



The Leys Primary & Nursery School

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Privacy Notice for Parents and Carers – Use of Your Child's Personal Data – January 2026

DOCUMENT DETAILS	
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1. Introduction

Under data protection law, individuals have a right to be informed about how our school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about **pupils at our school**.

This privacy notice applies whilst your child is not yet able to understand and exercise their own data protection rights. There is no set age at which children are automatically considered capable of understanding their data protection rights - this depends on the individual child's maturity and understanding of what is involved. We will assess this on a case-by-case basis, taking into account the nature of the data processing and the child's level of understanding.

Once we consider that your child is able to understand their rights over their own data, you should instead refer to our privacy notice for pupils to see what rights they have over their own personal data.

We, The Leys Primary and Nursery School, are the 'data controller' for the purposes of data protection law.

Our data protection officer is Patrick Aikman (see 'Contact us' below).

2. The Personal Data We Hold

Personal data that we may collect, use, store and share (when appropriate) about your child includes, but is not restricted to:

- Contact details and contact preferences
- Date of birth and age
- Identification documents
- Results of internal assessments and externally set tests
- Pupil and curricular records
- Characteristics such as ethnic background, language, and nationality



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- Exclusion information
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs for identification, displays, and school publications
- CCTV images captured on school premises for security and safeguarding purposes

We may also collect, use, store and share (when appropriate) information about your child that falls into "**special categories**" of more sensitive personal data. This includes, but is not restricted to, information about:

- Any medical conditions we need to be aware of, including physical and mental health
- Special educational needs and disabilities (SEND)
- Relevant family circumstances
- Biometric data (where we have obtained explicit consent)
- Information about ethnic background, religious beliefs, or sexual orientation where relevant to providing appropriate care and support

We may also hold data about your child that we have received from other organisations, including other schools, local authorities, health services, and social services.

3. Why We Use This Data

We use the data listed above to:

1. Support pupil learning and educational achievement
2. Monitor and report on pupil progress
3. Provide appropriate pastoral care and support
4. Protect pupil welfare and keep children safe
5. Assess the quality of our services
6. Administer admissions and waiting lists
7. Comply with legal obligations regarding data sharing
8. Support effective school management and administration
9. Enable appropriate financial processes (such as free school meals)
10. Facilitate trips and extracurricular activities

3.1 Use of Your Child's Personal Data in Automated Decision Making and Profiling

We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

4. Our Lawful Basis for Using This Data

We will only collect and use your child's personal data when the law allows us to. Most commonly, we process it where:

- **We need to comply with a legal obligation** - for example, we are required by law to share certain information with the Department for Education and our local authority
- **We need to perform an official task in the public interest** - this is our main lawful basis for processing pupil data, as we are a maintained school carrying out our official functions



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- **We need to protect someone's vital interests** - we will use this lawful basis only in genuine life-or-death situations where we need to share information to protect your child or someone else

Less commonly, we may also process your child's personal data where:

- **We have obtained your consent** - for example, for certain photographs or for optional activities. Where we rely on consent, you have the right to withdraw this consent at any time. We will make this clear when requesting your consent and explain how you can withdraw it if you wish to do so
- **We have legitimate interests** - in very limited circumstances where our interests do not override your child's rights and there is a minimal privacy impact

4.1 Our Basis for Using Special Category Data

For **'special category' data** (such as health information, ethnicity, or SEND 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:

- We have obtained your **explicit consent** to use your child's personal data in a certain way
- We need to perform or exercise an obligation or right in relation to employment, social security, or social protection law
- We need to protect an individual's vital interests (i.e. protect your child's life or someone else's life), in situations where you're physically or legally incapable of giving consent
- We need to process it for reasons of **substantial public interest** as defined in legislation - this is the most common basis we use for processing special category data in schools
- We need to process it for **health or social care purposes**, and the processing is done by, or under the direction of, a health or social work professional
- We need to process it for public health reasons
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest

4.2 Our Basis for Using Criminal Offence Data

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 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
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise, or defence of legal rights
- We need to process it for reasons of substantial public interest as defined in legislation

5. Collecting This Data

While the majority of information we collect about your child is **mandatory** (we are required by law to collect it), there is some information that you can provide **voluntarily**.



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Whenever we seek to collect information from you or your child, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

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

- Local authorities (including Hertfordshire County Council)
- Government departments or agencies (including the Department for Education)
- Previous schools your child has attended
- Health services
- Police forces, courts, and tribunals
- Social services
- Educational psychologists and other professionals

6. How We Store This Data

We keep personal information about your child while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary for legal, regulatory, or safeguarding purposes.

Our **record retention schedule** sets out how long we keep different types of information about pupils. Key retention periods include:

- **Pupil files and records:** Retained until the pupil reaches age 25
- **Safeguarding records:** Retained until the pupil reaches age 25 (or longer if necessary)
- **Attendance registers:** Retained for 3 years after the end of the academic year
- **SEND records:** Retained until the pupil reaches age 25
- **Accident and incident records:** Retained until the pupil reaches age 25

We have put in place appropriate **security measures** to prevent your child's personal information from being accidentally lost, used or accessed in an unauthorised way, altered, or disclosed. These include:

- Secure IT systems with password protection and encryption
- Restricted access to personal data on a 'need to know' basis
- Staff training on data protection
- Secure storage of paper records

We will dispose of your child's personal data securely when we no longer need it, using confidential waste disposal or secure electronic deletion.

7. Who We Share Data With

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

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

Local Authority



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- **Hertfordshire County Council** - to meet our legal obligations to share certain information, such as safeguarding concerns, attendance data, exclusions, and information to support children with SEND

Government Departments or Agencies

- **Department for Education (DfE)** - we are required to share pupil data with the DfE as part of statutory data collections such as the school census
- **Ofsted** - during inspections

Health and Wellbeing Services

- **School nursing service**
- **NHS services** where necessary for your child's health and wellbeing
- **Educational psychologists**
- **Speech and language therapists**
- **CAMHS (Child and Adolescent Mental Health Services)**

Suppliers and Service Providers

We share data with suppliers who provide services to the school. These include:

- **Arbor** - our management information system provider
- **Hertfordshire Catering Ltd** - for school meals administration
- **Herts for Learning** - for educational support services
- **IT support providers**
- **Photograph and video companies** (with consent)

All suppliers are carefully selected and must meet our data protection standards. We have data processing agreements in place with all suppliers who process personal data on our behalf.

Other Organisations

Where necessary and lawful, we may also share information with:

- **Police forces, courts, and tribunals** - for safeguarding or legal purposes
- **Social services** - for safeguarding purposes
- **Youth support services** - to support pupils' transition to further education or employment
- **Our auditors** - for financial and compliance audits
- **Professional advisers** (such as lawyers and consultants)
- **Exam boards** - for examination administration
- **Future schools** - when your child transfers to another school

National Pupil Database

We are required to provide information about pupils to the Department for Education as part of statutory data collections such as the school census.

Some of this information is then stored in the **National Pupil Database (NPD)**, which is owned and managed by the Department for Education and provides evidence on school performance to inform research.

The database is held electronically so it can easily be turned into statistics. The information is securely collected from a range of sources including schools, local authorities, and exam boards.



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The Department for Education may share information from the NPD with third parties who promote children's education or wellbeing in England. These organisations must agree to strict terms and conditions about how they will use the data.

For more information about the NPD, see the Department for Education's webpage:

- **How we collect and share research data:** <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

You can contact the Department for Education with any questions about the NPD:

- **Email:** data.sharing@education.gov.uk

8. Your Rights

8.1 How to Access Personal Information That We Hold About Your Child

You have a right to make a '**subject access request**' to gain access to personal information that we hold about your child.

If you make a subject access request, and if we do hold information about your child, we will (subject to any exemptions that apply):

- Give you a description of it
- Tell you why we are holding and processing 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, and any consequences of this
- Give you a copy of the information in an intelligible form
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You may also have the right for your child's personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a subject access request, please contact us (see 'Contact us' below).

We will respond to your request **within one month** of receiving it. In some cases, we may need to extend this by a further two months if your request is complex - we will let you know if this is the case.

Please note: Once we consider that your child is able to understand their rights over their own data, we will need to obtain consent from your child for you to make a subject access request on their behalf.

8.2 Your Other Rights Regarding Your Child's Data

Under data protection law, you have certain rights regarding how your child's personal data is used and kept safe. You have the right to:

- **Object to our use** of your child's personal data
- **Prevent your child's data being used** to send direct marketing
- **Object to and challenge** the use of your child's personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have **inaccurate personal data corrected**



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- In certain circumstances, have the **personal data we hold about your child deleted or destroyed**, or restrict its processing (known as the 'right to erasure' or 'right to be forgotten')
- In certain circumstances, **be notified of a data breach**
- **Withdraw consent** at any time, where we are relying on consent to process your child's personal data
- **Make a complaint** to the Information Commissioner's Office (see section 9 below)
- **Claim compensation** for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact us (see 'Contact us' below).

Please note: Some of these rights only apply in certain circumstances. For example, we cannot delete data that we are legally required to keep. We will explain this to you if you make a request.

Once we consider that your child is able to understand their rights over their own data, we will need to obtain consent from your child for you to make these requests on their behalf.

9. 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 concern about our data processing, please raise this with us in the first instance by contacting:

- **The Headteacher** at admin@theleys.herts.sch.uk
- **Our Data Protection Officer** (see section 10 below)

Alternatively, you can make a complaint to the **Information Commissioner's Office (ICO)**:

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

10. Contact Us

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

Our Data Protection Officer:

- **Name:** Patrick Aikman
- **Email:** patrick@schooldposervice.com

The School:

- **The Leys Primary and Nursery School**
- **Address:** Ripon Rd, Stevenage, SG1 4QZ
- **Phone:** 01438 314148
- **Email:** admin@theleys.herts.sch.uk