Date Written	Latest Review	Date for Review
July 2018	September 2026	September 2027

Marlborough St Mary's CE

Primary School

Data Protection Policy

Together we believe, learn and achieve

Marlborough St Mary's CE Primary School

Data Protection Policy

Marlborough St Mary's Primary School collects and uses personal information about staff, pupils, parents and other individuals who come into contact with the school. This information is gathered in order to enable it to provide education and other associated functions. In addition, there may be a legal requirement to collect and use information to ensure that the school complies with its statutory obligations.

Marlborough St Mary's Data Protection Officer is Dan Crossman, who can be contacted on head@marlboroughstmarys.wilts.sch.uk. The data controller is Karen Giddings, who can be contacted on SBM@marlboroughstmarys.wilts.sch.uk

Schools have a duty to be registered, as Data Controllers, with the Information Commissioner's Office (ICO) detailing the information held and its use. These details are then available on the ICO's website. Schools also have a duty to issue a Privacy Notice to all pupils/parents, this summarises the information held on pupils, why it is held and the other parties to whom it may be passed on.

Purpose
This policy is intended to ensure that personal information is dealt with correctly and securely and in accordance with the Data Protection Act 2018, and other related legislation. It will apply to information regardless of the way it is collected, used, recorded, stored and destroyed, and irrespective of whether it is held in paper files or electronically.

All staff involved with the collection, processing and disclosure of personal data will be aware of their duties and responsibilities by adhering to these guidelines.

What is Personal Information?
Personal information or data is defined as data which relates to a living individual who can be identified from that data, or other information held.

Data Protection Principles
The Data Protection Act 2018 establishes seven enforceable principles that must be adhered to at all times:

1. Personal data shall be processed fairly, lawfully and transparently;
2. Personal data shall be obtained only for one or more specified and lawful purposes;
3. Personal data shall be adequate, relevant and limited to what is necessary;
4. Personal data shall be accurate and relevant, and where necessary, kept up to date;
5. Personal data processed for any purpose shall not be kept for longer than is necessary for that purpose or those purposes;
6. Personal data shall be kept secure i.e., protected by an appropriate degree of security, ensuring the integrity, privacy and confidentiality of the data
7. Accountability - this principle makes the organisation responsible for complying with the GDPR and demonstrates that the organisation is compliant.

General Statement

The school is committed to maintaining the above principles at all times. Therefore, the school will:

- Inform individuals why the information is being collected when it is collected
- Inform individuals when their information is shared, and why and with whom it was shared
- Check the quality and the accuracy of the information it holds
- Ensure that information is not retained for longer than is necessary
- Ensure that when obsolete information is destroyed that it is done so appropriately and securely
- Ensure that clear and robust safeguards are in place to protect personal information from loss, theft and unauthorised disclosure, irrespective of the format in which it is recorded
- Share information with others only when it is legally appropriate to do so
- Set out procedures to ensure compliance with the duty to respond to requests for access to personal information, known as Subject Access Requests
- Ensure our staff are aware of and understand our policies and procedures

Retention of Data

The School may retain data for differing periods of time for different purposes as required by statute or best practices. The School uses the 'Information Management Toolkit for Schools' (IRMS) as a guide to data retention. Other statutory obligations, legal processes and enquiries may also necessitate the retention of certain data.

Biometric Testing

Marlborough St. Mary's Primary School does not use any form of biometric testing and does not collect, process or store personal information of this kind.

Complaints

Complaints will be dealt with in accordance with the school's complaints policy. Complaints relating to information handling may be referred to the Information Commissioner (the statutory regulator).

Other linked policies

- Photographic and Video
- CCTV
- Code of Conduct
- Freedom of Information Policy
- Subject Access Request Policy
- Subject Access Request Procedure

Review

This policy will be reviewed as it is deemed appropriate, but no less frequently than every 2 years.

Contacts

If you have any enquires in relation to this policy, please contact the Headteacher who will also act as the contact point for any subject access requests.

Further advice and information is available from the Information Commissioner's Office, www.ico.gov.uk or telephone 0303 123 1113

School Based Nursery Update August 2026 – Data Protection & Privacy

1. Context & Scope This addendum complements the Marlborough St Mary's CE Primary School Data Protection Policy and details our data management obligations for the school-based Nursery setting. It covers the collection, storage, processing, and sharing of personal data relating to Nursery children (aged 2, 3, and 4), their parents/carers, and Early Years staff in accordance with UK GDPR and the Data Protection Act 2018.

2. Data Protection Roles & Governance

- **Data Controller:** Marlborough St Mary's Primary School (Karen Giddings, School Business Manager, SBM@marlboroughstmarys.wilts.sch.uk).
- **Data Protection Officer (DPO):** Dan Crossman, Headteacher (head@marlboroughstmarys.wilts.sch.uk).
- **Registration & Compliance:** All processing of Nursery data falls under the school's existing registration with the Information Commissioner's Office (ICO).

3. Pupil Data Collection & Early Years Specifics

- **Categories of Data Collected:** Personal information (names, date of birth, unique identifiers, contact details), developmental/assessment tracking under EYFS, attendance data, relevant medical conditions, Special Educational Needs and Disabilities (SEND) information, safeguarding records, and image/video footage.
- **Funding & Statutory Returns:** Data is collected and processed under legal obligation to facilitate 2-, 3-, and 4-year-old Early Years Entitlement funding claims, local authority Early Years Census returns, and DfE reporting.
- **Retention:** Nursery records and early learning journey data are retained and archived in line with the Information and Records Management Society (IRMS) guidelines.

4. Consent & Privacy Notices

- **Privacy Notice:** Parents/carers receive a specific Early Years Privacy Notice upon registration detailing why data is collected, how it is stored, and with whom it is shared.
- **Voluntary vs. Mandatory Data:** Where data submission is voluntary (e.g., photo consent for social media, marketing, or optional platforms), explicit written consent is requested from parents/carers upon enrolment. Consent can be withdrawn at any time by contacting the school office.

5. Early Years Staff & Workforce Data

- **Workforce Records:** Personal details, DBS checks, qualifications, training certificates, contract terms, and attendance records for Nursery staff are collected and stored securely.
- **Data Sharing:** Workforce information is shared with Wiltshire Council and the DfE on a statutory basis for funding, safeguarding compliance, and workforce planning.

Appendices

- Appendix 1: Privacy Notice (How we use pupil information)
- Appendix 2: Privacy Notice (How we use school workforce information)
- Appendix 3: Privacy Notice ((Telephone Recording and Meeting Transcripts)

Appendix 1

Privacy Notice (How we use pupil information)

Why we collect and use this information

We use the 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

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

- Personal information (such as name, unique pupil number, date of birth, siblings and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment information
- Relevant medical information
- Additional or Special Educational Needs information
- Behavioural/exclusion information
- Contact details of parents/carers
- Safeguarding and child protection reports and disclosures
- Photographs and video clips

The lawful basis on which we use this information

We collect and use pupil information under the Education Act 2011 and the EU General Protection Regulation (GDPR) which took effect from May 25th 2018, including Article 6 "lawfulness of processing" and Article 9 "processing of special categories of personal data".

Collecting pupil information

Whilst the majority of pupil information provided 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.

Storing pupil data

We hold pupil data in line with the recommendations of the Information and Records Management Society www.imrs.org.uk.

Who we share pupil information with

We routinely share pupil information with:

- schools that the pupils attend after leaving us
- our local authority
- the Department for Education (DfE)
- any organisation relevant to your child's education

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 required to share information about our pupils with our local authority (LA) and the Department for Education (DfE) under section 3 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.

Appendix 2

Privacy Notice (How we use school workforce information)

The categories of school workforce information that we collect, process, hold and share include:

- personal information (such as name, address, contact information, next of kin, employee or teacher number, national insurance number, bank details, medical information)
- special categories of data including characteristics information such as gender, age, ethnic group
- contract information (such as start dates, hours worked, post, roles and salary information)
- work absence information (such as number of absences and reasons)
- qualifications (and, where relevant, subjects taught)

Why we collect and use this information

We use school workforce data to:

- enable the development of a comprehensive picture of the workforce and how it is deployed
- inform the development of recruitment and retention policies
- enable individuals to be paid

The lawful basis on which we process this information

We process information under the Education Act 2011 and the EU General Protection Regulation (GDPR) which took effect from May 25th 2018, including Article 6 "lawfulness of processing" and Article 9 "processing of special categories of personal data".

Collecting this information

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

Storing this information

We hold data in line with the recommendations of the Information and Records Management Society www.imrs.org.uk.

Who we share this information with:

We routinely share this information with:

- our local authority
- the Department for Education (DfE)

Why we share school workforce information:

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

- **Local authority**

We are required to share information about our workforce members with our local authority (LA) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

- **Department for Education (DfE)**

  We share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding/expenditure and the assessment educational attainment.
  We are required to share information about our school employees with our local authority (LA) and the Department for Education (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.
  Data collection requirements.
  The DfE collects and processes personal data relating to those employed by schools (including Multi Academy Trusts) and local authorities that work in state funded schools (including all maintained schools, all academies and free schools and all special schools including Pupil Referral Units and Alternative Provision). All state funded schools are required to make a statutory census submission three times a year.

To find out more about the data collection requirements placed on us by the Department for Education including the data that we share with them, go to https://www.gov.uk/education/data-collection-and-censuses-for-schools.

The department may share information about school employees with third parties who promote the education or well-being of children or the effective deployment of school staff in England by:

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

The department has robust processes in place to ensure that the confidentiality of personal data is maintained and there are stringent controls in place regarding access to it and its use. Decisions on whether DfE releases personal 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 securely store and handle the data

To be granted access to school workforce information, organisations must comply with its 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

To contact the department: https://www.gov.uk/contact-dfe

Appendix 3

Privacy notice - Telephone recordings and meeting transcripts

Introduction
This privacy notice outlines how Marlborough St. Mary's Primary School collects, stores and uses personal data through telephone recordings and meeting transcripts. It applies to all individuals who interact with the school, including staff, governors, volunteers, students, parents, carers, contractors, and visitors.

Telephone call recordings
Incoming calls to the school's main telephone lines may be recorded for training, monitoring and safeguarding purposes. All absence notification calls **will** be recorded and transcribed. Please see below for the message played.

General Message:
*"Thank you for calling **Marlborough St Mary's Primary School**. Please be advised that **calls may be recorded for training, monitoring, and safeguarding purposes**. Please press 1 to report a student absence or press 2 to speak to the school office".*

Student Absence Message:
*"Please state your child's full name, class, and the reason for their absence after the tone. Please be aware that **all messages left on this line are recorded and transcribed** for attendance and safeguarding purposes. Thank you."*

All calls may be recorded from the start, or after the conversation has commenced.
Examples of what the member of the school staff may say:

- *"Just to let you know, this call may be recorded for accuracy and quality purposes."*
- *"For our records and to ensure accuracy, I am going to record the rest of this conversation."*
- *"I want to make sure I get everything exact, so I am going to start recording this call from this point on."*
- *"For absolute accuracy going forward in this discussion, I'm going to start recording our conversation now."*

The data collected includes:
• caller ID
• date and time of the call
• call duration
• an audio recording

The data is stored securely within the school IT systems. Access is restricted to authorised personnel, including the Headmaster, Deputy Headmaster, School Business Manager and System Administrator.

The recordings are retained for 6 months unless we are required to retain for longer in the event of an investigation or for legal purposes.

Transcripts
Conference calls, audio calls and meetings may be transcribed using an approved AI system to support accurate record-keeping, improve time management, and ensure transparency.

The following meetings will be within scope to record:
• parent-teacher meetings
• re-integration meetings
• exclusion and complaint panels
• disciplinary hearings
• internal staff meetings
• EHCP and SEND reviews
• Governing board meetings

Prior to any recording, all attendees will be informed, and a copy of the transcript can be obtained following the meeting if required. Should an attendee not wish to have the meeting recorded, they can inform the chair prior to the start of the meeting.

Any information discussed within a meeting will be collected this may include names, roles, opinions.

Transcripts will be removed from the AI system and filed appropriately. Records will then be retained in accordance with our retention schedule.

Ahead of the meeting commencing, all attendees will be reminded that no individual should record the meeting.

Our lawful basis for using the data
Our legal basis for processing the data as outlined above is public task. It is necessary for the school to undertake such recordings to perform our functions as an education setting.

Review
The school will update this privacy notice from time to time. Any substantial changes that affect your rights will be provided to you directly as far as is reasonably practicable.