



Privacy Notice for pupils at Sir Thomas Rich's School (How we use pupil information)

Introduction

You have a legal right to be informed about how our school uses any personal information that we hold about you. To comply with this, we provide a 'privacy notice' to you where we are processing your personal data.

This notice explains how we collect, store and use personal data about pupils at our school, like you.

We, Sir Thomas Rich's School, are the 'data controller' for the purposes of data protection law. We have also appointed Gloucestershire County Council as our Data Protection Officer and they can be contacted on 01452 583619 or [schoolsdp@gloucestershire.gov.uk](mailto:schoolsdpo@gloucestershire.gov.uk).

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

- Your personal information (such as name, unique pupil number and address)
- Your attendance information (such as sessions attended, number of absences and absence reasons)
- Your assessment information
- Details of any behaviour issues or exclusions

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:

- Your relevant medical information including any medical conditions you have
- Your characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility and any special educational needs)
- Your destinations information once you have left the school
- Photographs and CCTV images

Why we collect and use this information

- a. To support your teaching and learning
- b. To monitor and report on your progress
- c. To provide appropriate pastoral care and look after your wellbeing
- d. To assess how well you are doing
- e. To assess the quality of our services
- f. To comply with the law regarding data sharing
- g. Provide security and assist with the detection of crime.
- h. Promote the achievements of the school
- i. Provide additional services to you such as cashless catering

We don't currently put your personal information through any automated decision making or profiling process. This means we don't make decisions about you using only computers without any human involvement.

If this changes in the future, we will update this notice in order to explain the processing to you, including your right to object to it.

The lawful basis on which we use this information

Under Data Protection legislation Sir Thomas Rich's is a Data Controller and holds the legal right to collect and use your personal data, and we may also receive information about you from your previous school, LA and/or the DfE.

For most of the personal data we collect and use, we do so in order to meet legal requirements the School is subject to in **performing a task in the public interest**. This applies to items **a** to **e** in the list above. The legal basis for this is set out in the GDPR and UK law, including those in relation to the following: Article 6 and Article 9 of the GDPR; Education Act 1996; Keeping Children Safe in Education (2016); Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013; The School Admissions Code.

For the purposes of **f** and **g** in the list above, in accordance with the **legal obligation** basis – we need to process data to meet our responsibilities under law as set out here: The Education (Information about Individual Pupils) (England) Regulations 2013, which requires schools to provide data to certain national databases on education.

For the purposes of **h** and **i** in the list above, in accordance with the **consent** basis – we will obtain consent from you (or your parents where appropriate) to use your personal data.

Our basis for using special category data

For 'special category' data (more sensitive personal information), we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in data protection law:

- We have obtained your explicit consent to use your information in a certain way
- We need to use your information under employment, social security or social protection law
- 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
- The information has already been made obviously public by you
- We need to use it to make or defend against legal claims
- We need to use it for reasons of substantial public interest as defined in legislation
- We need to use it for health, public health or social care purposes, and it's used by, or under the direction of, a professional obliged to confidentiality under law
- We need to use it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the use is in the public interest

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 data protection law. Conditions include:

- We have obtained your consent to use it in a specific way
- 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
- The data concerned has already been made obviously public by you
- We need to use it as part of legal proceedings, to obtain legal advice, or to make or defend against legal claims
- We need to use it for reasons of substantial public interest as defined in legislation

Collecting pupil information

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

Storing pupil data

Pupil data is held securely by the school. For an overview of data retention please consult our Retention Schedule.

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

We'll dispose of your personal data securely when we no longer need it.

Who we share pupil information with

We routinely share pupil information with:

- schools that the pupil's attend after leaving us
- our local authority
- the Department for Education (DfE)

We may also share information with:

- Other members of staff, educators and career advisors on a need to know basis
- Statutory health providers who will be delivering mental health service delivery to pupils within the school.
- Your Parents/Guardians
- Examination Boards
- Health Authority
- Ofsted
- Other authorities if it is necessary in the public interest e.g. prevention of crime.
- Approved providers of data services used by the school

Why we share pupil information

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 the (DfE) under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

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

Pupils aged 13+

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.

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.

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>

Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold.

If you make a subject access request, and if we do hold information about you, we will (unless there's a really good reason why we shouldn't):

- Give you a description of it
- Tell you why we are holding and using it, and how long we will keep it for
- Explain where we got it from, if not from you
- 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 (decisions made by a computer or machine, rather than by a person), and any consequences of this
- Give you a copy of the information in an understandable form

To make a request for your personal information contact the school on info@strs.org.uk or the Data protection officer (details at the end of this notice).

You also have the right to:

- 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
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- 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. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Contact

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

Gloucestershire County Council
School's Data Protection Team
Information Management Service
Shire hall
West Gate Street
Gloucester
Schoolsdpo@gloucestershire.gov.uk
01452 583619