

Privacy Notice – Parents & students

Approved by RET Board

Approved on May 2018

SLT contact Headteacher

Revision due Every 2 years



Privacy Notice – GDPR & Data Protection Bill 2018

Students in school and their parents/carers

A. PRIVACY NOTICE – PARENTS

1. Background

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data. This privacy notice explains how we collect, store and use personal data about students.

Each RET School is the 'data controller' for the purposes of data protection law.

2. The personal data we hold

Personal data that we may collect, use, store and share (when appropriate) about students includes, but is not restricted to:

- Contact details, contact preferences, date of birth, identification documents
- Results of internal assessments and externally set tests
- Student and curricular records
- Characteristics, such as ethnic background, eligibility for free school meals, or special educational needs
- Exclusion information
- Details of any medical conditions, including physical and mental health
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV images captured in school

3. How we use this data

We collect information from you and may receive information about you from your previous school and the Learning Records Service.

We hold this personal data and use it to:

- Support student learning
- Monitor and report on student progress
- Provide appropriate pastoral care
- Protect student welfare
- Assess the quality of our services
- Administer admissions waiting lists
- Carry out research
- Comply with the law regarding data sharing

4. Our legal basis for using this data

We only collect and use students' personal data when the law allows us to. Most commonly, we process it where:

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest

Less commonly, we may also process students' personal data in situations where:

- We have obtained your consent to use it in a certain way
- We need to protect your vital interests (or someone else's interests)

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Where we collect and process individual's sensitive personal data, known as "special category data" under the law, (e.g. medical and healthcare information, disabilities, ethnic origin, religious beliefs and biometrics), this will be under the legal basis of:

- You gave given us specific and explicit consent
- To safeguard your welfare and/or to support the provision of medical care, including disclosing your medical condition in the event of an emergency, accident or incident where it is in your (or someone else's) vital interests to do so and/or in respect of providing appropriate referrals for medical advice or social services
- For legal and regulatory purposes (e.g. child protection and safeguarding laws, health and safety laws)
- For the establishment, exercise or defence of legal claims – this allows us to share information with our legal advisors and insurers and the Courts
- Where there is a substantial public interest in processing the information

Where we have obtained consent to use students' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using students' personal data overlap, and there may be several grounds which justify our use of this data.

5. Collecting this information

While the majority of information we collect about students is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you or your child, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

6. How we store this data

We keep personal information about students while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations.

Our Data Protection Policy explains that we retain records in accordance with the [Information and Records Management Society's toolkit for schools](#).

7. Data sharing

We do not share information about students with any third party without consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about students with:

- The local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- The Department for Education (including the Education Skills Funding Agency and Regional Schools Commissioner) to meet the requirements under the Trust's Funding Agreement to provide certain information on the educational provision of the Trust.
- The student's family and representatives – to ensure that we can meet the educational and pastoral requirements of our students and their families or carers.
- Educators and examining bodies – to support the successful education of our students including the proper coordination of their examination entries.
- Our regulator e.g. Ofsted to meet our obligations under the legislative framework for the monitoring and evaluation and assessment of schools.
- Suppliers and service providers – to enable them to provide the service we have contracted them for.
- Financial organisations such as the school's electronic payments provider – to meet the school's financial commitments and to ensure the effective working of its financial systems.
- Central and local government – to meet the requirements under the Trust's Funding Agreement and other data collection requirements such as statistical and financial returns.

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- Our internal and external auditors - to meet our legal obligations to have our accounts audited in accordance with legislation.
- Survey and research organisations – to support the collation of data to support the improvement of education across the country.
- Health authorities – to meet our obligations to protect the welfare of our students.
- Security organisations – to ensure that our staff and students are as safe as possible and to meet our obligations and duties under legislation.
- Health and social welfare organisations – to meet our obligations to protect the welfare of our students.
- Professional advisers and consultants – to ensure that can meet the educational and pastoral requirements of our students.
- Charities and voluntary organisations – to ensure that can meet the educational and pastoral requirements of our students.
- Police forces, courts, tribunals – to meet our obligations to share certain information in accordance with legislation.
- Professional bodies to ensure that can meet the educational and pastoral requirements of our students.
- Other Russell Education Trust schools and the Trust's central team to support the effective management and operation of the school, for example to facilitate benchmarking exercises.

7.1 National Pupil Database

We are required to provide information about students to the Department for Education as part of statutory data collections such as the school census.

Some of this information is then stored in the [National Pupil Database](#) (NPD), which is owned and managed by the Department and provides evidence on school performance to inform research.

The database is held electronically so it can easily be turned into statistics. The information is securely collected from a range of sources including schools, local authorities and exam boards.

The Department for Education may share information from the NPD with other organisations which promote children's education or wellbeing in England. Such organisations must agree to strict terms and conditions about how they will use the data.

For more information, see the Department's webpage on [how it collects and shares research data](#).

You can also [contact the Department for Education](#) with any further questions about the NPD.

7.2 Youth support services

Once our students reach the age of 13, we are legally required to pass on certain information about them to the local authority youth support services in this area as it has legal responsibilities regarding the education or training of 13-19 year-olds.

This information enables it to provide youth support services, post-16 education and training services, and careers advisers.

Parents/carers, or students once aged 16 or over, can contact our data protection officer to request that we only pass the individual's name, address and date of birth to the local authority youth support services.

7.3 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.

8. Parents and students' rights regarding personal data

Individuals have a right to make a '[subject access request](#)' to gain access to personal information that the school holds about them.

Parents/carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child has provided consent.

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Parents also have the right to make a subject access request with respect to any personal data the school holds about them.

If you make a subject access request, and if we do hold information about you or your child, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you or your child
- 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, and any consequences of this
- Give you a copy of the information in an intelligible form

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request please refer to the information set out in Section 11 of the School's Data Protection Policy, the Subject Access Request Form and guidance on our website or contact our Data Protection Officer at DPO@Russelleducationtrust.org.uk.

9. Other rights

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used to send direct marketing
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our Data Protection Officer.

10. Complaints

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our data protection officer.

Alternatively, you can make a complaint to 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, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

11. Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our **data protection officer**:

- **Email address:** DPO@Russelleducationtrust.org.uk
- **Address:** Data Protection Officer, Russell Education Trust, Manor House, The Crescent, Leatherhead, Surrey, KT22 8DY. Please mark private and confidential for the attention of the Data Protection Officer.

This notice is based on the [Department for Education's model privacy notice](#) for students, amended for parents and to reflect the way we use data in this school.

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B. PRIVACY NOTICE - STUDENTS

1. Background

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 privacy notice explains how we collect, store and use personal data about you.

We, Russell Education Trust, Manor House, 1 The Crescent, Leatherhead, KT22 8DY, are the 'data controller' for the purposes of data protection law.

2. The personal data we hold

We hold some personal information about you to make sure we can help you learn and look after you at school. For the same reasons, we get information about you from some other places too – like other schools, the local council and the government.

This information includes:

- Your contact details
- Your test results
- Your attendance records
- Your characteristics, like your ethnic background or any special educational needs
- Any medical conditions you have
- Details of any behaviour issues or exclusions
- Photographs
- CCTV images

3. Why we use this data

We use this data to help run the school, including to:

- Get in touch with you and your parents when we need to
- Check how you're doing in exams and work out whether you or your teachers need any extra help
- Track how well the school as a whole is performing
- Look after your wellbeing

4. Our legal basis for using this data

We will only collect and use your information when the law allows us to. Most often, we will use your information where:

- We need to comply with the law
- We need to use it to carry out a task in the public interest (in order to provide you with an education)

Sometimes, we may also use your personal information where:

- You, or your parents/carers have given us permission to use it in a certain way
- We need to protect your interests (or someone else's interest)
- We need to protect your vital interests (or someone else's interests)

Where we collect and process your sensitive personal data, known as "special category data" under the law, (e.g. medical and healthcare information, disabilities, ethnic origin, religious beliefs and biometrics), this will be used where:

- You or your parents/carers gave given us specific and explicit consent
- To safeguard your welfare and/or to support the provision of medical care, including disclosing your medical condition in the event of an emergency, accident or incident where it is in your (or someone else's) vital interests to do so or in respect of providing appropriate referrals for medical advice and social services to support you
- For legal and regulatory purposes (e.g. sometimes we have to disclose the personal information due to child protection and safeguarding laws, health and safety laws or other legal requirements)

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- You are part of a legal claim involving the School– this allows us to share information with our legal advisors and insurers and the Courts.
- Where there is a substantial public interest in processing the information which may come about as a result of the education and welfare services we provide as a School

Where we have got permission to use your data, you or your parents/carers may withdraw this at any time. We will make this clear when we ask for permission and explain how to go about withdrawing consent.

Some of the reasons listed above for collecting and using your information overlap, and there may be several grounds which mean we can use your data.

5. Collecting this information

While in most cases you, or your parents/carers, must provide the personal information we need to collect, there are some occasions when you can choose whether or not to provide the data.

We will always tell you if it's optional. If you must provide the data, we will explain what might happen if you don't.

6. How we store this data

We will keep personal information about you while you are a student at our school. We may also keep it after you have left the school, where we are required to by law.

Our Data Protection Policy explains that we retain records in accordance with the [Information and Records Management Society's toolkit for schools](#).

7. Data sharing

We do not share personal information about you with anyone outside the school without permission from you or your parents/carers, unless the law and our policies allow us to do so.

Where it is legally required, or necessary for another reason allowed under data protection law, we may share personal information about you with:

- Our local authority – to meet our legal duties to share certain information with it, such as concerns about students' safety and exclusions
- The Department for Education (a government department) – to meet our duties to provide information on the education in the school.
- Your family and representatives – to ensure we can provide them with the information necessary to support you and your studies.
- Educators and examining bodies – to ensure that your education including your examination entries are properly coordinated.
- Our regulator (the organisation or "watchdog" that supervises us), e.g. Ofsted – to ensure that the school's regulators can assess and support teaching and learning in the school.
- Suppliers and service providers – so that they can provide the services we have contracted them for.
- Financial organisations – so that we can properly manage the income and expenditure of the school.
- Central and local government – to meet the legal duties placed upon us to share certain information regarding the administration of the school.
- Our auditors – to meet our obligations to have our financial position properly assessed, reviewed and checked.
- Survey and research organisations - to support the collation of data to support the improvement of education across the country.
- Health authorities - to meet our obligations to protect your health and wellbeing.
- Security organisations – to ensure we protect the safety of our students, staff and other members of the school community.
- Health and social welfare organisations - to meet our obligations to protect your health and wellbeing.
- Professional advisers and consultants - to ensure that can most effectively use people educational and pastoral requirements of our students.

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- Charities and voluntary organisations to meet our obligations to support your education and protect your health and wellbeing.
- Police forces, courts, tribunals – to meet our obligations to share certain information in accordance with legislation.
- Professional bodies- to ensure we can best support your education and pastoral needs.

7.1 National Pupil Database

We are required to provide information about you to the Department for Education (a government department) as part of data collections such as the school census.

Some of this information is then stored in the [National Pupil Database](#), which is managed by the Department for Education and provides evidence on how schools are performing. This, in turn, supports research.

The database is held electronically so it can easily be turned into statistics. The information it holds is collected securely from schools, local authorities, exam boards and others.

The Department for Education may share information from the database with other organisations which promote children's education or wellbeing in England. These organisations must agree to strict terms and conditions about how they will use your data.

You can find more information about this on the Department for Education's webpage on [how it collects and shares research data](#).

You can also [contact the Department for Education](#) if you have any questions about the database.

7.2 Youth support services

Once you reach the age of 13, we are legally required to pass on certain information about you to the local authority youth support service in this area, as it has legal responsibilities regarding the education or training of 13-19 year-olds.

This information enables it to provide youth support services, post-16 education and training services, and careers advisers.

Your parents/carers, or you once you're 16, can contact our data protection officer to ask us to only pass your name, address and date of birth to the local authority or youth support services provider in this area.

7.3 Transferring data internationally

Where we share data with an organisation that is based outside the European Economic Area, we will protect your data by following data protection law.

8. Your rights

8.1 How to access personal information we hold about you

You can find out if we hold any personal information about you, and how we use it, by making a '**subject access request**', as long as we judge that you can properly understand your rights and what they mean.

If we do hold information about you, we will:

- 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 or your parents
- Tell you who it has been, or will be, shared with
- Let you know if we are using your data to make any automated decisions (decisions being taken by a computer or machine, rather than by a person)
- Give you a copy of the information

You may also ask us to send your personal information to another organisation electronically in certain circumstances.

If you want to make a request please contact our data protection officer.

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8.2 Your other rights over your data

You have other rights over how your personal data is used and kept safe, including the right to:

- Say that you don't want it to be used if this would cause, or is causing, harm or distress
- Stop it being used to send you marketing materials
- Say that you don't want it used to make automated decisions (decisions made by a computer or machine, rather than by a person)
- Have it corrected, deleted or destroyed if it is wrong, or restrict our use of it
- Claim compensation if the data protection rules are broken and this harms you in some way

9. Complaints

We take any complaints about how we collect and use your personal data very seriously, so please let us know if you think we've done something wrong.

You can make a complaint at any time by contacting our data protection officer.

You can also complain to the Information Commissioner's Office in one of the following ways:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

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