



## Privacy Notice for: Those With Parental Responsibility: Use of your Young Person's Personal Data

3 year review cycle

Date for Review: August 2023

*For internal use only:*

Policy last reviewed:

05/08/2020

Policy reviewed by:

Mike Kemlo

SMT responsibility:

School Business Manager / DI&F

Date Approved:

Approval required from:

Head Teacher

Requirement:

Statutory

### 1. Introduction

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' to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about young people. We, Bradstow School, are the 'data controller' for the purposes of data protection law.

We are giving you this notice because you are able to exercise your young person's data protection rights on their behalf. When your young person is older (usually when they reach the age of 13) they may be considered able enough to exercise their own data protection rights.

If you have any questions/concerns about this notice please talk to the School Business Manager. (See contact details below)

### 2. What Is "Personal Data"

Personal data is information that the School holds about your young person and which identifies your young person.

This includes information such as their date of birth and address as well as things like records of progress, medical details and behaviour records. The School may also record your young person's religion or ethnic group. Any CCTV, photos and video recordings of your young person are also personal information.

### 3. The Personal Data We Hold

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

- Contact details, contact preferences, date of birth, identification documents
- Progress assessments and targets
- Pupil 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 allergies, 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

We may also hold data about pupils that we have received from other organisations, including other schools, local authorities and the Department for Education.

We set out below examples of the different ways in which we use personal information and where this personal information comes from.

Here are some examples:

- We need to tell all appropriate members of staff if your young person is allergic to something or might need extra help with some tasks.
- We may need to share information about your young person's health and wellbeing with other staff or medical practitioners.
- We may use CCTV to make sure the school sites are safe. CCTV is not used in internal buildings.
- We may need to report some of your young person's information to the government. For example, we may need to tell the local authority that your young person attends our school or let them know if we have any concerns about your young person's welfare.
- We may need information about any court orders or criminal petitions which relate to your young person. This is so that we can safeguard your young person's welfare and wellbeing and the other young people at the school.
- Depending on where your young person will go when they leave us we may need to provide their information to other schools/their onward placement. For example, we may share information about your young person's progress or behaviour. We may need to pass on information, which they need to look after your young person.
- We may need to share information with the police or our legal advisers if something goes wrong or to help with an inquiry.

- Occasionally we may use consultants, experts and other advisors to assist the School in fulfilling its obligations and to help run the School properly. We might need to share your young person's information with them if this is relevant to their work.
- We may share some information with our insurance company to make sure that we have the insurance cover that we need.
- We may share your young person's progress and (where fair) their behaviour records with you or their education guardian so you can support their schooling.
- We will only share your young person's 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 if legally required to.
- We will monitor your young person's use of email, the internet, social media usage and mobile electronic devices e.g. iPads. This is to check that your young person is behaving responsibly/safely when using this technology or putting themselves at risk of harm.
- We may use photographs or videos of your young person for our websites or prospectus to show prospective young people what we do here and to promote the school. We may continue to use these photographs and videos after your young person has left the school. We will seek your consent before we do this (see separate consent form).
- We regularly use photographs and videos internally for teaching purposes, for reflective practice.
- We publish news on the website and put articles and photographs in the local news to tell people about what we have been doing.
- We sometimes use contractors to handle personal information on our behalf. The following are examples:
  - IT consultants who might access information about your young person when checking the security of our IT network; and
  - we use third party "cloud computing" services to store some information in a secure way, rather than the information being stored on hard drives located on the school site.

## 4. Why We Use This Data

We use this data to:

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

## 5. Our Legal Basis For Using This Data

We only collect and use young peoples' 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 young peoples' personal data in situations where:

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

Where we have obtained consent to use pupils' 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 pupils' personal data overlap, and there may be several grounds which justify our use of this data.

### **Sending information to other countries**

We may send your young person's information to countries which do not have the same level of protection for personal information as there is the UK.

For example, we may store your young person's information on cloud computer storage based overseas or communicate with you about your young person 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 that we are sending your information to is not on the list or, is not a country within the EEA (which means the European Union, Liechtenstein, Norway and Iceland) then, it might not have the same level of protection for personal information as there is the UK.

We will provide you with details about the safeguards which we have in place outside of this privacy notice. If you have any questions about the safeguards that are in place please contact the School Business Manager.

## 6. Collecting This Information

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

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

The admissions forms which you complete give us personal information about your young person. We get information from your young person, their teachers and other young people. Your young person's old school also gives us information about your young person if we need this to teach and care for them.

Sometimes we get information from your young person's doctor and other professionals where we need this to look after your young person.

We collect this information to help the School run properly, safely and to let others know what we do here.

We may ask for your consent to use your information in certain ways. If we ask for your consent to use your personal information you can take back this consent at any time. Any use of your information before you withdraw your consent remains valid. Please speak to the School Business Manager if you would like to withdraw any consent given.

## 7. How We Store This Data

We keep personal information about young people 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. We use the [Information and Records Management Society's toolkit for schools](#) as guidance as to how long we keep information about young people.

## 8. Data Sharing

We do not share information about young people 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 young people with:

- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions.
- The Department for Education : We share young people's data with the Department for Education on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.
- The young person's family and representatives.
- Educational awarding organisations, e.g. ASDAN, etc. To facilitate learning.
- Our regulator : Ofsted.
- Suppliers and service providers – to enable them to provide the service we have contracted them for.
- Survey and research organisations.
- Health authorities : NHS school and child health services / specialists / school doctor / dental services. Child and Adult Mental Health Services (CAMHS).
- Health and social welfare organisations.
- Professional advisers and consultants.
- Police forces, courts, tribunals : where legally required to.
- Professional bodies.
- Social services.
- Schools/onward placement that the young people attend after leaving us.
- Private therapy specialists : where requested by those with parental responsibility.

## National Pupil Database

We are required to provide information about young people 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.

## 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.

## 9. Your Rights

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

Those with parental responsibility can make a request with respect to their young person's data where the young person is not considered able to understand their rights over their own data (usually under the age of 12), or where the young person has provided consent.

If you make a subject access request, and if we do hold information about you or your young person, 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 young person
- 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 contact our School Business Manager (see contact details below).

Those with parental responsibility also have a legal right to access to their young person's **educational record**. To request access, please contact the Pupil Administrator | [info@bradstow.wandsworth.sch.uk](mailto:info@bradstow.wandsworth.sch.uk).

### 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 School Business Manager (see contact details below).

## 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. Contacts Us

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

In the first instance: School Business Manager | Tel: 01843-862123 | [info@bradstow.wandsworth.sch.uk](mailto:info@bradstow.wandsworth.sch.uk)

Alternatively our **Data Protection Officer**: Mr Gary Hipple | [ghipple@wandsworth.gov.uk](mailto:ghipple@wandsworth.gov.uk)

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

## Change Log

Date Revised	Details Of Changes
04/08/2020	Updated to new format.  Changed title from Privacy Notice for: Those with parental responsibility Use of your child/young person's personal data " to 'Privacy Notice for: Those With Parental Responsibility : Use of your Young Person's Personal Data'  'Children/young people' changed to 'young people' throughout
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