legal obligation to process certain information (eg with LA or DfE).                      ☐ Purpose of planning and delivering learning.                      ☐ To safeguard children's welfare.                      ☐ For historical record/archives.                      ☐ Celebration &amp; display.                      ☐ Marketing and Advertising.</p>	<p>Filing cabinets.                      Servers (internal)                      Servers (external)                      Teacher laptops                      Teacher USB drives</p>	<p>Within the Organisation:</p> <ol style="list-style-type: none"> <li>Employees</li> <li>Temporary staff (supply teachers, sport coaches, visiting speakers)</li> <li>Parents</li> <li>Governors</li> <li>Pupils</li> </ol> <p>External to the Organisation:</p> <ol style="list-style-type: none"> <li>DfE</li> <li>LCC</li> <li>Cool Milk (PP &amp; Nursery pupils)</li> <li>T2P</li> <li>Other schools (transfer)</li> <li>WLSSP</li> <li>Online subscriptions:                             <ol style="list-style-type: none"> <li>Mathletics</li> <li>Tapestry</li> <li>IDL</li> <li></li> </ol> </li> <li>SIMS/Capita</li> <li>School Spider</li> <li>Health Services</li> <li>OCE Sch Catering</li> <li>Yewdale Counselling</li> <li>Twinkle House</li> <li>GCH Photography</li> <li>Diocese</li> <li>BDP</li> <li>ITT Providers</li> <li>CAMHS</li> </ol>	<p><i>On a need to know basis!</i> (abbreviations ... see column 1)</p> <p>Within the Organisation:</p> <ol style="list-style-type: none"> <li>All</li> <li>N, M, Ac, SEN</li> <li>N, P</li> <li>WN, WC</li> <li>-</li> </ol> <p>External to the Organisation:</p> <ol style="list-style-type: none"> <li>All</li> <li>All</li> <li>N, D</li> <li>N, C</li> <li>All</li> <li>N, M, SEN</li> <li> <ol style="list-style-type: none"> <li>N</li> <li>N, V, P, Ac, D</li> <li>N, Ac</li> <li></li> </ol> </li> <li>All</li> <li>N, P, V</li> <li>N, M, C, D, SEN, S</li> <li>M</li> <li>ALL</li> <li>ALL</li> <li>N A C D P</li> <li>N, P, A, C</li> <li>N, P</li> <li>N, P, V, Ac, SEN, M</li> <li>All</li> </ol>	<p>E: electronically                      S: automatically from Sims                      P: paper</p> <p>Within the Organisation:</p> <ol style="list-style-type: none"> <li>E/P/S</li> <li>P/E</li> <li>P/E</li> <li>P/E</li> <li>P/E</li> </ol> <p>External to the Organisation:</p> <ol style="list-style-type: none"> <li>E/S/P</li> <li>E/S/P</li> <li>E</li> <li>E/S</li> <li>E/P/S</li> <li>E</li> <li> <ol style="list-style-type: none"> <li>E</li> <li>E/P</li> <li>E</li> <li></li> </ol> </li> <li>S</li> <li>S/E</li> <li>P/E</li> <li>P</li> <li>E/P</li> <li>E/P</li> <li>E/P</li> <li>E/P</li> <li>E/P</li> </ol>	<p>Encrypted USB drives for all staff.</p> <p>Reputable companies – DPO to keep records, where appropriate, of Terms &amp; Conditions / Policy on Data Processing (i.e. how it's stored and who has access to it).</p> <p>LCC &amp; Health Service ( EGRESS) Secure Email System for sensitive information.</p> <p>Robust Information Sharing policy and systems, understood by all staff.</p> <p>Culture of professionalism and understanding amongst staff that information should only be shared if there is a demonstrable need.</p>

**Retention of Records:** All records will be retained indefinitely, but at least for the minimum periods stipulated in adopted LCC Policies, and/or in line with guidance for schools set out by the Information & Records Management Society

**Definitions:**

<p><b>“data controller”</b> means a person who (either alone or jointly or in common with other persons)</p>	<p><b>“data processor”</b>, in relation to personal data, means any person (other than an</p>	<p><b>“processing”</b>, in relation to information or data means obtaining, recording or holding the information or data or</p>
--------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------

<p>determines the purposes for which and the manner in which any personal data are, or are to be processed</p>	<p>employee of the data controller) who processes the data on behalf of the data controller.</p>	<p>carrying out any operation or set of operations on the information or data, including the following:</p> <ul style="list-style-type: none"><li>a) organisation, adaptation or alteration of the information or data,</li><li>b) retrieval, consultation or use of the information or data,</li><li>c) disclosure of the information or data by transmission, dissemination or otherwise making available, or erasure or destruction of the information or data</li></ul>
----------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------