



Brookhurst Primary School  
Ullswater Avenue  
Leamington Spa  
CV32 6NH  
Tel:01926 420051

A place to think and grow

[www.brookhurstprimary.com](http://www.brookhurstprimary.com) [admin2330@welearn365.com](mailto:admin2330@welearn365.com) [head2330@welearn365.com](mailto:head2330@welearn365.com)

## Privacy Notice for Parents and Pupils – How we use your information

2021/22

---

### Who are we?

Brookhurst Primary School is the 'data controller'. This means we are responsible for how your personal information is processed and for what purposes.

Brookhurst Primary School is registered as the Data Controller with the Information Commissioner's Office (ICO); Registration Number: **Z6674794**

You can contact the school as the Data Controller in writing at:

Brookhurst Primary School, Ullswater Avenue, Leamington Spa CV32 6NH or [head2330@welearn365.com](mailto:head2330@welearn365.com).



## What is a Privacy Notice?

A Privacy Notice sets out to individuals how we use any personal information that we hold about them. We are required to publish this information by data protection legislation. This Privacy Notice explains how we process (collect, store, use and share) personal information about our pupils and parents.

## What is Personal Information?

Personal information relates to a living individual who can be identified from that information. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession.

'Special category' personal information relates to personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

## What personal information do we process about pupils and parents?

The pupil and parent information that we collect, hold and share includes:

- Personal information including a pupil's name, date of birth, unique pupil number and home address
- Characteristics such as ethnicity, language, and free school meal eligibility
- Attendance information such as sessions attended, number of absences and absence reasons.
- Educational information including records of work, assessment results, relevant medical information, details of pupils' special educational needs, exclusions/behavioural information, post-16 learning information.
- Contact information for parents, carers and other relatives, including telephone numbers, home addresses and e-mail addresses.
- Information about a child's home life, where required as part of necessary safeguarding and welfare processes.
- Accident/incident reports involving the child

## Why do we use personal information?



We use pupil data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing
- to safeguard pupils
- to keep the school community safe and well

### **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 the General Data Protection Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

### **What are the legal reasons for us to process your personal information?**

We are required to process personal information in accordance with data protection legislation and only do so when the law allows us to. The lawful reasons we have for processing personal information are as follows:

#### **1) To comply with the law**

We collect and use general purpose pupil information in order to meet certain legal requirements and legal obligations placed upon the school by law. We therefore are required to this process personal information for such purposes even if you have not consented to us doing so.

Details of the type of processing that we must undertake, the personal data that is processed, the legislation which requires us to do so and who we may share this information with is set out in Table 1.

If you would like a copy of or further information regarding the statutory authorities that underpin our legal obligations, you should contact the school in writing.



## **2) To protect someone's vital interests**

We are able to process personal information when there is an emergency and/or where a person's life is in danger.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 2.

## **3) With the consent of the individual to whom that information 'belongs'**

Whilst much of the personal information processed is in accordance with a legal requirement, there is some personal information that we can only process when we have your consent to do so. In these circumstances, we will provide you with specific and explicit information regarding the reasons the data is being collected and how the data will be used.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 3.

## **4) To perform a public task**

It is a day-to-day function of the school to ensure that children receive the education and support they require. Much of this work is not set out directly in any legislation but it is deemed to be necessary in order to ensure that pupils are properly educated and supported

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 4.

In certain circumstances, an individual has the right to object to any processing where it is likely to cause or is causing harm or distress. To exercise this right, individuals should do so by contacting Brookhurst Primary School to inform them of their reasons for the objection. These reasons should relate to your specific circumstances. Upon receipt of an objection, the Brookhurst Primary School will consider the reasons for the objection and balance this against the legitimate grounds to process data.

## **5) We have a legitimate interest**

Occasionally we have reasons to process information which fall outside of our usual day-to-day school functions. Details of the type of processing that we may undertake on this basis are set out in Table 5.

In certain circumstances an individual has the right to object to any processing where it is likely to cause or is causing harm or distress. To exercise this right, individuals should do so by contacting Brookhurst Primary School to inform them of their reasons for the objection. These reasons should relate to your specific circumstances. Upon receipt of an objection, Brookhurst Primary School will consider the reasons for the objection and balance this against the legitimate grounds to process data.



## Special category personal information

In order to process 'special category' data, we must be able to demonstrate how the law allows us to do so. In addition to the lawful reasons above, we must also be satisfied that ONE of the following additional lawful reasons applies:

- 1) Explicit consent of the data subject
- 2) Processing relates to personal data which is manifestly made public by the data subject
- 3) Necessary for establishing, exercising or defending legal claims
- 4) Necessary for reasons of substantial public interest
- 5) Necessary for preventive or occupational medicine, or for reasons of public interest in the area of public health
- 6) Necessary for archiving, historical research or statistical purposes in the public interest

The lawful reasons for each type of special category personal information data that we process is set out in the tables attached.

## **Who might we share your information with?**

We routinely share pupil information with:

- schools that the pupils attend after leaving us
- Warwickshire County Council
- the Department for Education (DfE)
- SIMS – Education Software Solutions
- ParentPay
- Groupcall
- Parents Evening System
- Educaterers
- Class Photos
- School Cloud Systems



- Teach Active
- School Health (NHS, Compass)
- Police
- PIXL/Fisher Family Trust
- Kids Run Free (Marathon)
- Cool Milk
- Local Public Health team
- NHS Test and Trace
- School nurse
- NHS
- Public Health and other public health agencies
- Information Management software: SIMS, National Voucher Scheme (FSM)
- Education/classroom apps: Mathletics, Maths with Parents, White Rose Maths, , Accelerated Reader,
- Conferencing software for homework and home learning: Google Classroom, Microsoft Teams, Zoom, Starleaf
- Compass+ (The Careers and Enterprise Company)
- CPOMS
- Wonde

We do not share information about our pupils or parents unless the law and our policies allow us to do so.

Please refer to the tables for information about what personal information is shared with which specific third parties.

**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>.

### **NHS Test and Trace/Public Health Agencies:**

It may be necessary for us to share limited information with the above agencies in the event that an individual tests positive for Coronavirus, or if there is a Coronavirus outbreak. This will enable the named agencies to liaise with families to provide advice and support, and to take appropriate steps in responding to an outbreak. You have the right to object to the sharing of information with such agencies. This is not an absolute right and will be assessed on a case by case basis.

### **Covid-19 – Data Collection Requirements:**

It may be necessary for us to share limited information with the Department of Public Health if an individual tests positive for Coronavirus, or if there is a Coronavirus outbreak. This will enable the named agencies to liaise with families to provide advice and support, and to take appropriate steps in responding to an outbreak.

### **Testing in schools**

To enable lateral flow testing in schools, we need to process personal data of pupils taking part. For information on the data processed in relation to testing in schools, please refer to the privacy information provided by the DfE and published on our website [www.brookhurstprimary.com](http://www.brookhurstprimary.com)

### **What do we do with your information?**

All personal information is held in a manner which is compliant with data protection legislation. Personal information is only processed for the purpose it was collected. The school monitors the personal information it processes and will only share personal information with a third party if it has a legal basis to do so (as set out above).

### **How long do we keep your information for?**

In retaining personal information, the school complies with the Retention Schedules provided by the Information Record Management Society.



The schedules set out the Statutory Provisions under which the school are required to retain the information.

A copy of those schedules can be located using the following link:

<http://irms.org.uk/page/SchoolsToolkit>

### **Transferring data internationally**

Where we transfer personal data to a country outside of the UK, we will do so with the appropriate safeguards in place in accordance with data protection law

### **What are your rights with respect of your personal information?**

Under data protection law, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or to have access to your child's educational record, contact the School Data Protection Officer at Warwickshire Legal Services via email at [schooldpo@warwickshire.gov.uk](mailto:schooldpo@warwickshire.gov.uk) or alternatively;

School Data Protection Officer  
Warwickshire Legal Services  
Warwickshire County Council  
Shire Hall  
Market Square  
Warwick  
CV34 4RL

**\*\*Please ensure you specify which school your request relates to.**

**In certain circumstances** where Brookhurst Primary School processes data for the purposes of legitimate interests or to fulfil their public task, individuals have a right to object to the processing where it is likely to cause, or is causing, harm or distress. When exercising this right, individuals should contact the school/academy trust to inform them of their reasons for their objection. The school/academy trust will consider





the reasons for any objection and assess the risk to the individual against the purposes for the processing. In the event Brookhurst Primary School is unable to comply with an objection, we will ensure we can demonstrate compelling legitimate grounds to continue with the processing.

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

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

## Review

The content of this Privacy Notice will be reviewed Sept 2022.



**Table 1** – Personal information we are required to process to comply with the law:

Information Type	Relevant legislation	Special Category – additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Pupil full name	The Education (Information about Individual Pupils) (England) Regulations 2013 Regulation 3(2)	n/a	Local Authority Department of Education School to which pupil has transferred	Legal obligation
			ParentPay online payment system Cool Milk , Groupcall, School Cloud Systems, My School App, Mathletics, Maths with Parents, White Rose Maths, Teach Active, Accelerated Reader, Snowford Grange – school counsellor Warwickshire School Health & Wellbeing Service (provided by Compass) CPOMS Wonde Education Software Solutions	Consent of the individual to whom that information 'belongs'
			Pixl Other local schools eg for sports events	Performance of a public task
Gender	The Education (Information about	n/a	Local Authority Department of Education	Legal obligation



	Individual Pupils) (England) Regulations 2013 Regulation 3(2)		School to which pupil has transferred	
			ParentPay online payment system Cool Milk , Groupcall, School Cloud Systems, My School App, Mathletics, Maths with Parents, White Rose Maths, Teach Active, Accelerated Reader, Wonde, Education Software Solutions	Legal Obligation



Date of Birth	The Education (Information about Individual Pupils) (England) Regulations 2013 Regulation 3(2)	n/a	Local Authority Department of Education School to which pupil has transferred	Legal obligation
			ParentPay online payment system Cool Milk , Groupcall, School Cloud Systems, My School App, Mathletics, Maths with Parents, White Rose Maths, Teach Active, Accelerated Reader, CPOMS, Wonde, Education Software Solutions	Legal Obligation
			Pixl	Performance of a public task
Home address	The Education (Information about Individual Pupils) (England) Regulations 2013 Regulation 3(2)	n/a	Local Authority Department of Education School to which pupil has transferred	Legal obligation
			ParentPay online payment system Cool Milk , Groupcall, School Cloud Systems, My School App, Mathletics, Maths with Parents, White Rose Maths, Teach Active, Accelerated Reader, CPOMS, Wonde, Education Software Solutions	Legal Obligation
First Language	The Education	n/a	Local Authority	Legal obligation



	(Information about Individual Pupils) (England) Regulations 2013 Regulation 3(2)		Department of Education School to which pupil has transferred	
Ethnicity	The Education (Information about Individual Pupils) (England) Regulations 2013 Regulation 3(2)		Local Authority Department of Education School to which pupil has transferred	Legal obligation
National Identity, Country of Birth, Nationality	Education Act 1996 Section 537A		Local Authority Department of Education School to which pupil has transferred	Legal obligation
Date of admission to school	The Education (Information about Individual Pupils) (England) Regulations 2013 Regulation 3(2)	n/a	Local Authority Department of Education School to which pupil has transferred	Legal obligation
			Cool Milk (reception pupils only)	Legal Obligation
Last school attended - name and address	The Education (Pupil Information) (England) Regulations 2005 Regulation 5	n/a	Local Authority Department of Education School to which pupil has transferred	Legal obligation
National curriculum year group	The Education (Information about Individual Pupils) (England) Regulations 2013 Regulation 3(2)	n/a	Local Authority Department of Education School to which pupil has transferred	Legal obligation
			ParentPay online payment system Cool Milk , Groupcall, School Cloud	Legal Obligation



			Systems, My School App, Mathletics, Maths with Parents, White Rose Maths, Teach Active, Accelerated Reader, Wonde, Education Software Solutions	
			Pixl	Performance of a public task
Unique pupil number	Education Act 1996 Section 537A	n/a	Local Authority Department of Education School to which pupil has transferred CPOMS	Legal obligation
			Pixl	Performance of a public task
Eligibility for Free School Meals	The Education (Information about Individual Pupils) (England) Regulations 2013 Regulation 3(2)	n/a	Local Authority Department of Education School to which pupil has transferred	Legal obligation
			ParentPay online payment system Cool Milk , Groupcall, School Cloud Systems, My School App, Mathletics, Maths with Parents, White Rose Maths, Teach Active, Accelerated Reader, Wonde, Education Software Solutions	Legal Obligation
Mode of Travel to School	Education Act 1996 Section 508A	n/a	Local Authority Department of Education	Legal obligation



			School to which pupil has transferred	
Proficiency in English	Education Act 1996 Section 537A	n/a	Local Authority Department of Education School to which pupil has transferred	Legal obligation
Whether a pupil is looked after and the Local Authority by whom the pupil is looked after	The Education (Information about Individual Pupils) (England) Regulations 2013 Regulation 3(2)	n/a	Local Authority Department of Education School to which pupil has transferred	Legal obligation
Where a pupil has been but is no longer looked after, the type of order resulting in them no longer being looked after	The Education (Information about Individual Pupils) (England) Regulations 2013 Regulation 3(2)	n/a	Local Authority Department of Education School to which pupil has transferred	Legal obligation
Special Educational Needs status, start date, details of needs and provision	The Education (Information about Individual Pupils) (England) Regulations 2013 Regulation 3(2)	n/a	Local Authority Department of Education School to which pupil has transferred	Legal obligation
Details of exclusions: start	The Education (Information about	n/a	Local Authority Department of Education	Legal obligation



and end dates, number of sessions, fixed length/permanent, reason for exclusion	Individual Pupils) (England) Regulations 2013 Regulation 3(2)		School to which pupil has transferred	
Assessment date – end of key stage and Year 1 phonics screening	The Education (Pupil Information) (England) Regulations 2005	n/a	Local Authority Department of Education School to which pupil has transferred	Legal obligation
Pupil Annual Reports	The Education (Pupil Information) (England) Regulations 2005	n/a	School to which pupil has transferred	Legal obligation
Attendance records including whether absence was authorised/unauthorised and reason for absence	The Education (Information about Individual Pupils) (England) Regulations 2013 Regulation 3(2)	n/a	Local Authority Department of Education School to which pupil has transferred	Legal obligation
Parents' names and addresses	The Education (Pupil Information) (England) Regulations 2006 Regulation 5 (1)(c)	n/a	Local Authority Department of Education School to which pupil has transferred Warwickshire School Health & Wellbeing Service (provided by Compass)	Legal obligation





Parents' telephone number (if pupil usually resides with them)	The Education (Pupil Information) (England) Regulations 2006 Regulation 5 (1)(c)	n/a	Local Authority Department of Education School to which pupil has transferred	Legal obligation
Pupil assessment data (Curricular record)	The Education (Pupil Information) (England) Regulations 2005, Regulation 4		Pixl	Performance of a public task



**Table 2** – Personal information we are required to process as it is necessary to protect someone’s vital interests

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Medical information including allergies	Necessary to protect vital interests of the data subject or another person where the data subject is physically or legally incapable of giving consent	Emergency services	Protection of vital interests
Religious Beliefs	Necessary to protect vital interests of the data subject or another person where the data subject is physically or legally incapable of giving consent	Emergency services	Protection of vital interests



**Table 3 - Personal information we are required to process with the consent of the individual to whom that information ‘belongs’**

<b>Information Type</b>	<b>Special Category - additional lawful reason</b>	<b>Third Parties with whom we share the information</b>	<b>Lawful reason for sharing</b>
Parent mobile telephone number	n/a	ParentPay online payment system Tapestry online learning journal (Nursery & Reception pupils only)	Consent of the individual to whom that information ‘belongs’
Parent email address	n/a	ParentPay online payment system Tapestry online learning journal (Nursery & Reception pupils only)	Consent of the individual to whom that information ‘belongs’
Pupil images	n/a	Tapestry online learning journal (Nursery & Reception pupils only) Media	Consent of the individual to whom that information ‘belongs’
Parent name, date of birth, National Insurance Number, 30 hours eligibility code (Nursery children only)	n/a	Local Authority Synergy Database (Nursery pupils only)	Consent of the individual to whom that information ‘belongs’



**Table 4 - Personal information we are required to process because it is necessary to do so in order to perform a public task**

<b>Information Type</b>	<b>Special Category - additional lawful reason</b>	<b>Third Parties with whom we share the information</b>	<b>Lawful reason for sharing</b>
Names, telephone numbers and addresses of emergency contacts other than parent(s) with whom pupil resides	n/a	Not shared	n/a
Registration group	n/a	ParentPay online payment system Snowford Grange - School Counsellor	Consent of the individual to whom that information 'belongs'
Child Protection and Safeguarding documentation including concern forms and case documentation	n/a	Local Authority	Legal requirement – Children’s Act 1989, sections 17 and 47
		Police	Performance of a public task
Special Educational Needs documentation including SEND provision maps, Personal Learning Plans, Education, Health and Care Plans, reports from external agencies	n/a	Local Authority	Performance of a public task
Dietary restrictions	n/a	ParentPay online payment system	Consent of the individual to whom that information 'belongs'
Medical information including allergies	Necessary for preventative or occupational medicine	Warwickshire School Health & Wellbeing Service (provided by Compass)	Consent of the individual to whom that information 'belongs'

