

## **St Nicholas' School Tier 3 Pupil Privacy Policy**

### **Updated 4 November 2021**

#### **Who we are**

This Privacy Notice outlines the responsibilities of St Nicholas' School as a data controller for the purposes of current Data Protection Law. This Privacy Notice covers all use of personal data, whether collected and stored online or in paper form.

#### **Introduction**

The school complies with the relevant national data protection regulations. We are committed to keeping personal information accurate, up-to-date, safe, secure and will not keep personal information longer than necessary. This privacy notice explains how we use personal information, who we share it with and the ways in which we protect and account for the protections to privacy.

This notice applies to all personal data collected for and on behalf of the school. This pertains to information collected both on paper (e.g. forms, documents, in writing) and through technological means such as online forms, information systems and email.

From time to time, we will make you aware when we require additional personal information for processing through a separate specific privacy notice.

#### **How we use personal information**

We collect and use pupil information under the General Data Protection Regulation (GDPR). Under this European rule we collect and use the information we gather to allow St Nicholas' School to complete its public task in providing education to pupils. The processing is necessary for St Nicholas' School to perform its functions to pupils and parents.

There will also be occasions when we need to collect sensitive information, for example, about a pupil's educational needs or health. The processing of this information is necessary to allow St Nicholas' School to carry out its obligations in providing education and to keep pupils safe (conditions (b) and (g) of the GDPR Article 9(2)). We will always ensure we have a condition for processing personal and sensitive information

We use the information you provide in the following ways:

- to undertake and manage the school admissions and enrolment;
- for approved trips;
- to provide a safe learning environment;
- to undertake and manage the school admissions and enrolment;
- for school trips;
- to comply with child protection requirements;
- to support and enable the academic, pastoral and personal objectives of children, including the monitoring and reporting of progress;
- to provide support and care for emotional and psychological wellbeing;
- to protect the health of the students we serve. We may also use data provided to us by other health professionals to safeguard staff and students;
- to provide a tailored learning environment and make evidence-based educational decisions for the children we serve;
- to enable the children we serve to continue or progress their education at other educational organisations;
- to inform the development of recruitment and retention policies;
- for financial planning to help in the future planning and resource investment purposes; to meet our statutory reporting requirements to the Independent Schools Inspectorate;
- to help investigate any concerns or complaints you may have.

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

- personal information (such as name, date of birth, unique number and address); special categories of data (such as health, ethnicity, religion);
- other relevant categories for the performance of our services (such as assessment, relevant medical information, special educational needs information, behavioural information and psychological reports and assessments);
- attendance information (such as sessions attended, number of absences and absence reasons);
- schools, colleges or universities that the pupils attend after leaving us;
- The Department for Education (DfE) or associated education authority;
- logging and audit in the use of IT systems and education technology apps, applications and cloud based systems;
- providers of information systems that are necessary for the School to deliver the admissions, administration, teaching and learning, pastoral development, and child protection services;
- photographs and videos taken by staff and pupils throughout the school year to record and share everyday life at St Nicholas' School. Your child may be identifiable in these photographs;
- photographs taken for identification and portfolio purposes e.g. information system records;
- Providers of insurance services – for example when handling claims – when explicit consent has been given to do this;
- Third parties for school trips / outings.

### **Collecting student information**

In some circumstances your consent will be needed and this will be used as the lawful basis for collecting information, please refer to our media policy as an example. In order to comply with data protection law, we will inform you when we require consent to process your information. Where consent is provided you or your child are free to withdraw consent at any time. You can contact us at [dpo@st-nicholas.hants.sch.uk](mailto:dpo@st-nicholas.hants.sch.uk) if you or your child wish to withdraw consent.

### **Retention and storing of personal data**

The school recognises that by efficiently managing its records, it will be able to comply with its legal and regulatory obligations and to contribute to the effective overall management of the institution. Records provide evidence for protecting the legal rights and interests of the school, and provide evidence for demonstrating performance and accountability.

All pupil and staff records will be kept securely at all times. Paper and electronic records will have appropriate security measures in place. This will ensure that confidentiality is maintained for pupil and staff records whilst enabling information to be shared lawfully and appropriately, and to be accessible for those authorised to see it.

The pupil and staff records will be disposed of in accordance with the safe disposal of records guidelines. If records have been identified as culturally or historically important they will be archived and may be used to depict everyday life at St Nicholas' School.

### **Security**

Whilst we store and use your personal data and that of your children, we will ensure the appropriate security of your personal data including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

### **IT Systems**

For the purposes of IT hosting and maintenance all school information including personal data is located on servers within the school, or within hosted servers provided by our service providers. No third parties have access to your personal data unless the law allows them to do so. Where the law allows and information is shared with third parties, we ensure they have

the same protections in place as we do. We cannot deliver our education services without processing the data we collect and share.

In following the principles of Article 32 - Security of Processing of the GDPR, we have in place proportionate organisational and technical measures to protect your personal information.

## **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 of 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;
- Careers advisors.

For more information about services for young people, please visit our local authority websites.

### **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. 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 to, (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>

### **Cookies**

We may use cookies on our website. For more information on how we may use cookies, please see our [Cookie Policy](#).

### **Requesting access to your personal data**

Under data protection legislation, anyone has the right to request access to information about them that we hold. For more information, see our Information Rights Policy.

You also have certain additional rights to:

- be informed of how we are processing your personal information – this Privacy Notice serves to explain this to you but do get in touch if you have any questions;
- have your data corrected if it is inaccurate or incomplete;
- have your information erased (the right to be forgotten) in certain circumstances – e.g. where it is no longer needed by us for the purpose for which it was collected or you have withdrawn your consent;
- restrict the use of your data in certain circumstances e.g. where you have told us the data is inaccurate and we are in the process of checking this. In such circumstances we will continue to store your data but will not process it further until we have checked and confirmed whether the data is inaccurate;
- to object to the processing of your data in certain circumstances - e.g. you may object to processing of your data for direct marketing purposes;
- to object to decisions being taken by automated means or for it to be reviewed by manual intervention;
- 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;
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed;
- claim compensation for damages caused by a breach of the Data Protection regulations.

If you require any further information or have any concerns about the way we are collecting or using your personal data, please contact us at [dpo@st-nicholas.hants.sch.uk](mailto:dpo@st-nicholas.hants.sch.uk).