

# **St Benedict's Catholic High School**

Part of the Holy Family Catholic  
Multi-Academy Company



## **PRIVACY NOTICE for Parents and Pupils 2018/19**

### **Who are we?**

The Holy Family Catholic Multi Academy Company is the 'data controller'. This means we are responsible for how your personal information is processed and for what purposes.

The Holy Family Catholic Multi Academy Company is registered as the Data Controller with the Information Commissioner's Office (ICO); Registration Number: Registration Number: ZA317593.

You can contact the Academy Trust as the Data Controller in writing at: The Holy Family Catholic Multi Academy Company, Kinwarton Road, Alcester, Warwickshire, B49 6PX or [admin@st-benedicts.org](mailto:admin@st-benedicts.org).

### **What is a Privacy Notice?**

A Privacy Notice sets out to individuals how we use any personal information that we hold about them. We are required to publish this information by data protection legislation. This Privacy Notice explains how we process (collect, store, use and share) personal information about our pupils and parents.

### **What is Personal Information?**

Personal information relates to a living individual who can be identified from that information. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession.

'Special category' personal information relates to personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

### **What personal information do we process about pupils and parents?**

The pupil and parent information that we collect, hold and share includes:

- Personal information including a pupil's name, date of birth, unique pupil number and home address
- Characteristics such as ethnicity, language, nationality, country of birth and free school meal eligibility
- Attendance information such as sessions attended, number of absences and absence reasons.
- Educational information including records of work, assessment results, relevant medical information, details of pupils' special educational needs, exclusions/behavioural information, post-16 learning information.
- Contact information for parents, carers and other relatives, including telephone numbers, home addresses and e-mail addresses.
- Photographs of pupils, only with written consent from parents and legal guardians.
- Information about a child's home life, where required as part of necessary safeguarding and welfare processes.

### **Why do we use personal information?**

We use pupil data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing
- to safeguard pupils
- to promote our pupils' learning

## **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.

### **What are the legal reasons for us to process your personal information?**

We are required to process personal information in accordance with data protection legislation and only do so when the law allows us to. The lawful reasons we have for processing personal information are as follows:

#### **1) To comply with the law**

We collect and use general purpose pupil information in order to meet certain legal requirements and legal obligations placed upon the Academy Trust by law. We therefore are required to process personal information for such purposes even if you have not consented to us doing so.

Details of the type of processing that we must undertake, the personal data that is processed, the legislation which requires us to do so and who we may share this information with is set out in **Table 1**.

If you would like a copy of or further information regarding the statutory authorities that underpin our legal obligations, you should contact the Academy Trust in writing.

#### **2) To protect someone's vital interests**

We are able to process personal information when there is an emergency and/or where a person's life is in danger.

Details of the type of processing that we may undertake on this basis and who we may share that information with is set out in **Table 2**.

#### **3) With the consent of the individual to whom that information 'belongs'**

Whilst much of the personal information processed is in accordance with a legal requirement, there is some personal information that we can only process when we have your consent to do so. In these circumstances, we will provide you with specific and explicit information regarding the reasons the data is being collected and how the data will be used.

Details of the type of processing that we may undertake on this basis and who we may share that information with is set out in **Table 3**.

#### **4) To perform a public task**

It is a day-to-day function of the Academy Trust to ensure that children receive the education and support they require. Much of this work is not set out directly in any legislation but it is deemed to be necessary in order to ensure that pupils are properly educated and supported

Details of the type of processing that we may undertake on this basis and who we may share that information with is set out in **Table 4**.

### **Special category personal information**

In order to process 'special category' data, we must be able to demonstrate how the law allows us to do so. In addition to the lawful reasons above, we must also be satisfied that **ONE** of the following additional lawful reasons applies:

- 1) Explicit consent of the data subject
- 2) Processing relates to personal data which is manifestly made public by the data subject
- 3) Necessary for establishing, exercising or defending legal claims
- 4) Necessary for reasons of substantial public interest
- 5) Necessary for preventive or occupational medicine, or for reasons of public interest in the area of public health
- 6) Necessary for archiving, historical research or statistical purposes in the public interest

The lawful reasons for each type of special category personal information data that we process is set out in the tables attached.

### **Who might we share your information with?**

We routinely share pupil information with:

- Schools that the pupils attend after leaving us
- Our Local Authority – Warwickshire County Council
- The Department for Education (DfE) and central government
- Catholic Education Service
- Youth Support Service
- ParentPay
- SIMS – Pupil Census
- Biostore
- Lifespace
- SISRA Analytics
- Examination Boards
- The Holy Family Multi Academy Company
- Multi Agency Safeguarding Hub (MASH)
- School Nurse (COMPASS)
- Designated School photographer – Gillman & Soame
- NHS and Healthcare professionals
- School social media pages – Twitter and Facebook
- School PTA
- Local press
- R.S.C
- The Design Technology Association
- SEND Supported.
- Eclipse software.

We do not share information about our pupils or parents unless the law and our policies allow us to do so.

Please refer to the tables for information about what personal information is shared with which specific third parties.

## **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>.

## **What do we do with your information?**

All personal information is held in a manner which is compliant with data protection legislation. Personal information is only processed for the purpose it was collected. The Academy Trust monitors the personal information it processes and will only share personal information with a third party if it has a legal basis to do so (as set out above).

## **How long do we keep your information for?**

In retaining personal information, the Academy Trust complies with the Retention Schedules provided by the Information Record Management Society. The schedules set out the Statutory Provisions under which the Academy Trust are required to retain the information. A copy of those schedules can be located using the following link: <http://irms.org.uk/page/SchoolsToolkit>

## **Transferring data internationally**

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.

## **What are your rights with respect of your personal information?**

Under data protection law, 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 to have access to your child's educational record, contact the School Data Protection Officer at Warwickshire Legal Services via email at [schooldpo@warwickshire.gov.uk](mailto:schooldpo@warwickshire.gov.uk) or alternatively;

School Data Protection Officer, Warwickshire Legal Services, Warwickshire County Council, Shire Hall, Market Square, Warwick, Warwickshire, CV34 4RL.

**\*\*Please ensure you specify which school your request relates to.**

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, 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/>

## **Review**

The content of this Privacy Notice will be reviewed on 25.05.2019.

**Table 1 – Personal information we are required to process to comply with the law:**

<b>Information Type</b>	<b>Relevant legislation</b>	<b>Special Category– additional lawful reason</b>	<b>Third Parties with whom we share the information</b>	<b>Lawful reason for sharing</b>
Pupil Information.	Education (Information About Individual Pupils) (England) Regulations 2013, Regulation 5.	To provide LA or Secretary of State upon request any pupil information.	DfE for school census, other schools when pupil transfers, LA Admissions, HM Chief Inspector of Education, SISRA Analytics, and central Government.	Legal obligation.
Admissions Register.	Education (Pupil Registration) (England) Regulations 2006, Regulation 4, 10, 11, 14 and 15.	The processing is necessary for complying with the law. To keep for every pupil.	OFSTED, Local Authority and Inspections by HM Chief Inspector of Education.	Legal obligation.
Attendance Register.	Education (Pupil Registration) (England) Regulations 2006, Regulation 4, 10, 11 and 12.	The processing is necessary for complying with the law. To keep for every pupil.	OFSTED, Local Authority and Inspections by HM Chief Inspector of Education.	Legal obligation.
Common Transfer File (CTF).	Education (Pupil Registration) (England) Regulations 2005, Regulation 6.	The processing is necessary for complying with the law. To keep for every pupil. Pupil transfers to other schools.	SIMS, SISRA.	Legal obligation.
Curricular Record including Assessment and achievement data.	Education (Pupil Information) (England) Regulations 2005, Regulation 4.		OFSTED, Local School. Local Authority.	Legal obligation.
Educational Record.	Education (Pupil Information) (England) Regulations 2005, Regulation 5 & 6.		Parents, Local School.	Legal obligation.
SEN (Special Education Needs) Report.	Children & Families Act 2014, section 69.	To prepare a SEN report. This may include obtaining/sharing of information.	SIMS. Health and welfare professionals.	Legal obligation.

Free School Meals.	Education (Information About Individual pupils) (England) Regulations 2013, Regulation 5.	The process is necessary for complying with the law.	Local Authority or Secretary of State.	Legal obligation.
Academic Results.	Education (Information about Individual Pupils) (England) Regulations 2013, Regulation 5.	The process is necessary for complying with the law.	LA, Secretary of State, SIMS, SISRA Analytics, DfE, Examination Boards: AQA, OCR, Edexcel Pearson, WJEC (Eduqas) CIE, local press, school website, school social media e.g. Twitter and Facebook.	Legal obligation.
Emergency contact details.	Education (information About Individual Pupils) (England) Regulations 2013, Regulation 5.	The processing is necessary for complying with the law. Necessary to protect vital interests of data subject or another person where the data subject is physically or legally incapable of giving consent.	Health staff, police or fire crews.	Legal obligation and Vital Interests.
Exclusion.	Education Act 1996, section 15A.  Education Act 2002, section 15A.	Provide information to the LA in relation to pupils excluded from school so that the Council may establish review panels.  Provide information to prescribed persons in relation to pupils excluded from school.	Local Authority and HM Chief Inspector of Education.	Legal obligation.
Medical, dietary and allergies.		Necessary for preventative or occupational medicine.	DfE – school census. Other schools – when a pupil transfers.	Legal obligation.
SEND Support.	Education Act 1996, section 317	Provide information <b>in relation to pupils with special educational needs</b> .	Local Authority, SEND Supported, Health and welfare professionals.	Legal obligation.
Reports to parents.	Education (information About Individual Pupils) (England) Regulations 2013, Regulation 5	The processing is necessary for complying with the law.	Other schools when pupils transfer.	Legal obligation.

Safeguarding and promoting the welfare of pupils.	Education Act 2002, section 175	<b>To ensure that functions of school are exercised with a view to safeguarding and promoting welfare of pupils.</b>	Local Authority and MASH.	Legal obligation.
	Children's Act 1989, section 17	Provide information to <b>Local Authority to assist</b> with safeguarding and welfare of children.		
	Children's Act 1989, section 47	Provide information to LA to assist with it duties <b>where a child is suffering from or likely to suffer significant harm</b>		
	Children's Act 1989, section 83	Provide information/assist to the Secretary of State in any matter <b>connected with his functions/functions of Local Safeguarding Boards</b>		
	Children Act 2004, section 11	Provide information to <b>enable LA to</b> safeguard and promote welfare of children within the requirements of the Act.		
School Census.	Education Act 1996, Sections 537 & 537A and accompanying regulations.		DfE.	Legal obligation.

**Table 2 – Personal information we are required to process as it is necessary to protect someone's vital interests**

<b>Information Type</b>	<b>Special Category - additional lawful reason</b>	<b>Third Parties with whom we share the information</b>	<b>Lawful reason for sharing</b>
Medical Information.	Necessary to protect vital interests of the data subject or another person where the data subject is physically or legally incapable of giving consent.	Medical staff i.e. paramedics/ambulance.	Vital Interest.
Safeguarding and promoting welfare of pupils.	The process is necessary for complying with the law.	Local Authority, Police, Safeguarding Hub, school approved health and welfare agencies.	Legal obligation and vital interest.

Religious belief.	Necessary to protect vital interests of the data subject or another person where the data subject is physically or legally incapable of giving consent.	Medical staff i.e. paramedics/ambulance.	Vital Interest.
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**Table 3 - Personal information we are required to process with the consent of the individual to whom that information 'belongs'**

<b>Information Type</b>	<b>Special Category - additional lawful reason</b>	<b>Third Parties with whom we share the information</b>	<b>Lawful reason for sharing</b>
Images of pupils.	Data subject has given explicit consent.	Government agencies, e.g. DfE. SIMS, Gillman & Soame, Eclipse software, The Stratford Herald, The Midweek News, Stratford Observer, Evesham & Cotswold Journal, Alcester Chronicle, Redditch Advertiser, Redditch Standard, RSC, School website, school Twitter & Facebook pages, Local Authority and SEND Supported.	Consent and Public Task.
Email address.		Not shared.	
Name of Doctor.	Data subject has given explicit consent.	School approved health and welfare professionals.	Consent and Public Task.
Contact details.	Data subject has given explicit consent.	Multi-Agencies, SEND Supported.	Consent and Public Task.
Parents'/carers bank details.	Data subject has given explicit consent.	Not shared.	Consent and Public Task.
Consent forms for school trips & visits.	Data subject has given explicit consent.	Educational visits – EVOLVE.	Consent and Public Task.
Free school meals (FSM).	Data subject has given explicit consent.	Warwickshire County Council – OFSM system.	Consent and Public Task.
Data Capture Form.	Data subject has given explicit consent. Biometric information needed to purchase food/drink in school & to receive text messages, alerts relating to school closures, pupil absence, school activities, trips & visits.	Parentmail and Biostore.	Consent and Public Task.
Online payment system.	Data subject has given explicit consent.	Parentpay.	Consent and Public Task.

Peripatetic Music lessons form.	Data subject has given explicit consent.	Music teacher providing the service.	Consent and Public Task.
Educational websites for learning/careers	Data subject has given explicit consent.	Kerboodle/ Cambridge Elevate/ Fast Tomato/	Consent and Public Task.
Library use and after school homework club	Data subject has given explicit consent.	Access to pupil name & form only. Eclipse software accesses SIMS for photo usage.	Consent and Public Task.

**Table 4 - Personal information we are required to process because it is necessary to do so in order to perform a public task**

<b>Information Type</b>	<b>Special Category - additional lawful reason</b>	<b>Third Parties with whom we share the information</b>	<b>Lawful reason for sharing</b>
Pupil Information i.e. name, age address, parent details, emergency contact details.	Processing is necessary to perform official functions.	DfE – school census. Other schools – when pupil transfers.	Public Task & Legal Obligation.
Academic progress data, staff observations.		Dfe, SISRA Analytics, OFSTED, Parents, Health and Welfare professionals such as Speech and Language.	Public Task & Legal Obligation.
Safeguarding information, Medical, Special Education Needs.		Local Authority, Health and Welfare Professionals, Parents, SEND Supporting.	Public Task & Legal Obligation.
Educational and Safeguarding Information used internally for the purpose of educating and protecting the welfare of children.		DfE – school census. Other schools – when pupils transfer.	Public Task & Legal Obligation.
Name of Doctor Surgery.	Data subject has given explicit consent.	Multi Agencies – Health and Welfare.	Consent and Public Task.
Contact details	Data subject has given explicit consent.	Multi Agencies – Health and Welfare.	Consent and Public Task.
Parents’/Carers Bank details.	Data subject has given explicit consent.	None.	Consent and Public Task.
Behaviour incidents.	Processing is necessary to perform official functions.	Multi Agencies for health and welfare, SEND Supported, MASH, parents, ABP (LA).	Consent and Public Task.
Accident Reports.	Processing is necessary to perform official functions.	HSE, MASH, parents, medical staff.	Public Task and Vital Interest.

Intervention Records.	Processing is necessary to perform official functions.	SIMS, SEND Reported, Ed Psych, multi-agency health and welfare professionals.	Consent and Public Task.
Consent forms (photographs, school trips).	Data subject has given explicit consent.	Gillman & Soame photographers, Eclipse software, The Stratford Herald, The Midweek News, Stratford Observer, Evesham & Cotswold Journal, Alcester Chronicle, Redditch Advertiser, Redditch Standard, RSC, School website, school Twitter & Facebook pages, educational visits (EVOLVE) Local Authority and SEND Supported.	Consent and Public Task.

### Frequently Asked Questions

#### **What is the GDPR?**

The General Data Protection Regulation (GDPR) is a new law coming into force across the European Union (EU). It builds upon existing data protections laws in place in the EU, and is designed to give individuals, such as customers and employees, increased rights and transparency over their personal information by helping them understand how companies use their data, for example, for lawful purposes in the provision of products and services requested by you. The law also gives individuals the ability to exercise their rights such as correcting or accessing their data.

#### **When does the GDPR come into effect?**

The GDPR comes into effect on 25<sup>th</sup> May 2018 in the UK and across the EU and builds upon the existing Data Protection Act.

#### **Who is affected by the GDPR?**

The GDPR applies to organisations located within the UK and EU which process personal data about individuals. It will also apply to organisations located outside of the EU if they process or hold personal data where they are targeting goods and services at, or monitoring the behaviour of, individuals located in the EU.

#### **Why is the GDPR being introduced?**

The GDPR is intended to bring about openness and transparency between individuals and the organisations that use their data, and to ensure organisations act in an accountable and compliant manner where they process individuals' data. In the UK, Parliament is also in the process of introducing a new law (the UK Data Protection Act 2018), which will sit alongside the GDPR. The revised Privacy Notice is intended to cover both the GDPR and the UK Data Protection Act 2018.

#### **Why is an updated Privacy Notice being introduced?**

To comply with the GDPR by 25<sup>th</sup> May 2018.

#### **What about BREXIT?**

The UK government has confirmed that the UK's decision to leave the EU will not affect the commencement of the GDPR in the UK.