



# Clifton High School

co-educational nursery pre-school to sixth form

<b>Notice applies from EYFS to Sixth Form</b>	<b>How We Use Your Information: Privacy Notice for Older Pupils</b>
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A shaded area denotes a regulation to which all schools must comply	

*Clifton High School is committed to child protection and safeguarding children and young people and expects all staff, visitors and volunteers to share this commitment.*

For the purposes of this Privacy Notice, older pupils are classed as those pupils who reach their 13<sup>th</sup> birthday in the current academic year. For example; a 12-year old child with a 13<sup>th</sup> birthday in May would be considered to be an 'older pupil' from the previous September when they are still 12 years of age.

## **Introduction**

As a school, we wish to be transparent and provide accessible information to individuals about how we will use their personal data; this is a key element of the EU General Data Protection Regulation (GDPR). The most common way to provide this information is in a Privacy Notice. The term Privacy Notice is used to describe all the privacy information that we make available or provide to individuals when we collect information from them.

On 25<sup>th</sup> May 2018 the General Data Protection Regulation (GDPR) will replace the Data Protection Act 1998 (DPA). This will change the way we collect, store and process personal data. The GDPR has been adopted by the European Commission and will have implications for all organisations which control and process personal data. The impact of this change is extensive and wide-ranging, in particular for organisations within the charity sector. Although the landscape of post-Brexit GDPR is uncertain, the UK government has already confirmed the GDPR will apply in the UK.

This Privacy Notice is intended 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.

## **Child Protection and Safeguarding**

Child Protection and Safeguarding requirements always supersede the General Data Protection Regulation (GDPR). If information needs to be shared in the interests of child protection and safeguarding, this Notice can never be used as a reason not to do so.

## **What is Personal Information?**

Personal information is information that the School holds about you, that identifies you as an individual; this includes information such as your name, date of birth and address as well as things like examination results, medical details, unique pupil number and behaviour records. We will also hold information such as your religion or ethnic group for the purposes of meeting your educational needs. CCTV, photos and video recordings of you are also personal information. The School's primary reason for using your personal information is to provide you with an education.

## **How and why does the School collect and use your Personal Information**

Set out below are examples of the different ways in which your personal information is used and where this personal information comes from.

1. The School will primarily use your personal information to provide you with an education.
2. The School will use your personal information to safeguard and promote your welfare and the welfare of others; for example, so that we can look after you if you are injured.
3. The Registration Form, completed at the time of your admission to the School, gives us lots of personal information. We get information from you, your parents and your teachers. Your previous school also gives us information about you to enable us to teach and care for you. Sometimes we get information from your doctors and other professionals, where we need this to look after you; for example, we need to tell the appropriate teachers if you are allergic to something or have a health issue. We will use information about you during the Admissions Process; for example when marking your entrance examinations and learning more about you from your parents before you join the School. We will let your previous school know if you have been offered a place at the School.
4. We will need to tell an appropriate member of staff if you have an allergy or any other health issue.
5. We will need to tell your teachers if you have Special Educational Needs or need extra help with some tasks.
6. We may need to share information about your health and wellbeing with the School Nurse or School Counsellor.
7. Where appropriate, the School will have information about your religious beliefs and practices.
8. We use CCTV to make sure the School site is safe. CCTV is not used in private areas such as changing rooms.
9. We record your attendance and if you have time away from the School, we record the reasons why.
10. We will need to report some of your information to the Government (e.g. the Department for Education). We will need to tell the Local Authority that you attend the School or if you leave the School or let them know if we have any concerns about your welfare.
11. We may need to share information about you with the Health and Safety Executive (a Government organisation) if there is a health and safety issue at the School.
12. The School is a registered charity, which means that we may need to share your information with the Charity Commission.
13. The School is sometimes inspected to make sure that we are continuing to be an excellent school. We will have to make your information available to the Inspectors to help them to carry out their job.
14. If someone makes a complaint about how the School has behaved, we may need to use your information to deal with this appropriately; for example, if your parents complain that we have not looked after you properly.

15. We are legally required to provide the Department for Education with certain information about you and your classmates. Some of this information will be stored on the National Pupil Database and some organisations can request information from this National Pupil Database. However, they are only allowed to do this for limited purposes and they must be very careful about how they use your information. More information can be found here supporting-information [www.gov.uk/government/publications/national-pupil-database-use-guide-and-supporting-information](http://www.gov.uk/government/publications/national-pupil-database-use-guide-and-supporting-information)
16. We will need information about any Court Orders or criminal matters that relate to you. This is so that we can safeguard your welfare and wellbeing and that of the other pupils at the School.
17. If you are from another country we have to make sure that you have the right to study in the UK. Sometimes the Government will ask us to provide information as part of our reporting requirements. In addition to this, we have a duty to provide information about you to UK Visas and Immigration who are part of the Government.
18. Depending on where you will go when you leave us, we will provide your information to other schools, colleges and universities or potential employers. For example, we will share information about your examination results and provide references and information to UCAS, employers or work-experience placements whilst you are at school or to Gap year organisations to which you have applied.
19. We may pass on information needed to look after you to your next school; for example, information about any concerns we have had about your welfare.
20. When you take Public Examinations (e.g. GCSEs), we will need to share information about you with examination boards. For example, if you require extra time in your examinations.
21. We may need to share information about you with the police or our legal advisers if something goes wrong or to help with an enquiry; for example, if one of your classmates is injured at School or if there is a burglary.
22. We use consultants, experts and other advisors to assist the School in fulfilling its obligations and to help run the School properly. We will share your information with them if this is relevant to their work. Where you ask us to do so, we will share your information with Visiting Music Teachers for the purpose of facilitating music lessons.
23. If you have misbehaved in a serious way and the police have become involved, we will need to use information about the action taken by the police.
24. We may share some information with our insurance company to make sure that we have the insurance cover we need.
25. We will share your academic and, where fair, your behaviour records with your parents or Education Guardian to enable continued support of your schooling.
26. We will monitor your use of email, the internet and mobile electronic devices such as tablets. This monitoring is sometimes carried out using computer software. In certain circumstances, we may look at the content of your communications, such as your emails and text messages. We monitor and look at your use of technology, such as your use of your mobile phone, to check that you and your classmates are not misbehaving, are at risk of harm, or for other good reasons. For more information, please see the E-Safety and Contract of Behaviour Code and School Rules Policy, which can be found on the School's website, or speak to your Form Tutor in the first instance.

27. We may use photographs or videos of you for the School's website, social media sites or prospectus to show prospective pupils what we do here and to advertise the School. We may continue to use these photographs and videos after you have left the School.
28. We publish our Public Examination results, sports fixtures and other news on the website and put articles and photographs in the local news to tell people about what we have been doing.
29. Sometimes we use photographs and videos for teaching purposes; for example, to record a Drama lesson. If you have concerns about us using photographs or videos of you please speak to your Form Tutor.
30. The School must ensure that our computer network is working well and is secure. This may involve information about you, and our anti-virus software might scan files containing information about you.
31. We will keep details of your address when you leave the School to enable us to send you news from the School, to keep in touch progress, and to let you know about key events and fundraising activities. We will also pass your details on to the Development Office and Alumni; you have the option to opt out of this procedure. Further information on the Development Office can be found at [www.cliftonhigh.bristol.sch.uk/Welcome-Our-Community](http://www.cliftonhigh.bristol.sch.uk/Welcome-Our-Community)
32. The Learning Records Service, which is part of the Government, will give us your unique learning number. We may receive details about you from the Learning Records Service.

We will only share your information with other people and organisations when we have a good reason to do so. In exceptional circumstances, we may need to share it more widely than we would normally.

We sometimes use contractors to handle personal information on our behalf. The following are examples:

- IT consultants who might access information about you when checking the security of our IT network
- We may use third party "cloud computing" services to store some information rather than the information being stored on hard drives located on the School site

### **Our Legal Grounds for using your Information**

This section contains information about the legal grounds that we are relying on when handling your information as described above.

### **Legitimate Interests**

This means that the School is using your information when this is necessary for the School's legitimate interests or someone else's legitimate interests. We will not rely on these grounds when your interests and fundamental rights override our legitimate interests.

Specifically, the School has a legitimate interest in

- Providing you with an education and making sure that you are behaving properly
- Complying with our agreement with your parents for you to be at the School
- Looking after you, your classmates and School staff
- Keeping the school buildings safe
- Making sure that the School is well managed and that we protect the School's reputation
- Telling people about the School and what we do here; for example, we may use photographs of you in our Prospectus, on our Website or in our social media
- Ensuring that all relevant legal obligations of the School are complied with; for example, in relation to Inspections

- Using your information in connection with legal disputes
- Improving the School; for example, if we want to raise money to build new buildings or to make sure that we are providing you and your classmates with a good schooling experience

In addition, your personal information may be processed for the legitimate interests of others. For example, we may use information about you when investigating a complaint made by one of your fellow pupils.

The School is relying on legitimate interests for all of the 32 purposes listed earlier.

### **Legal Obligation**

The School might need to use your information in order to comply with a legal obligation; for example, to report a concern about your wellbeing to Children's Services. We will 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. Legal obligation is relevant to the following purposes listed earlier: 10, 11, 12, 13, 14, 15, 17, 20, 22 and 24.

### **Vital Interests**

In limited circumstances, we may use your information to protect your vital interests or the vital interests of others; for example if you or they are seriously hurt.

### **Performance of a task carried out in the public interest (or carrying out public tasks)**

This applies where what we are doing is for the benefit of people generally. The following are examples of where this applies

- Providing you and others with an education
- Safeguarding and promoting your welfare and the welfare of your classmates
- Facilitating the efficient operation of the School
- Ensuring that we comply with all of our legal obligations

The School is carrying out a public task in respect all of the 32 purposes listed earlier except numbers: 11, 28, 29, 30, 31, and 32.

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

### **Substantial Public Interest**

The School is allowed to use special categories of personal information where doing so is necessary in the substantial public interest. For example, the School will use information about your health to look after you. We may also use other types of special category personal data about you to provide you with an education, to look after you and your classmates or when the School is inspected. The School is carrying out a public task in respect all of the 32 purposes listed earlier except numbers: 28, 29, 30, 31, and 32.

### **Employment and Social Protection and Social Security Law**

There will be times when the School needs to use your information because we are an employer; for example we employ your teachers. In addition, the School will use your information to comply with Social Protection Law; for example to look after you and also Social Security Laws. The School is relying on the following grounds for these purposes listed earlier: 2, 6, 10, 17 and 24.

### **Legal Claims**

We are allowed to use your information if this is necessary in relation to legal claims. For example, this allows us to share information with our legal advisors and insurers. This applies whenever sharing special category data is necessary in relation to legal claims and is relevant to purposes listed earlier 22 and 25.

### **Medical Purposes**

This includes medical treatment and the management of healthcare services. This applies to purposes listed earlier 2 and 6.

### **Criminal Offence Information**

In exceptional circumstances, we may use information about criminal convictions or offences. We will only do this where the Law allows us. This will usually be where such processing is necessary to carry out our obligations and to look after our pupils.

### **Multiple Legal Grounds**

In some cases we will rely on more than one ground for a particular use of your information. For example, we will rely on legitimate interests and public interest grounds when using your information to look after you and your classmates and when providing you with an education. The grounds that we will rely on for a particular purpose may vary depending on the circumstances. For example, if we decide to tell the Local Authority something about a pupil because we are worried about their welfare, sometimes this will be because we have a legal obligation to do so but on other occasions we may tell the Local Authority because we are worried about the pupil even if we don't have a legal obligation to report; in which case we would be relying on legitimate interests and public interests.

### **Consent**

We may ask for your consent to use your information in certain ways as an alternative to relying on any of the grounds above. If we ask for your consent to use your personal information you can take back this consent at any time. Please speak to your Form Tutor if you would like to withdraw any consent that you have given. Any use of your information before you withdraw your consent remains valid.

### **Sending information to other Countries**

We may send your information to countries, which do not have the same level of protection for personal information as there is in the UK. For example, we may

- Store your information on cloud computer storage based overseas
- Communicate with you by email when you are overseas; for example, when you are on holiday

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

We will provide you with details about the safeguards we have in place outside of this Privacy Notice. If you have any questions about the safeguards that are in place, please speak to your Form Tutor.

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

We keep your information for as long as we need to in order to educate and look after you. We will keep some information after you have left the School, for example, to enable us to investigate if you make a complaint.

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.

We can keep information about you indefinitely if we need this for historical, research or statistical purposes. For example, if we consider the information might be useful to someone wishing to write a book about the School.

For more information, please see the Data Retention and Management Policy, which can be found on the School's website.

### **What decisions can you make about your information?**

From 25<sup>th</sup> May 2018, you will be able to make various decisions about your information. Some of these are new rights whilst others build on your existing rights. Some of your rights are listed as follows

- *Rectification:* If information is incorrect, you can ask us to correct it
- *Access:* You can also ask what information we hold about you and be provided with a copy. This is commonly known as making a subject access request. We will also give you extra information; such as why we use this information about you, where it came from and what types of people we have sent it to
- *Deletion:* You can ask us to delete the information that we hold about you in certain circumstances; for example, where we no longer need the information
- *Portability:* You can request the transfer of your information to you or to a third party in a format that can be read by computer, in certain circumstances
- *Restriction:* Our use of information about you may be restricted to simply storing it in some cases; for example, if you tell us that the information is inaccurate we can only use it for limited purposes while we check its accuracy
- *Objection:* You may object to us using your information where
  - We are using it for direct marketing purposes; for example, to send you the School magazine
  - The legal ground on which we are relying is either legitimate interests or performance of a task carried out in the public interest. Please see the section 'Our legal grounds for using your information' earlier
  - We are using it for historical or scientific research purposes or archiving purposes; for example, we may keep photographs of your class for historical reasons. Your Form Tutor can give you more information about your Data Protection rights

### **Further Information and Guidance**

This notice is to explain how we look after your personal information. Please see you Form Tutor if you have further questions and if

- You object to us using your information for marketing purposes, we will stop using your information for marketing purposes if you tell us not to
- You would like us to update the information we hold about you
- You would prefer that certain information is kept confidential

Please contact your Form Tutor or The Data Compliance Officer, via the School Office, if you have any questions regarding the contents of this Privacy Notice. Alternatively, you can ask your parents to speak either of them on your behalf if you prefer.

If you consider that, we have not acted properly when using your personal information you can contact the Information Commissioner's Office: [www.ico.org.uk](http://www.ico.org.uk). Telephone 01625 5457453.