

**St. Joseph's  
PARK HILL SCHOOL**

ST. JOSEPH'S PARK HILL



**DATA PRIVACY POLICY**

**Mission Statement**

**We prepare our children for the challenges of the future in a nurturing and stimulating environment built on Catholic foundations.**

May 2021

## Privacy Notice

Under the General Data Protection Regulation (GDPR) and The Data Protection Act 2018 (DPA 2018), 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' to individuals where we are processing their personal data. This includes you as pupils.

We at the St Joseph's Park Hill School want to make sure all the personal details we hold about you are safe and secure, so we have put together this note to tell all of our pupils, how we make sure we just do that and what to do in case you have any questions for us or want to see what information we have.

We, St Joseph's Park Hill School, are the 'data controller' pursuant to the GDPR and DPA 2018. This means we as an organisation have control over how your details are used and who we pass them to.

Our Data Protection Officer (DPO) is Shaun Beresford (see 'Contact us' below).

### **The categories of pupil information that we process include:**

- Name, pupil number, contact details, identification documents and address
- Results of internal assessments and externally set tests
- Pupil and curricular records
- Characteristics, such as ethnic background, eligibility for free school meals, or special educational needs
- Doctors information, child health, dental health, allergies, medication and dietary requirements
- Attendance (such as classes attended, number of absences, absence reasons and any previous schools attended)
- Behavioural information (such as exclusions and any relevant alternative provision put in place)
- Details of any support received, including care packages, plans and support providers
- Photographs and CCTV images captured in school
- Safeguarding information
- We may hold data about pupils that we have received from other organisations, including other schools, local authorities and the Department for Education

We may also process certain information about you for the following reasons;

- details regarding trips and activities,
- details regarding catering and allergy meal management and
- details regarding identity management/authentication

We also hold contact information on parents of our pupils for contact and emergency reasons.

## Why we use this data

We use this information to:

- 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
- Carry out research
- Comply with the law regarding data sharing (such as to meet the statutory duties placed upon us for Department for Education data collections)

## On what lawful basis do we use personal data?

Under the GDPR and the DPA 2018, there are six legal basis on which we can process your personal data. These are;

**(a) Consent:** you have given clear consent for us to process your personal data for a specific purpose.

**(b) Contract:** the processing is necessary for a contract we have with a pupil or the parent, or because they have asked you to take specific steps before entering into a contract.

**(c) Legal obligation:** the processing is necessary for us to comply with the law (not including contractual obligations).

**(d) Vital interests:** the processing is necessary to protect your life.

**(e) Public task:** the processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law.

**(f) Legitimate interests:** the processing is necessary for our legitimate interests or the legitimate interests of a third party, unless there is a good reason to protect your personal data which overrides those legitimate interests.

Under the General Data Protection Regulation (GDPR), the lawful bases we rely on for processing pupil information are:

- a) Parental consent to process children's information for the purpose of them being enrolled in the school
- b) For the purposes of to support pupil learning in accordance with the legal basis of contractual obligation
- c) To monitor and report on pupil attainment progress in accordance with the legal basis of contractual obligation
- d) To provide appropriate pastoral care in accordance with the legal basis of a

- legal obligation
- e) To assess the quality of our services in accordance with the legal basis of a legal obligation
  - f) To keep children safe (food allergies or emergency contact details) in accordance with the legal basis of a legal obligation
  - g) To meet the statutory duties placed upon us for DfE data collections in accordance with the legal basis of a legal obligation.

We may also hold and use “special category data” such as race, background, country of origin, religious beliefs and any information about your health such as any injuries you have/have had or times you may not have been very well. We only use it if we have a really good reason to do so such as:

- if it is in the interests of the public and we have a lawful reason to use it;
- we need it to help us with a legal case we are involved in;
- certain laws allow us to use it; or
- you have told us you are happy for us to use it

### **Collecting pupil information**

Pupil data is essential for the schools’ operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it 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 matter.

## **Storing pupil data**

We hold pupil data securely for the set amount of time and for no longer than necessary in accordance with Principle (e) of the GDPR.

We take the security of all the data we hold seriously. Staff are trained on data protection, confidentiality and security.

We have a framework of policies and procedures which ensure we regularly review the appropriateness of the measures we have in place to keep the data we hold secure. All information you provide to us is stored on our secure servers or in secure hard copy environments (e.g a locked drawer).

Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your data transmitted to our site; any transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access.

## **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)

## **Data sharing**

We do not share information about pupils with any third party without consent unless the law and regulatory requirements 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:

- 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 and as it is necessary for the performance of a task carried out in the public interest and in the exercise of authority
- The pupil's family and representatives - to meet our legal obligations to share certain information with them, such as safeguarding concerns and exclusions
- Educators and examining bodies - to meet our legal obligations and as it is necessary for the performance of a task carried out in the public interest and in the exercise of authority
- Our regulator e.g. ISI – to meet our legal obligations and as it is necessary for the performance of a task carried out in the public interest and in the exercise of authority
- Suppliers and service providers – to enable them to provide the service we have contracted them for

- Our auditors – necessary for compliance with a legal obligation
- External survey and research organisations – with parents/carers consent
- Health authorities – necessary for compliance with a legal obligation, such as safeguarding. In other cases, the health professional seeks consent through the school
- Professional advisers and consultants – necessary for the performance of a contract
- Charities and voluntary organisations - necessary for the performance of a task carried out in the public interest and in the exercise of authority
- Police forces, courts, tribunals – necessary for compliance with a legal obligation
- Professional bodies – necessary for the performance of a contract

### **Locations of processing**

The data that we collect from you will be processed on our servers in the UK. It may also be processed by organisations operating in the EEA that we have instructed.

If Personal Data is transferred outside the UK or EEA to a country without a designated adequacy rating, we will request the data subject's consent before processing the data. Consent will not be sought where the Processor's Binding Corporate Rules and/or Standard Clauses stipulate that the data will be processed in accordance with GDPR and the DPA 2018.

## **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 [dataprotection@iolmercy.org.uk](mailto:dataprotection@iolmercy.org.uk).

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 12), or where the child has provided consent.

Individuals also have the right to:

- to ask us for access to information about you that we hold
- to have personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of personal data (i.e. permitting its storage but no further processing)
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on individuals

## **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 raise a query about how your personal data is processed by us, please contact our DPO at [dataprotection@iolmercy.org.uk](mailto:dataprotection@iolmercy.org.uk)

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

## **How Government uses your data**

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

- 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>

## **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.

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 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'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/dfe-external-data-shares>

### **How to find out what personal information DfE hold about you**

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- 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, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

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

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