

## PRIVACY NOTICE FOR PUPILS AND PARENTS

### **Document Owner and Approval**

The Examinations Manager is the owner of this document and is responsible for ensuring that this policy document is reviewed in line with School's policy review schedule.

A current version of this document is available via the school website

### **Change History Record**

<b>Version</b>	<b>Description of Change</b>	<b>Author/Date</b>
1	Initial Issue	
2	Original version replaced by Version 2 using Judicium template following change of DPO and to include references to UKGDPR, reference to DFE regular attendance data collection, and reference to biometric data	S.Tyson / May 2023
3	Document Owner Update	J Price / March 2024
4	Update following DFE update 15/8/24	J Price / September 2024

This privacy notice describes how we collect and use personal information about pupils, in accordance with the UK General Data Protection Regulation (UK GDPR), section 537A of the Education Act 1996 and section 83 of the Children Act 1989.

Following Brexit, Regulation (EU) 2016/679, General Data Protection Regulation (GDPR) is retained EU law and known as UK GDPR. The UK GDPR sits alongside an amended version of the Data Protection Act 2018 that relate to general personal data processing, powers of the Information Commissioner and sanctions and enforcement. The GDPR as it continues to apply in the EU is known as EU GDPR.

### **Who Collects This Information?**

George Stephenson High School is a “data controller.” This means that we are responsible for deciding how we hold and use personal information about pupils and parents.

Under data protection legislation we are required to notify you of the information contained in this privacy notice.

### **Categories of Pupil Information We Collect, Process, Hold and Share**

We may collect, store and use the following categories of personal information about you:

- Personal information such as name, pupil number, date of birth, gender and contact information.
- Emergency contact and family lifestyle information such as names, relationship, phone numbers and email addresses.
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility).
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)
- medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- assessment and attainment (such as phonics results, post 16 courses enrolled for and any relevant results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- Special categories of personal data (including biometric data).
- Images of pupils engaging in school activities, and images captured by the School's CCTV system.
- Information about the use of our IT, communications and other systems, and other monitoring information.
- Financial details.
- Electronic identification data including IP address and information collected through cookies.

### **Collecting this Information**

We collect pupil information via a variety of methods including, Pupil Application forms (managed via Local Authority), Admission Information Form, Sims App (managed by the Data Manager), Common Transfer Files from previous school, electronic forms. Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it is requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this.

## Storing Pupil Data

The school keep information about pupils on computer systems and sometimes on paper.

We hold pupil data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please visit the school website

We collect and use pupil information, for the following purposes:

- to support pupil learning
- to monitor and report on pupil attainment progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to keep children safe (food allergies, or emergency contact details)
- to meet the statutory duties placed upon us for the Department for Education (DfE) data collections
- Giving and receive information and references about past, current and prospective pupils, and to provide references to potential employers of past pupils.
- Managing internal policy and procedure.
- Monitoring use of the school's IT and communications systems in accordance with the school's IT security policy.
- Making use of photographic images of pupils in school publications, on the school website and on social media channels.
- Security purposes, including CCTV
- Where otherwise reasonably necessary for the school's purposes, including to obtain appropriate professional advice and insurance for the school.

## The Lawful Bases on which we use this Information

We collect and use parent information in line with Article 6 and Article 9 of the GDPR  
We will only use your information when the law allows us to. Most commonly, we will use your information in the following circumstances: .

- Consent: the individual has given clear consent to process their personal data for a specific purpose.
- Contract: the processing is necessary for a contract with the individual.
- Legal obligation: the processing is necessary to comply with the law (not including contractual obligations).
- Vital interests: the processing is necessary to protect someone's life.
- Public task: the processing is necessary to perform a task in the public interest or for official functions, and the task or function has a clear basis in law; and
- The Education Act 1996: for Departmental Censuses 3 times a year. More information can be found at: <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

## Sharing Data

We may need to share your data with third parties where it is necessary.

We routinely share pupil information with:

- the Department for Education (DfE) -
- Ofsted.
- Other Schools that pupils have attended/will attend.
- Welfare services (such as social services).
- Law enforcement officials such as police, HMRC.
- Local Authority Designated Officer.
- Professional advisors such as lawyers and consultants.
- Support services (including insurance, IT support, information security);
- Providers of learning software such as e.g. 'Sparx Maths', 'Accelerated Reader'
- The Local Authority.
- Youth support services (pupils aged 13+)
- Connexions.

We do not share information about our pupils with anyone without consent unless otherwise required by law and our policies allow us to do so.

## Why we Share this Information

For example, we share students' data with the DfE on a statutory basis which underpins school funding and educational attainment. To find out more about the data collection requirements placed on us by the DfE please go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools> .

## Biometric Data

At George Stephenson High School we would like to use your information as part of an automated (i.e. electronically operated) fingerprint recognition system. This is for the purposes of payment for school meals. The fingerprint data that we wish to use is referred to as 'biometric information'. This data will only be processed once we have obtained appropriate consent. Where consent is not provided, we will provide alternative ways to access this service. For further information in relation to this, please see our Biometrics Policy

## Automated Decision Making

Automated decision making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision making in limited circumstances.

Pupils will not be subject to automated decision-making, unless we have a lawful basis for doing so and we have notified you.

## Youth Support Services



### **Pupils aged 13+**

Once our pupils reach the age of 13, we also pass pupil information to our local authority and / or provider of youth support services as they have responsibilities in relation to the education or training of 13–19-year-olds under section 507B of the Education Act 1996.

We must provide the pupils name, the parents name(s) and any further information relevant to the support services role.

This enables them to provide services as follows:

- youth support services
- careers advisers

The information shared is limited to the child's name, address and date of birth. However where a parent or guardian provides their consent, other information relevant to the provision of youth support services will be shared. This right is transferred to the child / pupil once they reach the age 16.

### **Pupils aged 16+**

We will also share certain information about pupils aged 16+ with our local authority and / or provider of youth support services as they have responsibilities in relation to the education or training of 13–19-year-olds under section 507B of the Education Act 1996.

This enables them to provide services as follows:

- post-16 education and training providers
- youth support services
- careers advisers

For more information about services for young people, please visit our local authority website.]

### **The National Pupil Database**

The NPD is owned and managed by the Department for Education and contains information about pupils in schools in England. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the Department. It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

We are required by law, to provide information about our pupils to the DfE as part of statutory data collections such as the school census and early years' census. Some of this information is then stored in the NPD. The law that allows this is the Education (Information About Individual Pupils) (England) Regulations 2013.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

The department may share information about our pupils from the NPD with third parties who promote the education or well-being of children in England by:

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

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

To be granted access to pupil information, organisations must comply with 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>

For information about which organisations the department has provided pupil information, (and for which project), please visit the following website:

<https://www.gov.uk/government/publications/national-pupil-database-requests-received>

To contact DfE: <https://www.gov.uk/contact-dfe>

### **Requesting Access to your Personal Data**

The UK-GDPR gives parents and pupils certain rights about how their information is collected and used. To make a request for your personal information, or be given access to your child's educational record, contact [enquiries@gshs.org.uk](mailto:enquiries@gshs.org.uk)

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

If you want to request information, please see our Subject Access Request policy, for the procedures we take.

You also have the following rights:

- the right to be informed about the collection and use of your personal data – this is called 'right to be informed'.



- the right to ask us for copies of your personal information we have about you – this is called 'right of access', this is also known as a subject access request (SAR), data subject access request or right of access request.
- the right to ask us to change any information you think is not accurate or complete – this is called 'right to rectification'.
- the right to ask us to delete your personal information – this is called 'right to erasure'
- the right to ask us to stop using your information – this is called 'right to restriction of processing'.
- the 'right to object to processing' of your information, in certain circumstances
- rights in relation to automated decision making and profiling.
- the right to withdraw consent at any time (where relevant).
- the right to [complain to the Information Commissioner](#) if you feel we have not used your information in the right way.

There are legitimate reasons why we may refuse your information rights request, which depends on why we are processing it. For example, some rights will not apply:

- right to erasure does not apply when the lawful basis for processing is legal obligation or public task.
- right to portability does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests.
- right to object does not apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't have the right to object, but you have the right to withdraw consent.

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 [raise a concern with ICO](#).

For further information on how to request access to personal information held centrally by the Department for Education (DfE), please see the 'How Government uses your data' section of this notice.

### **Right to Withdraw Consent**

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting [enquiries@gshs.org.uk](mailto:enquiries@gshs.org.uk)

Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.



## **Contact**

If you would like to discuss anything within this privacy notice or have a concern about the way we are collecting or using your personal data, we request that you raise your concern with [enquiries@gshs.org.uk](mailto:enquiries@gshs.org.uk) in the first instance.

We have appointed a data protection officer (DPO) to oversee compliance with data protection and this privacy notice. If you have any questions about how we handle your personal information which cannot be resolved by the school, then you can contact the DPO on the details below:

Data Protection Officer:	Judicium Consulting Limited
Address:	72 Cannon Street, London, EC4N 6AE
Email:	<a href="mailto:dataservices@judicium.com">dataservices@judicium.com</a>
Web:	<a href="http://www.judiciumeducation.co.uk">www.judiciumeducation.co.uk</a>
Lead Contact:	Craig Stilwell

You have the right to make a complaint at any time to the Information Commissioner's Office, the UK supervisory authority for data protection issues at <https://ico.org.uk/concerns>

## **Changes to this Privacy Notice**

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

## **Sharing by the Department for Education (DfE)**

DfE will only share pupils' personal data where it is lawful, secure and ethical to do so. Where these conditions are met, the law allows the Department for Education (DfE) to share pupils' personal data with certain third parties, including:

- schools and local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the Department for Education's (DfE) NPD data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

Organisations fighting or identifying crime may use their legal powers to contact the Department for Education (DfE) to request access to individual level information relevant to detecting that crime.



For information about which organisations the Department for Education (DfE) has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website:

<https://www.gov.uk/government/publications/dfe-external-data-shares>

### **How to find out what personal information the Department for Education (DfE) holds about you**

Under the terms of the UK GDPR, you are entitled to ask the Department for Education (DfE):

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department for Education (DfE), you should make a 'subject access request'. Further information on how to do this can be found within the Department for Education's (DfE) personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

or

<https://www.gov.uk/government/publications/requesting-your-personal-information/requesting-your-personal-information#your-rights>

To contact the Department for Education (DfE): <https://www.gov.uk/contact-dfe>