

# St Richard's Catholic College

## PRIVACY NOTICE (Pupil Information)

The Governors have adopted the East Sussex County Council Policy  
(September 2020 update)



This Policy was approved by the Governing Body: October 2020

Chair of Governors: \_\_\_\_\_

The Governing Body will review the policy in October 2021

## Privacy Notice (How we use pupil information)

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St Richard's Catholic College processes personal information about its pupils and is a 'data controller' for the purposes of Data Protection legislation. We collect information from you and may receive information about your child from their previous school.

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

- Personal information (such as name, unique pupil number 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)
- 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)
- Assessment and attainment (such as post 16 courses enrolled for and any relevant results)
- Behavioural information (such as exclusions and any relevant alternative provision put in place)
- As we have a cashless catering system, we also process biometric data about pupils. All data collected will be processed in accordance with the GDPR Data Protection Principles and the Protection of Freedoms Act 2012.
- Images (such as in photographs, video and CCTV footage).

### Why we collect and use this information

The personal data collected is essential, for the school to fulfil their official functions and meet legal requirements.

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

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to keep children safe (food allergies, or emergency contact details)
- to assess the quality of our services
- to meet the statutory duties placed upon us
- to ensure children have appropriate access to healthcare
- for assessment purposes
- to preserve the school's history and collective memory

### The lawful basis on which we use this information

Under the General Data Protection Regulation (GDPR), the school is required to identify a valid lawful basis for each processing activity involving personal data. We only collect and use pupils' personal data when the law allows us to. Most commonly, we process it where:

- We have to collect and process personal data to enable us to comply with a legal obligation.
- We need it because we are acting in the public interest or exercising our official authority.

We may also process pupils' personal data in situations where:

- We have obtained consent from you to use it in a certain way.
- We have a genuine and legitimate reason and we are not harming any of your rights and interests.

As a school, we also collect and use special category data, both to provide education and comply with our legal obligations. We have therefore identified additional lawful bases from Article 9 of the GDPR. Most commonly, we process special category data where:

- We have gained explicit consent for the processing.

- Processing is necessary for reasons of substantial public interest.
- We are required to for reasons of “public health”, for example during a pandemic

Please see the school’s Special Category Data policy for more information about how we process this type of data. This policy can be found on the [policies section](#) of our website

Where we keep records and information containing personal data for a longer time, we do this for archiving purposes in the public interest. We keep these records to preserve the school’s history, key events and collective memory. We will provide access to these records for research or statistical purpose, taking reasonable measures to protect the personal data they may contain.

### **How we collect pupil information**

We collect pupil information via Edulink, registration forms, Common Transfer files and secure file transfers from previous school.

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 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 securely for the length of time outlined in our school retention schedule. The school retention schedule is available [here](#).

We hold pupil data for ten years after the completion of their schooling.

A significant amount of personal data is stored electronically, for example, on our database, SIMS. Some information may also be stored in hard copy format.

Data stored electronically may be saved on a cloud-based system which may be hosted in a different country (but within the EEA).

Personal data may be transferred to other countries if, for example, we are arranging a school trip to a different country. Appropriate steps will be taken to keep the data secure.

We will keep a limited and reasonable amount of personal information for a longer time, where it appears in records that are of historic value or it is in the public interest to keep as part of the school’s history and collective memory. We transfer these records to the local archive at East Sussex and Brighton and Hove Record Office (based at The Keep) for permanent preservation.

### **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)
- NHS and school nurse
- Youth support services (pupils aged 13+)
- our local diocese
- Traded services purchased through the LA (e.g. for Legal, Human Resources or Information Governance Support)
- Post-16 providers
- Learning platforms or software providers used by the school to support education provision

We only share data with organisations who have adequate security measures and protections in place.

## Why we regularly share pupil information

We do not share information about our pupils without consent unless the law and our policies allow us to do so.

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our pupils with the Department for Education (DfE) either directly or via our local authority for the purpose of those data collections.

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. The Local Authority may share limited information with the NHS to provide appropriate health care services.

All data is transferred securely and held by DfE under a combination of software and hardware controls, which meet the current government security policy framework.

## Local Authorities

We may be required to share information about our pupils with the Local Authority to ensure that they can conduct their statutory duties under

- The Schools Admissions Code, including conducting Fair Access Panels.

## 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. This enables them to provide services as follows:

- youth support services
- careers advisers

A parent or carer can object to any information in addition to their child's name, address and date of birth being passed to their local authority or provider of youth support services by informing us. This right is transferred to the child / pupil once they reach the age 16.

Data is securely transferred to the youth support service via electronic transfer and is stored in accordance with the retention schedule

### 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

A child / pupil once they reach the age of 16 can object to only their name, address and date of birth is passed to their local authority or provider of youth support services by informing us.

Data is securely transferred to the youth support service via SIMs and is stored electronically and held in accordance with the Retention Schedule.

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

## Requesting access to your personal data

Under data protection legislation, 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 be

given access to your child's educational record, contact [admin@strichardscc.com](mailto:admin@strichardscc.com)

Depending on the lawful basis above, you may also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- ask us for access to information about you that we hold
- request we restrict the processing of your personal data (i.e permitting its storage but no further processing)
- object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics.
- not be subject to decisions based purely on automated processing where it produces legal or similarly significant effect on you.
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- Right to seek redress, either through the ICO or through the courts.

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

For further information on how to request access to personal information held centrally by DfE, please see the 'How Government uses your data' section.

### **Withdrawal of consent and the right to lodge a complaint**

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 Mr Hollingsworth at [mrhollingsworthm@strichardscc.com](mailto:mrhollingsworthm@strichardscc.com).

### **Data Protection Officer**

September 2020 – Roger Simmons (R Simmons LTD, [rsimmonsltd@gmail.com](mailto:rsimmonsltd@gmail.com), 07704 838512)

However, please contact the school in the first instance if you have a query regarding this privacy notice or how your information is used.

### **The National Pupil Database (NPD)**

Much of the data about pupils in England goes on to be held in the National Pupil Database (NPD).

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>.

### **Sharing by the Department**

The law allows the Department to share information about our pupils from the NPD 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's 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 DfE to request access to individual level information relevant to detecting that crime. Whilst numbers fluctuate slightly over time, DfE typically supplies data on around 600 pupils per year to the Home Office and roughly 1 per year to the Police.

For information about which organisations the department 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/dfе-external-data-shares>

### **How Government uses your data**

The pupil data that we lawfully share with the DfE through data collections:

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Pupil Progress measures).
- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)

### **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>