

# PRIVACY NOTICE FOR PUPILS

## Introduction

You have a legal right to be informed about how we use any personal information that we hold about you. To comply with this, we provide a 'privacy notice' to you where we are processing your personal data. This notice explains how we collect, store and use personal data about pupils and students at our school, like you.

Fairview Community Primary School is the data controller for the purposes of UK data protection law.

Our Data Protection Officer is: Accordio Limited (see 'Contact us' below).

## The personal data we hold

We hold some personal information about you to make sure we can help you learn and look after you at school.

For the same reasons, we get information about you from some other places too – e.g. from your parents or carers, other schools, the local council and the government.

Personal information that we collect, use, store and share (where appropriate) about you includes, but is not restricted to:

- personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- characteristics (such as age, ethnic group, language, nationality, country of birth and free school meal eligibility)
- safeguarding information (such as court orders and professional involvement)
- special educational needs (such as educational health care plans (EHCP's))
- medical and administration (such as doctor's information, child health, dental health, allergies, medication and dietary requirements)
- attendance information (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- assessment and attainment information (such as EYFS, Key Stage or internal academic assessment information)
- pupil/student references and reports
- behavioural information (such as positive and negative incidents, sanctions, exclusions and any relevant alternative provision put in place)
- photographic and video images
- CCTV footage and images

## **Why we use this data**

We use the data listed above to:

- Get in touch with you and your parents/carers when we need to
- Check how you are doing in exams and work out whether you or your teachers need any extra help
- Track how well the school as a whole is performing
- Look after your wellbeing

## **Use of your personal data for marketing purposes**

Where you have given us consent to do so, we may send you marketing information by email or text promoting school events, campaigns, charitable causes or services that you might be interested in.

You can take back this consent or 'opt out' of receiving these emails and/or texts at any time by contacting our Business Manager (see 'Contact us' below).

## **Use of your personal data in automated decision making and profiling**

We do not currently process any personal information through any automated decision making or profiling process. This means we do not make decisions about you using only computers without any human involvement.

If this changes in the future, we will update this notice in order to explain the processing to you, including your right to object to it.

## **Our lawful basis for using this data**

We will only collect and use your information when the law allows us to. Most commonly, we process it where:

- We need to comply with the law – School Census, Early Years Census
- We need to use it to carry out a task in the public interest – Publication of examination results in media/marketing

Sometimes, we may also use your personal information where:

- You, or your parents/carers have given us permission to use it in a certain way – Photographs, Off-site education and school representation
- We need to protect your interests (or someone else's interest) - Safeguarding

Where you have provided us with consent to use your information, you may take back this consent at any time. We will make this clear when requesting your consent, and explain how you would go about withdrawing your consent if you want to. Some of the reasons listed above for collecting and using your information overlap, and there may be several grounds which mean we can use your data.

## **Our basis for using special category data**

For 'special category' data (more sensitive personal information), we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in UK data protection law:

- We have obtained your explicit consent to use your information in a certain way
- We need to use your information under employment, social security or social protection law
- We need to protect an individual's vital interests (i.e., protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The information has already been made obviously public by you
- We need to use it to make or defend against legal claims
- We need to use it for reasons of substantial public interest as defined in legislation
- We need to use it for health or social care purposes, and it's used by, or under the direction of, a professional obliged to confidentiality under law
- We need to use it for public health reasons, and it's used by, or under the direction of, a professional obliged to confidentiality under law
- We need to use it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the use is in the public interest

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in UK data protection law. Conditions include:

- We have obtained your consent to use it in a specific way
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made obviously public by you
- We need to use it as part of legal proceedings, to obtain legal advice, or to make or defend against legal claims
- We need to use it for reasons of substantial public interest as defined in legislation

## **Collecting this data**

While most of the information we collect about you is mandatory, there is some information that can be provided voluntarily.

Whenever we want to collect information from you, we make it clear if you have to give us this information (and if so, what the possible consequences are of not doing that), or if you have a choice.

Most of the data we hold about you will come from you, but we also hold data about you from:

- Local councils
- Government departments or agencies
- Law enforcement (such as Police, courts, tribunals)

## **How we store this data**

We keep personal information about you until you change school. Your records will then be transferred to your new school, where they will be retained until you reach the age of 25, after which they are safely destroyed.

We have security measures in place to prevent your personal information being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We will dispose of your personal data securely when we no longer need it.

### **Who we share data with**

We do not share information about you with any third party without your consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with UK data protection law), we share personal information about you with:

- Department for Education and the Education and Skills Funding Agency in compliance with legal obligations of the Trust to provide information about pupils and students as part of statutory data collections
- Local Authority teams (including Medway Council) working to improve outcomes for children and young people
- Commissioned providers of School Services (such as Local Authority services)
- Schools that you attend after leaving us or have previously attended
- Local multi-agency forums which provide SEND advice, support and guidance
- Subsidiaries and data processors, where necessary to provide essential systems and services required to ensure children continue to receive appropriate education provision, under contract to the Trust
- Other public organisations, where necessary, which may include Police, HMRC, courts, tribunals, school nurses, doctors and mental health workers and the NHS
- Third-party providers of information services (such as education content providers or apps)
- Contracted providers of services (such as communication systems, school photographers, catering and catering and IT providers)

### **National Pupil Database**

We have to provide information about you to the DfE (a government department) as part of data collections such as the school census.

Some of this information is then stored in the [National Pupil Database](#), which is managed by the DfE and provides evidence on how schools are performing. This, in turn, supports research. The database is held electronically so it can easily be turned into statistics. The information it holds is collected securely from schools, local authorities, exam boards and others.

The DfE may share information from the database with other organisations, such as organisations that promote children's education or wellbeing in England. These organisations must agree to strict terms and conditions about how they will use your data.

You can find more information about this on the DfE's webpage on [how it collects and shares research data](#).

You can also [contact the Department for Education](#) if you have any questions about the database.

### **Transferring data internationally**

When we transfer your personal data to a country or territory outside of the UK, we will do so in accordance with UK data protection law.

In cases where we have to set up safeguarding arrangements to complete this transfer, you can get a copy of these arrangements by contacting us.

### **Why we share this information**

#### **Department for Education (DfE)**

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

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

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>.

## **Your Rights**

### **How to access personal information that we hold about you**

You have a right to make a subject access request to gain access to personal information that we hold about you.

If you make a subject access request, and if we do hold information about you, we will (unless there is a really good reason why we should not):

- Give you a description of it
- Tell you why we are holding and using it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data (decisions being made by a computer or machine, rather than by a person) and any consequences of this
- Give you a copy of the information in an understandable form

You may also have the right for your personal information to be shared with another organisation in certain circumstances.

You are entitled to submit subject access requests all year round, but please bear in mind that it may be necessary for us to extend the response period when requests are submitted over the summer holidays. This is in accordance with article 12(3) of the UK GDPR, and will be the case where the request is complex – for example, where we need multiple staff to collect the data.

If you would like to make a request, please contact our Data Protection Officer (see ‘Contact us’ below).

### **Your other rights regarding your data**

Under UK data protection law, you have certain rights regarding how your personal data is used and kept safe. For example, you have the right to:

- Say that you don’t want your personal information used
- Stop it being used to send you marketing materials
- Say that you don’t want it used to make automated decisions (decisions made by a computer or machine, rather than by a person)
- In some cases, have it corrected if its inaccurate
- In some cases, have it deleted or destroyed, or restrict its use
- Make a complaint to the Information Commissioner’s Office
- Claim compensation if the data protection rules are broken and this harms you in some way

To exercise any of these rights, please contact our Business Manager (see ‘Contact us’ below).

## **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 let us know first. Alternatively, you can make a complaint to the Information Commissioner's Office.

- Report a concern online at: <https://ico.org.uk/make-a-complaint/>
- Call: 0303 123 1113
- Write: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

### **Contact Us**

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our Business Manager:

Julie Trundle, School Business Manager [office@fairviewprimary.medway.sch.uk](mailto:office@fairviewprimary.medway.sch.uk)

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