



## PLYMOUTH HIGH SCHOOL FOR GIRLS

### **POLICY: PRIVACY NOTICE FOR STUDENTS AND PARENTS/CARERS**

**SLT LINK MEMBER: Shaun Willis**

**GOVERNORS SUB COMMITTEE: P & R**

This policy was adopted/updated: October 2018

This policy will be reviewed: September 2020

Statutory Policy: NO

Source: LA/School

## **Privacy Notice for Our Students (How we use student information)**

**Plymouth High School for Girls** is a data controller for the purposes of the General Data Protection Regulations (GDPR). This means that we determine the purpose for which, and the manner in which personal information about you is processed. This notice is to help you understand how and why we collect personal information about you and what we do with that information. It also explains the decisions that you can make about your own information.

This notice applies to current and former students and parents/carers of the School.

### **Data Protection Principles**

We will comply with data protection laws. This says that the personal information we hold about you must be:

- Used lawfully, fairly and in a transparent way;
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes;
- Relevant to the purposes we have told you about and limited only to those purposes;
- Accurate and kept up to date;
- Kept only as long as necessary for the purposes we have told you about;
- Kept securely;

### **What is personal information?**

Personal information is information that identifies you as an individual and relates to you.

### **The categories of student information that we collect, hold and share include:**

- Personal information (such as name, unique student number, address, medical information, photo, special education needs, exclusions, behavioural information);
- Characteristics (such as biometric data, ethnicity, religion, language, nationality, country of birth and free school meal eligibility);
- Safeguarding information (such as court orders and professional involvement);
- Medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements);
- Attendance information (such as sessions attended, number of absences, absence reasons and any previous schools attended);
- Assessment Information;
- Relevant medical information;
- CCTV and photographs;

This list is not exhaustive, to access the current list of categories of information we process please see **[link to website or location of data asset register]**

### **How and why we collect and use this information**

The personal data we collect is essential for our school to fulfil our official functions and meet legal requirements, to keep accurate and timely records in accordance with GDPR and to ensure the Safeguarding of children. Our school's responsibility is to keep the data that we hold on children, parents and carers up to date, appropriate and accurate.

We obtain information about your child and you from admissions forms and from your child's previous school. We may also get information from professionals such as doctors and from local authorities. We may have information about any family circumstances which might affect your child's welfare or happiness. We may need information about any court orders or criminal petitions which relate to you. This is so that we can safeguard the welfare and wellbeing of your child and the other pupils at the School.

We use CCTV to make sure the school site is safe. CCTV is not used in private areas such as toilets.

We may take photographs or videos at School events to use on social media and on the School website. This is to show prospective parents and pupils what we do here and to advertise the School. We may continue to use these photographs and videos after your child has left the School.

We may send information to keep you up to date with what is happening at the School. For example, by sending information about events and activities taking place (including fundraising events) and the School newsletter. We may keep details of your address when your child leaves the School so we can find out how your child is progressing.

We collect and use pupil information to:	Our lawful basis for processing the information is:
a) Keep children safe (food allergies, medical conditions, emergency contact details etc.)	Vital Interests – to protect lives
b) Support student learning	Public Task – processing is necessary for us to perform our statutory function
c) Monitor and report on pupil attainment and progress	Public Task – processing is necessary for us to perform our statutory function
d) Provide appropriate pastoral care	Public Task – processing is necessary for us to perform our statutory function
e) Assess the quality of our services	Public Task – processing is necessary for us to perform our statutory function
f) Meet statutory duties placed upon us	Legal Obligation – data collected for the Department for Education census information for example
g) Record events, activities and achievements (photographs/video footage)	Consent (see below)
h) Facilitate trips and transport arrangements	Consent (see below and *important note)
i) to comply with the law regarding data sharing	
j) to protect health and safety	

## The lawful basis on which we use this information

We collect and use student information for the purposes of data collection under the Education Act 1996.

### Necessary for a contract

- To perform the contract we have entered into with students/parents relating to the provision of education. 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.

### Legal obligation

- Where the School needs to use your information in order to comply with a legal obligation, for example to report a concern to Children's Services. We may also have to disclose your information to third parties such as the courts, the local authority or the police where legally obliged to do so.

### Vital interests

- Where we need to protect the student's vital interests (or someone else's interests). For example, to prevent someone from being seriously harmed or killed.

### Public task

- To deliver education in accordance with public interest; The School considers that it is acting in the public interest when providing education.

### Legitimate interests

Where it is necessary for our legitimate interests (or those of a third party) and the student's interests and their fundamental rights do not override those interests. The school relies on legitimate interests for most of the ways in which it uses your information.

Specifically, the school has a legitimate interest in:

- providing educational services to your child;
- safeguarding and promoting the welfare of your child (and other children);
- promoting 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 unpaid school fees are due;
- facilitating the efficient operation of the School; and
- ensuring that all relevant legal obligations of the School are complied with.

In addition your personal information may be processed for the legitimate interests of others.

If you object to us using your information where we are relying on our legitimate interests as explained above please speak to the Data Protection Officer.

The School must also comply with an additional condition where it processes special categories of personal information. These special categories are as follows: personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic information, biometric information, health information, and information about sex life or orientation.

#### Substantial public interest

- The processing is necessary for reasons of substantial public interest.

#### Vital interests:

- To protect the vital interests of any person where that person cannot give consent, for example, if they are seriously hurt and are unconscious.

#### Legal claims:

- The processing is necessary for the establishment, exercise or defence of legal claims. This allows us to share information with our legal advisors and insurers.

#### Medical purposes

- This includes medical treatment and the management of healthcare services.

## **Collecting student information**

Whilst the majority of student 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 student information to us or if you have a choice in this.

We will usually seek your or your child's consent prior to processing or sharing your information. If you or they object you must inform the school, however, if there is a legal reason, as outlined under the Data Protection Act, we may not require consent, for example:

- To protect a child, a vulnerable adult, or member of the public
- Where the disclosure is necessary for the purposes of the prevention and/or detection of crime.
- Tax or duty assessment
- Required by court or law

## **Who we share student information with**

During your child's time at the school you will be informed of how you, or your children's, information will be used and shared with other services or organisations. The joint sharing of information is vital for safeguarding and to ensure that the school provides an efficient and effective service. This includes working within Children Missing Education (CME) guidelines, data protection regulations, Admission & Transfer (A&T) processes and DfE guidelines.

We will usually seek your or your child's consent prior to processing or sharing your information. If you or they object you must inform the school, however, if there is a legal reason, as outlined under the Data Protection Act, we may not require consent, for example:

- To protect a child, a vulnerable adult, or member of the public
- Where the disclosure is necessary for the purposes of the prevention and/or detection of crime.
- Tax or duty assessment
- Required by court or law

We routinely share student information with:

- Schools that the student's attend after leaving our school;
- Schools where students are attending classes as a 'Guest' student;
- Our local authority;
- The Department for Education (DfE);
- Capita SIMS, our Management Information System hosted by SCOMIS;

For a more comprehensive list please refer to Appendix 1.

We will also need to share pupils' information with our partner organisations that support the delivery of the service pupils may receive. The information collected will be shared when appropriate with:

- Child Health Information Service (CHIS)
  - School Nursing Service
  - School immunisation Providers
- University Hospitals NHS Trust Orthoptic Team
- Families with a Future Programme
- Youth Support Services (Careers South West)
  - Once pupils reach the age of 13 we pass their information to our local authority 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.
  - We also share information with this service about pupils aged 16+ under the same legislation.
- Children, Young People & Family Service
- Schools that pupils attend after leaving us
- Our local authority

**Consent is not sought in relation to sharing basic data (name, address, DOB) with the Child Health Information Service (CHIS) and University Hospitals NHS Trust Orthoptic Team as their use of the data is in the public interest as it directly benefits patient and public health. An opportunity to provide consent will be made available under the specific initiatives co-ordinated by the health care providers eg Child Measurement Programme, School Immunisations and Eye Test for 4 & 5 year old children.**

Where we need to disclose sensitive or confidential information such as medical details to other partners, we will do so only with your or your child's prior explicit consent or where we are legally required to. We may disclose information when necessary to prevent risk of harm to an individual.

**\*Important note:** consent to **attend** a trip or **use** transport organised by the school will always be obtained from you (parent/carer). Your child **may** be asked to consent **only** to us using their personal information for these purposes.

#### **Withdrawal of consent**

Where we are processing personal data with your or your child's consent, you or they 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 <business manager/administrator/other> on <tel no> or by emailing <email>.

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

We will only ever share information if we are satisfied that our partners or suppliers have sufficient measures in place to protect our pupil's information in the same way that we do.

We will never share personal information for marketing purposes.

### **Why we share student information**

We may share your personal information with third parties (other organisations) where required by law, where it is necessary for the provision of education, where it is in your interests for us to do so or where we have another legitimate interest in doing so.

We share students' 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 students with our Local Authority (LA) and the DfE under regulation 5 of The Education (Information About Individual Students) (England) Regulations 2013.

On occasion, we may need to share information with the police or other emergency services, for example, if you are hurt whilst on school premises.

If your child leaves us to attend another school we may need to provide that school with information about you. For example, details of family circumstances for safeguarding reasons.

We may share information about you with others in your family, such as another parent or step-parent. For example, where this is part of our obligation to take care of your child and as part of our wider legal and regulatory obligations.

We may also need to share information with our legal advisers for the purpose of obtaining legal advice.

Occasionally we may use consultants, experts and other advisors to assist the School in fulfilling its obligations and to help run the school properly. We might need to share your information with them if this is relevant to their work.

We may share some information with our insurance company, for example, where there is a serious incident at the 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>

### **Youth support services (YSS)**

Once our students reach the ages of 13 and 16, we pass information to our LA and/or provider of YSS 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
- post-16 education and training providers

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.

For more information about services for young people, please visit our 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 student 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>

## **Storing student data**

We keep your information for as long as we need to in order to educate and look after students. The school is guided by the recommendations of the Information and Records Management Society (IRMS) to ensure that the interests of the individual and the school are protected.

We will keep certain categories of data after your child has left the School; for example, safeguarding or in relation to special educational needs will be kept for longer in accordance with guidance from Central Government and the Local Authority. In exceptional circumstances we may keep your information for a longer time than usual but we would only do so if we had a good reason and only if we are allowed to do so under data protection law.

## **RETENTION PERIODS**

We will not keep data for longer than we need it. Data will be retained in line with the [Information and Records Management Society's toolkit for schools](#).

Personal Data will be safely destroyed or deleted when it is no longer needed.

## **Sending information to other countries**

We may send your information to other countries where:

- we communicate with you or your child when you are overseas (for example, during the summer holidays if you live in a different country);

The European Commission has produced a list of countries which have adequate data protection rules. The list can be found here:

[http://ec.europa.eu/justice/data-protection/international-transfers/adequacy/index\\_en.htm](http://ec.europa.eu/justice/data-protection/international-transfers/adequacy/index_en.htm)

If the country that we are sending your information to is not on the list or, is not a country within the EEA (which means the European Union, Liechtenstein, Norway and Iceland) then it might not have the same level of protection for personal information as there is the UK.

## **Requesting access to your personal data (Subject Access Requests (SARs))**

Under data protection laws, parents and students 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, Subject Rights Advice & Application Form' [\[insert link to this\]](#), please contact the Data Protection Officer.

Students and parents also have the right to:

- Have inaccurate personal data rectified, or in some case, blocked, erased or destroyed;
- Object to processing of personal data that is likely to cause, or is causing, damage or distress;
- Prevent processing for the purpose of direct marketing;
- Object to decisions being taken by automated means;
- To data portability. We need to be able to provide you with your personal data in a structured, commonly used, machine readable form when asked;
- Claim compensation for damages caused by a breach of the Data Protection regulations;

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 by contacting the Data Protection Officer.

## **Data security**

We have put in place measures to protect the security of your information and to ensure the 'confidentiality, integrity and availability' of our systems and services and the personal data we process within them. We have put in place appropriate security measures to prevent your personal information from being accidentally lost, or used, accessed in an unauthorised way, altered, disclosed or deleted by those who are not authorised to do so. Third parties (other organisations) will only process your personal information on our instructions and where they have provided sufficient guarantees about their own security measures regarding confidentiality and security. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a genuine need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality. We have put in place breach detection, investigation and internal reporting procedures to deal with any suspected data security breach. A data breach log will be maintained and if the breach is likely to affect your rights or freedoms we will inform you without undue delay and where we are legally required to do so. If necessary, the ICO will be notified within 72 hours of the school becoming aware of a data breach.

## **Further information and guidance**

The Headteacher is the person responsible at our school for managing how we look after personal information and deciding how it is shared.

Like other organisations we need to keep your information safe, up to date, only use it for what we said we would, destroy it when we no longer need it and most importantly - treat the information we get fairly.

This notice is to explain how we use your personal information. The Data Protection Officer can answer any questions which you may have.



**Data Protection Officer at Plymouth High School**

Kathryn Rogers, Plymouth High School, St. Lawrence Road, Plymouth, PL4 6HT.

telephone 01752 208308 email [kr Rogers@phsg.org](mailto:kr Rogers@phsg.org)

Please contact us if:

- you have any questions about this privacy notice or how we handle your personal information;
- you would like us to update the information we hold about you;
- you would prefer that certain information is kept confidential;
- you object to us using your information for marketing purposes e.g. to send you information about school events. We will stop using your information for marketing purposes if you tell us not to.

**Data Protection Officer at Plymouth City Council**

Liz Easterbrook, Finance, Plymouth City Council, Ballard House, West Hoe Road, Plymouth, PL1 3BJ.

telephone 01752 398380 email [dataprotectionofficer@plymouth.gov.uk](mailto:dataprotectionofficer@plymouth.gov.uk)

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues: [ico.org.uk](http://ico.org.uk).

## **Appendix 1 – Who we share information with**

Your or your child's data, may be shared with the following:

Other educational establishments (should a student transfer schools or study subjects as a 'Guest' student)

Plymouth Local Education Authority

Plymouth Free School Meals department

Plymouth Admissions department

Educational Welfare Officer (EWO)

Department for Education (DfE)

Careers South West

Capita SIMS our Management Information System hosted by Scomis

ParentPay which interfaces with Nationwide Cashless Catering (including biometric data)

Evolve (for school trips) and travel companies.

Oliver (for use in the school Library)

Tempest Photography

The Excellence Cluster and other counselling services

Other Schools (if transferring your child)

CCTV and security badge entry system provider (Ash Williams)

School website, newsletters and Facebook (*names only*) and occasionally newspapers.

Examination boards i.e. Edexcel, OCR, WJEC etc

Peripatetic music teachers

Taxi company (TaxiFirst Plymouth)

### Data analysis

Assessment data shared with relevant staff members

Midyis

Fischer Family Trust

Oxford Analytics

4Matrix

### Teaching tools

Kerboodle