

## **St. Ethelbert's RCP - Student Privacy Notice**

### **What is the purpose of this document?**

St. Ethelbert's RCP collects a lot of data and information about our pupils so that we can run effectively as a school. This privacy notice explains how and why we collect pupils' data, what we do with it and what rights parents and pupils have.

St. Ethelbert's RCP is a school within the St Teresa of Calcutta Catholic Academy Trust ("the Trust").

Our Trust is committed to protecting the privacy and security of your personal information.

The Trust is the Data Controller for all the schools within the Trust. The Trust's registered office is St Teresa of Calcutta Catholic Academy Trust, Imperial House, Hornby Street, Bury, BL9 5BN.

The Data Protection Officer for the Trust is Jenny Bonson, contactable via [dpo@stoccat.org.uk](mailto:dpo@stoccat.org.uk)

This privacy notice describes how we collect and use personal information about you before, during and after your working relationship with us, in accordance with the General Data Protection Regulation (GDPR).

Being the Data Controller means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information we hold in this privacy notice.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

### **Data protection principles**

We follow data protection laws, which means we must handle your personal information responsibly. This includes:

- a) Using it legally, fairly, and clearly.
- b) Collecting it only for specific reasons we've explained to you and not using it for anything else.
- c) Making sure it's relevant to the reasons we've told you about and only using the necessary information.
- d) Keeping it accurate and up to date.
- e) Storing it only as long as needed for the reasons we've explained.
- f) Keeping it safe and secure.

### **Why do we collect and use pupil information?**

We use information about students to help run the school properly and safely. Here are some of the ways we use it:

- a) To decide who can join the school.
- b) To keep a waiting list of students who want to join.
- c) To help you learn and do your best in class.
- d) To check and share your progress in school.
- e) To support you if you need help or advice.
- f) To see how well the school is doing overall.
- g) To follow the rules about sharing information.
- h) To keep everyone in school safe and protected.
- i) To make sure the school runs smoothly and stays safe.

- j) To share good news about the school.
- k) To stay in touch with your parents or carers.
- l) To answer questions or solve problems raised by parents, inspectors, or others.
- m) To handle any legal issues that might involve the school.

In compliance with Article 6 of the GDPR, we collect and use pupil information under the following lawful bases:

- a) We have your permission to use certain information.
- b) We need to follow the law and do what's required.
- c) Sometimes, using the information is important to keep you or someone else safe.
- d) It's part of our job to run the school properly and serve the public.

For sensitive information like your ethnicity, religion, or health (called "special category data"), we will follow the rules in Article 9 of the GDPR. This means we will identify a valid reason (from Article 6) and a specific condition (from Article 9) to use this data.

There are "special categories" of more sensitive personal data which require a higher level of protection. When processing special category data, we will meet at least one of the conditions below:

- a) We get clear permission from you.
- b) It helps with things like jobs, social security, or support.
- c) It's in your vital interests.
- d) It's connected to a non-profit organisation.
- e) You've shared the information yourself.
- f) It's needed for legal reasons, like court cases.
- g) It's important for the public's benefit.
- h) It's used for health or social care support.
- i) It's important for public health, like tracking illnesses.
- j) It's used for research, statistics, or to keep historical records.

Please see our Data Protection Policy for a definition of special category/sensitive personal data.

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

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are "special categories" of more sensitive personal data which require a higher level of protection.

We will collect, store, and use the following categories of personal information about you:

- Personal information (such as name, unique pupil number and address);
- Characteristics (such as language, nationality, country of birth and free school meal eligibility);
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Behaviour records, including exclusions (if relevant) records about attainment, assessment information

We may also collect, store and use the following "special categories" of more sensitive personal information:

- Information about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation and political opinions
- Trade union membership
- Information about your health, including any medical condition, health and sickness records
- Genetic information and biometric data
- Information about your criminal record

We don't usually collect this kind of information about students, and it only happens if it's necessary—for example, if there's a child protection issue or a criminal situation. If needed, we might share this information with people like the child protection team, the Local Authority, or the Police. We only do this when it's allowed by law and make sure the information is kept secure.

We also collect basic information about students when they join the school and update it if anything changes during their time here.

If the school uses a cashless system for meals, we might collect biometric data (like fingerprints) but only if your parents give us permission. You can check our Data Protection Policy for more details about how we handle this.

Where you have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. For more information, refer to the Right to Withdraw Consent section of this document.

## **Collecting pupil information**

Most of the information you give us is required, but some is optional. We will always let you know if you must provide certain information or if it's your choice. When needed, we will ask for permission to use personal data if there's no other legal reason to use it. For example, we might ask to use photos of students on our website or social media to share school activities, or for marketing purposes. Parents/pupils may withdraw consent at any time.

When students are old enough to make their own decisions about their personal information, we will ask them for permission directly. This usually happens around the age of 13. While parents' permission is usually not needed at this point, we believe in working together, so we will let parents know when we are asking students for their consent up to age 13. Students who are mature enough to decide about their personal information can change their mind and take back their permission if they have already given it.

In addition, the school may use CCTV cameras around the site to keep everyone safe and protect staff and students. CCTV footage may be used if there is a need to deal with behaviour issues or investigate other matters. We will only use footage of students if it is allowed by law. For more details, please see our CCTV policy.

## **Storing pupil data**

We hold pupil data in line with the timescales detailed within our Data Retention Policy.

We store a lot of personal information electronically, such as in our database (like SIMS, Bromcom, or similar systems). Some information is also kept on paper.

Electronic data may be stored on cloud systems, which could be in another country. Personal information might also be shared with other countries, for example, if we are planning a school trip abroad. In both cases, we will make sure the data is kept safe and follow our Data Protection Policy.

## **Storing particularly sensitive personal information**

We may hold/use your particularly sensitive personal information in the following ways:

- We may hold/use information relating to sickness absence including the reasons for the absence, which may include sickness absence or family-related leave, to comply with the law.
- We may hold/use information about your physical or mental health, or disability status, to ensure your health and safety in school, to provide appropriate adjustments, to comply with the Equality Act 2010, and to monitor and manage sickness absence.
- We may hold/use information about your race, nationality or ethnic origin, religious, philosophical or moral beliefs, or your sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.

## **Who do we share pupil information with?**

We routinely share pupil information with:

- Parents/carers (as defined in the Education Act 1996);
- schools that pupils attend after leaving us;
- our local authority;
- a pupil's home local authority (if different);
- the Department for Education (DfE);
- school governors / trustees;

- the central team at the Trust;
- exam boards.

From time to time, we may also share pupil information with other third parties including the following:

- the Police and law enforcement agencies;
- NHS health professionals including the school nurse, educational psychologists;
- Education Welfare Officers;
- Courts, if ordered to do so;
- the National College for Teaching and Learning;
- the Joint Council for Qualifications;
- Prevent teams in accordance with the Prevent Duty on schools;
- other schools, for example, if we are negotiating a managed move and we have your consent to share information in these circumstances;
- our HR providers, for example, if we are seeking HR advice and a pupil is involved in an issue;
- UCAS
- our legal advisors;
- our insurance providers/the Risk Protection Arrangement.

Some of the organisations we work with might also be responsible for your personal information, making us joint controllers. This means we share responsibility if there is a data breach.

When we share student information with other organizations, we only share the smallest amount needed to meet the purpose of sharing.

### **Aged 14+ qualifications**

For pupils enrolling for post 14 qualifications, the Learning Records Service will give us a pupil's unique learner number (ULN) and may also give us details about the pupil's learning or qualifications.

### **Why we share pupil information**

We don't share information about our students without permission unless the law allows it.

We share student data with the Department for Education (DfE) because it's required by law. This helps with school funding, tracking educational progress, and creating policies. We also have to share this information under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

### **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 is different about pupils aged 13+?**

When students turn 13, we share their information with the local authority or youth support services, as they are responsible for helping young people aged 13-19 with education and training under the Education Act 1996.

This helps them provide:

- Youth support services
- Careers advice

Parents or carers can ask us to only share their child's name, address, and date of birth with these services. Once the student turns 16, this choice becomes theirs to make.

## **Our 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 young people aged 13-19 under section 507B of the Education Act 1996.

This allows them to provide:

- post-16 education and training providers;
- youth support services;
- careers advisers.

For more information about services for young people, please visit your local authority website.

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

The National Pupil Database (NPD) is managed by the Department for Education and holds information about students in schools across England. It helps provide important data on how well students are doing in education, which is used for research and studies ordered by the Department for Education. The information is stored electronically for statistical purposes and is collected securely from different sources, like schools, local authorities, and exam boards.

By law, we must share certain information about our students with the Department for Education (DfE) as part of required data collections, such as the school and early years' censuses. Some of this data is then stored in the National Pupil Database (NPD). The law that allows this is the Education (Information About Individual Pupils) (England) Regulations 2013.

To find out more about the pupil information we share with the department, for the purpose of data collections, go to: <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

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 for Education (DfE) has strong measures in place to keep our data private and secure. There are strict rules about who can access and use the data. Before the DfE shares any data with outside groups, they go through a careful approval process and assess:

- 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, (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>

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

Under data protection laws, parents and students have the right to ask for access to the personal information we hold about them (this is called a "Subject Access Request"). If a child is too young to request their own data, parents can make the request for them, especially in primary school.

From the age of 13, we generally believe that students are mature enough to ask for their own data. This means that if a student is old enough to understand their rights, they will need to make the request themselves, rather than having their parent do it. However, parents still have the right to access certain information about their child.

To request your child's personal data or educational record, contact the school's Data Protection Officer (DPO) or the Data Protection Lead. Any written request for personal data will be treated as a Subject Access Request.

For requests about children's data or to access their educational record, these should be made in writing to the school or, if needed, the Trust. The school's Data Protection Lead and the Trust's DPO will handle these requests.

Legally, the school has one calendar month to respond to a Subject Access Request. Since we have fewer staff outside of school terms, we recommend that parents or students submit requests during term time and avoid sending them when the school is closed or about to close for holidays. This will help us respond more quickly. If there are any delays, we will contact the requester to let them know. For more details on how we handle these requests, please see our Data Protection Policy. Parents of students at academies also have the legal right to receive an annual written report about their child's progress in the main subjects taught. This is a separate right from the student's rights under GDPR, so a student's consent is not needed for this, unless a court order says otherwise.

The term "parent" in education law includes both natural and adoptive parents, regardless of whether they are married or listed on a birth certificate, as well as anyone with legal responsibility for the child or with whom the child lives. This means a student can have more than one "parent" for legal purposes.

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 our data protection responsibilities.

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/>

#### **Contact:**

If you would like to discuss anything in this privacy notice, please contact the DPO via [dpo@stoccat.org.uk](mailto:dpo@stoccat.org.uk)