

Privacy Notice – Pupil, Parent & Carer

Reviewed by: Support Managers' Team

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Katharine Lady Berkeley's School is the Data Controller for the use of personal data in this privacy notice.

Pupil

1.0 The categories of pupil information that we process include:

- 1.1 personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- 1.2 characteristics (such as ethnicity, language, and free school meal eligibility)
- 1.3 safeguarding information (such as court orders and professional involvement)
- 1.4 special educational needs (including the needs and ranking)
- 1.5 medical and administration (such as doctors' information, child health, dental health, allergies, medication and dietary requirements)
- 1.6 attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- 1.7 assessment and attainment (such as post 16 courses enrolled for and any relevant results)
- 1.8 behavioural information (such as exclusions and any relevant alternative provision put in place)
- 1.9 biometric data (catering)
- 1.10 post-16 learning information

2.0 Why we collect and use pupil information

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

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

- A. to support pupil learning
- B. to monitor and report on pupil attainment progress
- C. to provide appropriate pastoral care
- D. to assess the quality of our services
- E. to keep children safe (food allergies, or emergency contact details)
- F. to meet the statutory duties placed upon us by the Department for Education

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

2.3.1 for the purposes of (a), (b), (c) & (d) in accordance with the legal basis of Public task: collecting the data is necessary to perform tasks that schools are required to perform as part of their statutory function

2.3.2 for the purposes of (e) in accordance with the legal basis of Vital interests: to keep children safe (food allergies, or medical conditions)

2.3.3 for the purposes of (f) in accordance with the legal basis of Legal obligation: data collected for DfE census information o Section 537A of the Education Act 1996

3.0 Collecting pupil information

3.1 We obtain pupil information via Applica and data collection sheets. In addition, when a child joins us from another school, we are sent a secure file containing relevant information. Pupil data is essential for the schools' operational use. Whilst most of the pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis.

4.0 Storing pupil data

4.1 Our Management Information System SIMS stores the majority of our student data digitally, but other student recording systems are used for the necessary running of the school including but not limited to Applica, Class Charts, Provision Maps and Scopay. All systems are digital, scrutinised for data security and that GDPR storage and processing guidelines are fully complied with.

4.2 We hold pupil data securely for the set amount of time shown in our data retention schedule. For more information regarding our data retention schedule and how we keep your data safe, please visit our policy at Records-Management-and-Retention Policy.

5.0 Who we share pupil information with

5.1 school that the pupil attends after leaving us

5.2 our Local Authority

5.3 youth support services (pupils aged 13+)

5.4 the Department for Education (DfE)

5.5 NHS

5.6 ICT Services/Applications who are providing Educational Resources/Support to your child

6.0 Why we routinely share pupil information

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

7.0 Youth support services

7.1 Pupils aged 13+

7.1.1 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.

7.1.2 This enables them to provide services as follows:

7.1.2.1 youth support services

7.1.2.2 careers advisers

7.1.3 A parent or guardian 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.

7.2 Pupils aged 16+

7.2.1 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.

7.2.2 This enables them to provide services as follows:

7.2.2.1 post-16 education and training providers

7.2.2.2 youth support services

7.2.2.3 careers advisers

7.2.3 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.

7.2.4 Data is securely transferred to the youth support service via a secure file transferring system and is stored within local authority software.

8.0 Department for Education

8.1 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 data collections, under:

8.1.1 Section 537A of the Education Act 1996

8.1.2 the Education Act 1996 s29(3)

8.1.3 the Education (School Performance Information) (England) Regulations 2007

8.1.4 regulations 5 and 8 School Information (England) Regulations 2008

8.1.5 the Education (Pupil Registration) (England) (Amendment) Regulations 2013

8.2 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.

8.3 For more information, please see 'How Government uses your data' section.

9.0 Local Authorities

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

9.1.1 the Schools Admission Code, including conducting Fair Access Panels.

10.0 Requesting access to your personal data

10.1 Under UK GDPR, 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 Mr R Jackman, Finance Manager at rjackman@klbschool.org.uk.

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

10.2.1 object to processing of personal data that is likely to cause, or is causing, damage or distress

10.2.2 prevent processing for the purpose of direct marketing

10.2.3 object to decisions being taken by automated means

10.2.4 in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and

10.2.5 a right to seek redress, either through the ICO, or through the courts

10.3 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 <https://ico.org.uk/concerns/>

11.0 Withdrawal of consent and the right to lodge a complaint

11.1 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 R Jackman, Finance Manager at rjackman@klbschool.org.uk.

12.0 Last updated

12.1 We may need to update this privacy notice periodically, so we recommend that you revisit this information from time to time.

13.0 Contact

13.1 If you would like to discuss anything in this privacy notice, please contact:

13.2 Data Protection Officer, Gloucestershire County Council on 01452 583619 or email schoolsdpo@gloucestershire.gov.uk

14.0 How Government uses your data

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

14.1.1 underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.

14.1.2 informs 'short term' education policy monitoring (for example, school GCSE results or Pupil Progress measures).

14.1.3 supports ‘longer term’ research and monitoring of educational policy. (for example, how certain subject choices go on to affect education or earnings beyond school)

15.0 Data collection requirements

15.1 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>

16.0 The National Pupil Database (NPD)

16.1 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>.

17.0 Sharing

17.1 The law allows the Department to share pupils’ personal data with certain third parties, including:

17.1.1 schools

17.1.2 local authorities

17.1.3 researchers

17.1.4 organisations connected with promoting the education or wellbeing of children in England

17.1.5 other government departments and agencies

17.1.6 organisations fighting or identifying crime

17.2 For more information about the Department’s NPD data sharing process, please visit:

17.2.1 <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

17.3 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.

17.4 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>

18.0 How to find out what personal information DfE hold about you

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

18.1.1 if they are processing your personal data

18.1.2 for a description of the data they hold about you

18.1.3 the reasons they're holding it and any recipient it may be disclosed to

18.1.4 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/contact-dfe>

Parent and Carer

1.0 The personal data we hold

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

1.1.1 Contact details and contact preferences (such as your name, address, email address and telephone numbers)

1.1.2 Details of your family circumstances

1.1.3 Details of any safeguarding information including court orders or professional involvement

1.1.4 Records of your correspondence and contact with us

1.1.5 Details of any complaints you have made

1.1.6 Information about your use of our information and communication systems, equipment and facilities (e.g. school computers)

1.2 We may also collect, use, store and share (when appropriate) information about you that falls into 'special categories' of more sensitive personal data. This includes, but is not restricted to:

1.2.1 Information about any health conditions you have that we need to be aware of Photographs and CCTV images captured in school

1.3 We may also hold data about you that we have received from other organisations, including other schools and social services.

2.0 Why we use this data

2.1 We use the data listed above to:

2.1.1 Report to you on your child's attainment and progress

2.1.2 Keep you informed about the running of the school (such as emergency closures) and events Process payments for school services and clubs

2.1.3 Provide appropriate pastoral care

2.1.4 Protect pupil welfare

2.1.5 Administer admissions waiting lists

2.1.6 Comply with our legal and statutory obligations

3.0 Use of your personal data for marketing purposes

3.1 Where you have given us consent to do so, we may send you marketing information by email or text promoting school events, campaigns, charitable causes or services that may be of interest to you.

3.2 You can withdraw consent or 'opt out' of receiving these emails and/or texts at any time by contacting the school.

4.0 Use of your personal data in automated decision making and profiling

4.1 We do not currently process any parents' or carers' personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

5.0 Use of your personal data for filtering and monitoring purposes

5.1 While you are in our school, we may monitor your use of our information and communication systems, equipment and facilities (e.g. school computers). We do this so that we can:

5.1.1 Comply with health and safety and other legal obligations Comply with our policies and our legal obligations

5.1.2 Keep our network(s) and devices safe from unauthorised access, and prevent malicious software from harming our network(s)

6.0 Our basis for using special category data

6.1 For 'special category' data, we only collect and use it when we have both a lawful basis, as set out above, and 1 of the following conditions for processing as set out in UK data protection law:

6.1.1 We have obtained your explicit consent to use your personal data in a certain way

6.1.2 We need to perform or exercise an obligation or right in relation to employment, social security or social protection law

6.1.3 We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent

6.1.4 The data concerned has already been made manifestly public by you

6.1.5 We need to process it for the establishment, exercise or defence of legal claims

6.1.6 We need to process it for reasons of substantial public interest as defined in legislation

6.1.7 We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law

6.1.8 We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law

6.1.9 We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest

6.2 For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in UK data protection law. Conditions include:

6.2.1 We have obtained your consent to use it in a specific way

6.2.2 We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent

6.2.3 The data concerned has already been made manifestly public by you

6.2.4 We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights

6.2.5 We need to process it for reasons of substantial public interest as defined in legislation

7.0 Collecting this data

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

7.2 Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

7.3 Most of the data we hold about you will come from you, but we may also hold data about you from:

7.3.1 Local authorities

7.3.2 Government departments or agencies

7.3.3 Your children

7.3.4 Police forces, courts or tribunals

8.0 How we store this data

8.1 We keep personal information about you while your child is attending our school. We may also keep it beyond their attendance at our school if this is necessary.

8.2 We have put in place appropriate security measures to prevent your personal information being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

8.3 We will dispose of your personal data securely when we no longer need it.

9.0 Who we share data with

9.1 We do not share information about you with any third party without consent unless the law and our policies allow us to do so.

9.2 Where it is legally required, or necessary (and it complies with UK data protection law), we may share personal information about you with:

9.2.1 Our local authority partners– to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about exclusions

9.2.2 Government departments or agencies

9.2.3 Ofsted

9.2.4 Suppliers and service providers: eg HR

9.2.5 Financial organisations

9.2.6 Health authorities

9.2.7 Security organisations

9.2.8 Health and social welfare organisations

9.2.9 Professional advisers and consultants

9.2.10 Police forces, courts, tribunals

10.0 Your rights

10.1 How to access personal information that we hold about you

10.1.1 You have a right to make a 'subject access request' to gain access to personal information that we hold about you.

10.1.2 If you make a subject access request, and if we do hold information about you, we will (subject to any exemptions that may apply):

10.1.2.1 Give you a description of it

10.1.2.2 Why we are holding and processing it, along with how long we will keep it

10.1.2.3 Tell you who it has been, or will be, shared with

10.1.2.4 Let you know whether any automated decision-making is being applied to the data, and any consequences of this

10.1.2.5 Give you a copy of the information in an intelligible form

10.1.2.6 You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

10.1.3 If you would like to make a request, please contact us (see 'Contact us' below).

10.2 Your other rights regarding your data

10.2.1 Under data protection law, you have certain rights regarding how your personal data is used and kept safe. For example, you have the right to:

10.2.1.1 Object to our use of your personal data

10.2.1.2 Prevent your data being used to send direct marketing

10.2.1.3 Object to and challenge the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)

10.2.1.4 In certain circumstances, have inaccurate personal data corrected

10.2.1.5 In certain circumstances, have the personal data we hold about you deleted or destroyed, or restrict its processing

11.0 Complaints

11.1 We take any complaints about our collection and use of personal information very seriously.

11.2 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 contact the schools DPO, Gloucestershire County Council at schoolsdpo@gloucestershire.gov.uk

11.3 Alternatively, you can make a complaint to the ICO.

11.4 Report a concern online at <https://ico.org.uk/make-a-complaint/>

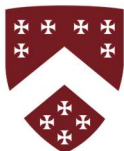
11.5 Call 0303 123 1113

11.6 Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

12.0 Contact us

If you have any questions or concerns, or would like more information about anything mentioned in this privacy notice, please contact Mr R Jackman, Finance Manager at rjackman@klbschool.org.uk.

KLB



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