

St. Anthony's School Privacy Notice for Pupils, Parents and Carers **- Revised September 2022**



The EU General Data Protection Regulation (GDPR)

On the 25th May 2018 the General Data Protection Regulation (GDPR) became applicable and the current Data Protection Act (DPA) was updated by a new Act, the DPA of 2018 giving effect to its provisions.

Data Controller

St Anthony's complies with the GDPR and is registered as a 'Data Controller' with the Information Commissioner's Office (Reg. No. **Z5820874**).

The Data Protection Officer (DPO) for the school is Malcolm Ferris

We ensure that your personal data is processed fairly and lawfully, is accurate, is kept secure and is retained for no longer than is necessary.

The Legal Basis for Processing Personal Data

The main reason that the school processes personal data is because it is necessary in order to comply with the schools legal obligations and to enable it to perform tasks carried out in the public interest,

The school may also process personal data if at least one of the following applies:

- in order to protect the vital interests of an individual
- there is explicit consent.
- to comply with the school's legal obligations in the field of employment and social security and social protection law
- for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity
- for reasons of public interest in the area of public health
- for reasons of substantial public interest, based on law, which is proportionate in the circumstances and which has provides measures to safeguard the fundamental rights and the interests of the data subject;

We also carry out data collection purposes for censuses approved under the Education Act 1996 – this information can be found in the census guide documents on the following website <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

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

- Personal information (such as name, unique pupil number and address and contact details, carers details)

- Characteristics (such as ethnicity, language, nationality, country of birth, religion and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons, behavioural information, details of any exclusion information,)
- National curriculum assessment results, examination results which are published on school website.
- Where pupils go after they leave us
- Any special educational needs or disabilities as well as relevant medical information.
- Any information regarding child protection or outside agencies working with children.

How we use information

We collect and hold personal information relating to our pupils and those involved in their care, we may also receive information from previous schools, the local authority(s) and/or the Department for Education (DfE).

We use this personal data to:

- support our pupils' learning
- support our pupils' welfare
- monitor and report on their progress
- provide appropriate pastoral care;
- assess the quality of our services;
- process any complaints;
- protecting vulnerable individuals;
- the prevention and detection of crime

Who we share data with

We may pass data to:

- the local authority
- Schools that a pupil attends after leaving this school
- The Department for Education (DfE)
- NHS
- third-party organisations, as allowed by law
- agencies that provide services on our behalf
- agencies with whom we have a duty to co-operate

For further information about who we share with and why please see APPENDIX A.

Retention Periods

Personal data will not be retained by the school for longer than necessary in relation to the purposes for which they were collected.

Information will be held in accordance with the Information and Records Management Society Tool Kit for Schools.

<https://irms.site-ym.com/page/SchoolsToolkit>

Photographs

The School may take photographs, videos or webcam recordings of pupils or students for official use, monitoring and for educational purposes. You will be made aware that this is happening and the context in which the photograph will be used.

Photographs may also be taken of those attending a ceremony which may appear in the newspaper. You will be made aware that this is happening and the context in which the photograph will be used.

Photographs (Inventory Booking In System)

For safeguarding and health and safety reasons, visitors such as parents/carers must report to our school reception and sign in to our Inventory System. The Inventory system will take a photograph of the visitor and print that on to a visitor adhesive badge. We retain visitor Inventory photographs for a period of 6 years from the date of first visit. These are held on a secure online management system which uses an automatic data purge once the retention period has expired.

CCTV

The school operates CCTV on the school site as it is considered necessary to protect pupils' safety and/or the school's property

Rights

You have the right to:

1. be informed of data processing (which is covered by this Privacy Notice)
2. access information (also known as a Subject Access Request)
3. have inaccuracies corrected
4. have information erased
5. restrict processing
6. data portability (this is unlikely to be relevant to schools)

7. intervention in respect of automated decision making (automated decision making is rarely operated within schools)
8. Withdraw consent (see below)
9. Complain to the Information Commissioner's Office (See below)

To exercise any of these rights please contact the DPO

Withdrawal of Consent

The lawful basis upon which the school process personal data is that it is necessary in order to comply with the schools legal obligations and to enable it to perform tasks carried out in the public interest.

Where the school process personal data solely on the basis that you have consented to the processing, you will have the right to withdraw that consent.

Complaints to ICO

If you are unhappy with the way your request has been handled, you may wish to ask for a review of our decision by contacting the DPO.

If you are not content with the outcome of the internal review, you may apply directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted our internal review procedure. The Information Commissioner can be contacted at:

The Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire
SK9 5AF.

APPENDIX A

Who we share data with and why

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

We share pupils' data with the Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

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.

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>.

Youth Service

Pupils aged 13+

Once pupils reach the age of 13, the law requires us to pass pupil information to the local authority and / or the provider of Youth Support Services in the area 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 guardian can request that **only** their child's name, address and date of birth is passed to their local authority or provider of youth support services by informing us. This right is transferred to the child / pupil once he/she reaches 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.

A parent/guardian can request that **only** their child's name, address and date of birth be passed to the provider of Youth Support Services in your area by informing the DPO. **This right is transferred to the child once he/she reaches the age 16.**

For more information about services for young people, please go to the local authority website.

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>.

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>

Clinical Commissioning Groups

We are required, by law, to pass certain information about our pupils to CCG's.

CCG's use information about pupils for research and statistical purposes, to develop, monitor and evaluate the performance of local health services. These statistics will not identify individual pupils. It is necessary for certain health information about children (for example, such as their height and weight) to be retained for a certain period of time (designated by the Department of Health) and requires these CCGs to maintain children's names and addresses for this purpose. CCGs may also provide individual schools and Local Authorities (LAs) with aggregated health information which will not identify individual children.

Local Authority - education and training

We are required, by law, to pass certain information about our pupils to local authorities.

The LA holds information about young people living in its area, including about their education and training history. This is to support the provision of their education up to the age of 20 (and beyond this age for those with a special education need or disability). Education institutions and other public bodies (including the Department for Education (DfE), police, probation and health services) may pass information to the LA to help them to do this.

The LA shares some of the information it collects with the Department for Education (DfE) to enable them to; produce statistics, assess performance, determine the destinations of young people after they have left school or college and to evaluate Government funded programmes.

The LA may also share information with post-16 education and training providers to secure appropriate support for them. They may also share data with education establishments which shows what their pupils go on to do after the age of 16.

If you want to see a copy of information about you that the LA holds, please contact

the Data Protection Officer: FOI@westsussex.gov.uk

Local Authority – social services

In order to comply with our statutory safeguarding duties we are required, by law, to pass certain information about our pupils to local authorities. Information will only be shared where it is fair and lawful to do so.

If you want to see a copy of information about you that the LA holds, please contact the Data Protection Officer: FOI@westsussex.gov.uk

Police, Fire and Rescue Service, Ambulance Service and other emergency or enforcement agencies

In order to comply with our duty of care to pupils, our statutory safeguarding duties and our obligations in respect of the prevention and detection of crime, we may also share personal data with other statutory and partnership agencies.

Overview of Other Third Party Darty Processors (as of School Audit March 2021)

<u>What data is shared?</u>	<u>Who is data shared with?</u>	<u>Why is the data shared? / Lawful Gateway</u>
<u>Pupils details and results surrounding Covid LFT Testing</u>	Department for Health and Social Care	The processing of special category personal data is processed under the provisions Section 9.2(i) of GDPR, where it is in the public interest on Public Health Grounds. This data is processed under the obligations set out in Public Health legislation (Regulations 3(1) and (4) of the Health Service (Control of Patient Information) Regulations 2002 (COPI))
EY & Y6 Child's Name & DOB (& sometimes addresses)	School Nurses (NHS)	Public task
All Pupil data in school management information system. Attendance, SEN, personal data etc.	Bromcom Management Information System Cloud.	Public task/Operational requirement/ Legal requirement..
Names, Attendance,	DfE Census Returns	Legal requirement

Assessment, Lunch arrangements, Ethnicity, Gender, EAL, PP status, SEN status		
Childs name, Staff name, parents name - their mobile phone number (text messaging system) email addresses	Parent Mail	Public task/Operational requirement
Children's names, class (Free School Milk)	Milk & More	Public task
Complaints: Names, details of complaint, contact details	Complainant/Head Teacher/Governors	Public task
Pupil Data, Parent Email address (pupil pen portraits for transmitting to parent/carers)	Earwig	To provide portfolio of visual progress for pupils with SEN. Public task and with consent.
Pupil Data, class, progress data (online learning system)	Education City	Public Task assessment monitoring
Parent email addresses, staff email addresses, photos (where consent given) <i>Note:- Although through QIQ we can view IP addresses of visitors to St-ants.org, noviosupport.org, and statge-tsa.org we are unable to identify the visitor by the IP address alone and this can only be obtained through the visitors ISP itself of which we have no access.</i>	QIQ Ltd	Operational Requirement and Public Task to provide website/VLE for home school communication

Photographs of children by School Photographer	Yellow Photography Ltd, Southampton	Public Task. Used by Bromcom for pupil records (public task). Yellow designated photographer
Pupil assessment data	Wonde & Group Call	Data Broker to third party systems such as Earwig to allow pupil progress reports to be constructed. Public Task.
Parent/Staff Names (anonymised) for appointments.	Google Calendar	Operational Requirement
Pupil Data	Google Classroom	Public task.
Sending pupil folders to another school	Another school	Legal requirement. Pupil transfers between schools - passing on of achievement, contextual data etc.
Electronic records to other schools	Other schools	Legal requirement. Pupil transfers between schools - passing on of achievement, contextual data etc.
All personal data excluding safeguarding. CP,	Supply cover teachers	Operational requirement
Children's names	Staff, governors, parents, uploaded to the website	Public task.
Children's details with parents' consent for after school club attendance.	After school clubs	Contract between parent/carer and school, payment made.
Fixed Penalty notices	WSCC	Legal requirement
Exclusions	WSCC and other agencies if child is in care	Legal requirement
Assessment Data	DfE	Legal requirement
Pupil name, dob, contextual data, SEN data, needs	Examination Boards	To facilitate external examination entries. Public task
FSM Registers	Catering company	Public Task (legal for FSM)
Staff names, e-mail addresses	School Bookings (resource booking) schoolbooking.com	Operational requirements

Attendance Returns	WSCC	Legal requirement
School Census Returns	DfE	Legal requirement
Inventry Booking in Systems. (School register of people on site, self-booking).	Only Admin Team	Public task. It is not shared outside of school and is a closed system. It is shared to admin team and head teacher for purposes of evacuation, health and safety and safeguarding
Veeam Cloud Backup	M-Tech Systems	Public task (protection of loss of data destruction under GDPR)
Pupil names, addresses, DoB, attendance	Pastoral Manager/WSCC	Legal requirement
Pupil /family personal information: medical reports: psychology reports: reports from educational professionals: info from social workers: info from play therapists: info from internal school staff:	Parents/carers	Information is openly shared with the parent/carer with parental responsibility unless to do so would cause potential harm. See guidance in Data SAR policy. Can fall under 6d and/or 6e based upon the severity of medical report (e.g. life threatening)
Pupil /family personal information	Medical professionals (NHS, GPs, Sensory, Audiology, Sussex Psychology, CDC, CAMHS)	Part of medical assessment process:
Pupil /family personal information	Family Support network: includes Family support workers:	Via early help plans
Pupil /family personal information/3rd party name	Police	Public task & Legal Obligation
Pupil /family personal information for Looked After Children PEP	WSCC teams and written consent we hand out a WSCC form	Public task/consent
Pupil /family personal information	Other Schools	Public task

Pupil /family personal information	Foster care agency _ but this organisation is as responsible for the child as the carer	Public task
Pupil /family personal information	Domestic Abuse Recovery Team - WSCC part of early help work	Public task
Pupil /family personal information	WSCC speech and language teams - written consent NHS form	Public task
Child Development Centre Pupil /family personal information	NHS	Public task
Pupil /family personal information	SEN Assessment team (WSCC)	Public task
Pupil /family personal information	SEN Team (Caseworker and Special needs officer)	Public task
Name of child, Date of birth, year grp: Parents full names: Address: Contact numbers: leave detail of request and timing	WSCC	Legal Obligation
Pupil attendance records from SIMS and all letters to parents regarding leave request (name and address details)	WSCC	Part of the FPN (Legal Obligation)
Pupil /family personal information/3rd party name & contact details/ contact details of 3rd party agency involved with the child and name and contact details of other family members and other professionals involved.	MASH - WSCC	Public task

Pupil data, name, dob, class name, assessment details, progress	Maths Whizz	Public task
Pupil attainment and progress data	Sensory support team- WSCC	To inform learning/pastoral provision. Public task.
Pupil behavioural data.	CPOMS https://www.cpoms.co.uk/gdpr/	Safeguarding, pastoral provision - Public Task