

# Bethany School GDPR Privacy Notice for Parents/Carers

## May 2018

Under data protection law, individuals have a right to be informed about how the 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 parents/carers and pupils.

We, Bethany School, are the 'data controller' for the purposes of data protection law.

Our Data Protection Compliance Manager (DPCM) is Clare Bonardt (see 'Contact us' below).

### The personal data we hold

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

- Contact details, contact preferences

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

- Contact details, contact preferences, date of birth
- Results of assessment
- Pupil and curricular records
- Characteristics, such as ethnic background or special educational needs
- Exclusion and behavioural information
- Details of any medical conditions, including physical and mental health
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs
- We may also hold data about pupils that we have received from other organisations, including other schools, local authorities and the Department for Education.

### Why we use this data

We use this data to:

- Facilitate the efficient operation of the school
- Support pupil learning
- Monitor and report on pupil progress
- Provide appropriate pastoral care
- Protect pupil welfare
- Assess the quality of our services
- Administer admissions waiting lists
- Promote the objects and interests of the School. This includes fundraising. It also includes making sure that we are able to enforce our rights against you, for example, so that we can contact you if you have not upheld your financial commitment.
- Carry out research
- Comply with the law regarding data sharing

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

We only collect and use pupils' personal data when the law (The EU data protection regulation 2016/679 (GDPR) including article 6 "lawfulness of processing and article 9 "processing of special categories of personal data") allows us to.

Most commonly, we process it where:

- We need to comply with a legal obligation. For example, sending details to the national pupil database.
- We need it to perform an official task in the public interest. For example, providing an education for your child is in the public interest.
- Necessary for a contract. For example, we need your name and contact details so that we can update you on your child's progress and so that we can contact you if there is a concern.
- Legitimate interest. For example, safeguarding and promoting the welfare of your child

Less commonly, we may also process pupils' personal data in situations where:

- We have obtained consent to use it in a certain way
- We need to protect the individual's vital interests (or someone else's interests)

Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using pupils' personal data overlap, and there may be several grounds which justify our use of this data.

## **Collecting this information**

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

Whenever we seek to collect information from you or your child, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

## **How we store this data**

We keep personal information about pupils while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations. Our records management policy sets out how long we keep information about pupils.

You can get a copy of the records management policy from your allocated school governor. (To Follow)

## **Data sharing**

We do not share information about pupils 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 pupils with various bodies:

- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- The Department for Education – to meet our legal obligations to share certain information with it, such as the information required for the National Pupil Database
- The pupil's family and representatives – to meet our contractual obligations, for example to update you on your child's progress.
- Educators and examining bodies – there is a legitimate interest, for example to contact AQA to register for exams
- Our regulator Ofsted – to meet our legal obligation to share certain information with them

- Health authorities – where there is legitimate interest, for example for the school nurse to give vaccinations or The Ryegate Children's Centre
- Police forces, courts, tribunals – where there is a legitimate interest or for the public interest, for example when the police are required for safeguarding

## **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 and early years census.

Some of this information is then stored in the National Pupil Database (NPD), which is owned and managed by the Department 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.

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

For more information, see the Department's webpage <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information> on how it collects and shares research data.

You can also contact the Department for Education on 0370 000 2288 with any further questions about the NPD.

## **Youth support services**

Once our pupils reach the age of 13, certain information about them, provided by the school to Sheffield City Council is passed to youth support services, as it has legal responsibilities regarding the education or training of 13-19 year-olds.

This information enables it to provide youth support services, post-16 education and training services, and careers advisers.

Parents/carers, or pupils once aged 16 or over, can contact our data protection officer to request that we only pass the individual's name, address and date of birth to Sheffield City Council.

## **Transferring data internationally**

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

## **Parents and pupils' rights regarding personal data**

Individuals have a right to make a '**subject access request**' to gain access to personal information that the school holds about them. Parents/carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 13), or where the child has provided consent.

Parents also have the right to make a subject access request with respect to any personal data the school holds about them.

If you make a subject access request, and if we do hold information about you or your child, we will:

- 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 or your child
- 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

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request please contact our DPCM.

Parents/carers can also request to discuss their child's educational record. To do so contact the child's teacher.

### Other rights

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used to send direct marketing
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our data protection officer.

### 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.

To make a complaint, please contact our data protection officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: 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 **Data Protection Compliance Manager**:

- Clare Bonardt (clare.bonardt@bethanyschoolsheffield.org)

*This notice is based on the Department for Education's model privacy notice for pupils, amended for parents and to reflect the way we use data in this school.*