

## **Pupil and Parent Privacy Notice**

### **How we you use pupil and parent information**

Under General Data Protection Regulations (GDPR) we are obliged to inform you of the information we hold on you and your child(ren), what we use it for, who we share it with, and for how long we keep it. This privacy notice aims to provide you with this information.

**Tetherdown School is the Data Controller for the purposes of Data Protection Law.**

**We have nominated Craig Stilwell from Judicium Consulting Ltd as our Data Protection Officer.**

#### **1. Pupil and Parent information that we collect, hold and share**

Tetherdown School collects, holds and shares certain personal data relating to pupils and their families that you provide us. The School collects and uses pupil information under section 537A of the Education Act 1996, and section 83 of the Children Act 1989.

The School may also receive information regarding pupils and their families from previous schools, Haringey Council or other Local Authorities and the Department of Education (DfE). This includes, but is not limited to:

- Personal information – such as names, unique pupil numbers and addresses, date of birth, parents national insurance number;
- Contact details and preference – such as contact telephone numbers, email addresses, addresses;
- Characteristics – such as ethnicity, religion, language, nationality, country of birth and free school meal eligibility;
- Attendance information – such as sessions attended, number of absences and absence reasons;
- Assessment information – such as national curriculum assessment results, tracking, internal and external testing;
- Relevant medical information – such as NHS information, health checks, physical and mental health care, immunisation program and allergies;
- Information relating to Special Educational Needs Information (SEND) – such as statements, EHCP's, applications for support, care of support plans;
- Safeguarding information;
- Exclusion information;
- Behavioural information – such as temporary or permanent exclusions;
- Photographs – such as for internal safeguarding and security purposes, EHCP, school newsletters, media and promotional purposes.

#### **2. Why we collect and use this information**

Tetherdown School will collect and use personal data relating to pupils and their families:

- to support pupil learning;
- to monitor and report on pupil progress;

- to provide appropriate pastoral and medical care;
- for safeguarding and pupil welfare purposes;
- to assess the quality of our services;
- to comply with the law regarding data sharing;
- for admissions processes and procedures;
- to access parental permissions e.g. for a school trip or sports fixture;
- for attendance and safeguarding purposes;
- for business continuity and communication;
- for financial management e.g. the school payment system;
- to assist with a legal or police inquiry;
- to inform you about events and other things happening in the school;
- for research purposes.

### **3. Data processed based on your Consent**

Whilst the majority of the personal data you provide to the School is mandatory, some is provided on a voluntary basis. When collecting data, the School will inform you whether you are required to provide this data or if you have a choice in this.

If we need your consent, the School will provide you with clear and detailed information as to why the School is collecting the data and how the data will be used for example:

- We may collect and use photographs for the school newsletter; our website or for teaching purposes and we may continue to use these photographs after you have left Tetherdown School.

Where Tetherdown School processes your data based on your consent, you have the right to withdraw this consent at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

### **4. The lawful basis on which Tetherdown School uses this information**

Our lawful basis for collection and processing pupil information is defined under Article 6, and the following sub-paragraphs in the GDPR apply:

- a) Data subject gives consent for one or more specific purposes;
- b) Processing is necessary to comply with the legal obligations of the controller;
- c) Processing is necessary to protect the vital interests of the data subject;
- d) Processing is necessary for tasks in the public interest or exercise of official authority vested in the controller (the provision of education).

Our lawful basis for collecting and processing pupil information is also further defined under Article 9, in that some of the information we process is deemed to be special category (sensitive) information and the following points in the GDPR apply:

- e) The data subject has given explicit consent;
- f) It is necessary to fulfil the obligations of controller or of data subject;
- g) It is necessary to protect the vital interests of the data subject;
- h) Processing is carried out by a foundation or non-for-profit organisation (includes religious, political or philosophical organisations and trade unions);
- i) Reasons of public interest in the area of public health;
- j) It is in the public interest.

Some of the lawful basis' for collecting and using pupils' personal data may overlap, there may be more than one reason which justifies our use of this data.

An example of how we use the information you provide is under the submission of the school census returns where Tetherdown School collects and uses pupil information, including a set of named pupil records, is a statutory requirement on schools under Section 537A of the Education Act 1996.

Putting the school census on a statutory basis complies with Article 6 and Article 9 of the GDPR which set the lawful basis for processing data and:

- means that schools do not need to obtain parental or pupil consent to the provision of information;
- ensures schools are protected from any legal challenge that they are breaching a duty of confidence to pupils;
- helps to ensure that returns are completed by schools.

## **5. Why we share pupil information.**

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

Tetherdown School share pupils' data with the DfE on a statutory basis such as the school census information and early years' census. This data sharing is used to assess school funding, educational attainment policy and monitoring.

The School is also required to share information about our pupils with Haringey Council as the local authority and the DfE under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

## **6. The National Pupil Database (NPD)**

The NPD is managed by the Department for Education (DfE) 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. The information 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.

Tetherdown School is required by law to provide information about our pupils to the DfE as part of statutory data collections, for example, the school 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 DfE may share information about Tetherdown School pupils taken from the NDP with other organisations who promote the education or wellbeing of children in England by:

- Conducting research or analysis;
- Producing statistics;
- Providing information, advice or guidance.

The DfE has robust processes in place to ensure the confidentiality of any data shared from the NDP is maintained and there are stringent controls in place regarding access and use of 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.

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 to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

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>

## **7. Processing your data**

In some cases, the School will contract with an external organisation to process your data. The same data protection rules will apply to any external organisation.

## **8. Who the School shares pupil information with / Will my information be shared?**

The School routinely shares pupil information with appropriate third parties, including, but not limited to:

- Schools that our pupil's attend after leaving us e.g. Independent Schools, Academy Chains or Foundation Secondary School;
- Haringey Council – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions;
- The Department for Education (DfE)
- The pupil's family and representatives
- Educators and examining bodies
- Ofsted
- Health and social welfare organisations
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- Financial organisations
- Central and local government
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Our auditors
- Survey and research organisations
- Security organisations
- Haringey Educational Partnership

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

## **9. How long is your data stored for?**

The School does not store personal data indefinitely; data is only stored for as long as is necessary to complete the task for which it was originally collected. We hold pupil data whilst the child remains at Tetherdown School. Personal data is currently stored in electronic and physical files. The file will follow the pupil when he/she leaves to his new school. However where there is a legal obligation to retain the information beyond that period, it will be retained in line with our retention guidance (Information Management Toolkit for Schools). Retention periods vary for this data therefore please contact the school office.

Personal data relating to pupils at Tetherdown School and their families is stored in line with the School's GDPR Data Protection Policy.

We are currently updating our data protection policies and procedures, including strong organisational and technical measures, which are regularly reviewed. These will be found on our website once they have been ratified by the Governors.

## 10. What are your rights?

Parents and pupils have the following rights in relation to the processing of their personal data. You have the right to:

- Be informed about how Tetherdown School uses your personal data;
- Request access to the personal data that Tetherdown School holds;
- Request that your personal data is amended if it is inaccurate or incomplete;
- Request that your personal data is erased where there is no compelling reason for its continued processing;
- Request that the processing of your data is restricted;
- Object to your personal data being processed.

## 11. Requesting access to your personal data

Under data protection legislation (the General Data Protection Regulations and Data Protection Act 2018), parents and pupils have the right to request access to any personal data (information) that Tetherdown School holds about them through a Subject Access Request.

To make a request for your personal information, or be given access to your child's educational record, contact the School Business Manager at [admin@tetherdownschool.org](mailto:admin@tetherdownschool.org). Guidance on making an application will be provided at this point.

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.

## 12. Where can you find out more information and who to contact?

If you have any questions, concerns or would like more information about anything mentioned in this Privacy Notice, please contact the School Business Manager in the first instance via the school office on 020 883 3412 or at [admin@tetherdownschool.org](mailto:admin@tetherdownschool.org)

We have appointed a data protection officer (DPO) to oversee compliance with data protection and this privacy notice. If you have any questions about how we handle your personal information which cannot be resolved by the School Business Manager, then you can contact the DPO on the details below: -

Data Protection Officer: Craig Stilwell

Data Protection Officer Details: Judicium Consulting Ltd, 72 Cannon Street, London, EC4N 6AE

Data Protection Officer Email: [dataservices@judicium.com](mailto:dataservices@judicium.com)

You have the right to make a complaint by contacting 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, Whycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

### **13. Changes to This Privacy Notice**

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

Updated: 25th May 2018