



**The Priory School**

**Educating Students for Success in Life**

<b>Name of policy</b>	<b>Privacy Notice - Pupils</b>
<b>Statutory</b>	<b>Yes</b>
<b>Date policy was up-dated</b>	<b>Autumn 2022</b>
<b>Date of next review</b>	<b>Autumn 2023</b>
<b>Governors committee</b>	<b>F&amp;R</b>
<b>Member of staff responsible for the policy</b>	<b>Anthony Foster</b>

## **Privacy notice for pupils attending The Priory School**

The Priory School collects data and information about our pupils so that we can operate effectively as a school. This privacy notice explains how and why we collect pupil data, what we do with it and what rights parents have.

### **Privacy Notice (How we use pupil information)**

The Priory School is an inclusive, community, co-educational school, with just under 1300 students on roll. Age range of our pupils is 11 to 18. We use parent/ carer information as part of the information collected to support the education and well-being of our students. Our Headteacher is Geraint Edwards, our Chair to the Governing Board is Mr David McIntosh and our Data Protection Officer is Neil Parsons: [dpo@priory.herts.sch.uk](mailto:dpo@priory.herts.sch.uk).

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

We collect and use pupil information under the following lawful bases:

Where we have the consent of the data subject (Article 6 (a));

Where it is necessary for compliance with a legal obligation (Article 6 (c));

Where processing is necessary to protect the vital interests of the data subject or another person (Article 6(d));

Where it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller (Article 6 (e)).

Where the personal data we collect about parents / carers is sensitive personal data, we will only process it where:

- we have explicit consent;
- processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent; and / or
- processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, where we respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

Please see our General Data Protection Policy for a definition of sensitive personal data.

We use the parent / carer data to support our functions of running a school, in particular:

- to decide who to admit to the school
- to support pupil learning;
- to monitor and report on pupil progress;

- to provide appropriate pastoral care;
- to assess the quality of our services;
- to comply with the law regarding data sharing;
- for the protection and welfare of pupils and others in the school, including our safeguarding / child protection obligations;
- for the safe and orderly running of the school;
- to promote the school;
- to send you communications that may be of interest to you which may include information about school events or activities, news, campaigns, appeals, other fundraising activities;
- in order to respond to investigations from our regulators or to respond to complaints raised by our stakeholders;
- In connection with any legal proceedings threatened or commenced against the school.

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

- Personal information such as name, DOB, unique student number and address;
- Characteristics such as ethnicity, religion, language, nationality, country of birth and free school meal eligibility;
- Attendance information such as sessions attended, number of absences and absence reasons
- Information from external agencies working with you, eg CAMHS, Rivers
- Performance data – in year tracking data, internal and examination data, information from your primary school about your performance
- Safeguarding, child protection and pastoral information, including information about sexual activity/sexual orientation where these relate to our providing effective safeguarding and/pastoral care (see below)
- Special Educational Needs and Disabilities information
- Medical information
- Biometric data for cashless payments
- Photographs for student identification
- Behaviour information – rewards and sanctions
- Exclusions information – fixed term and permanent
- Information about criminal proceedings if appropriate
- Post 16 learning information including destinations and employers on leaving
- Information on the positions/responsibilities held by students at the school, as well as any achievement or rewards they have been given

From time to time and in certain circumstances, we might also process personal data about students, some of which might be sensitive personal data, including information about criminal proceedings/convictions, information about sex life and sexual orientation, child protection / safeguarding.

This information is not routinely collected about students and is only likely to be processed by the school in specific circumstances relating to particular students; for example, if a child protection issue arises or if a student is involved in a criminal matter. Where appropriate, such information may be shared with external agencies such as the child protection team at the Local Authority, the Local Authority Designated Officer and/or the Police. Such information will only be processed to the extent that it is lawful to do so,

and appropriate measures will be taken to keep the data secure. We collect information about students when they join the school and update it during their time on the roll as and when new information is acquired.

From time to time and in certain circumstances, we might also process personal data about pupils, some of which might be sensitive personal data, including information about criminal proceedings / convictions, information about sex life and sexual orientation, child protection / safeguarding. This information is not routinely collected about pupils and is only likely to be processed by the school in specific circumstances relating to particular pupils, for example, if a child protection issue arises or if a pupil is involved in a criminal matter. Where appropriate, such information may be shared with external agencies such as the child protection team at the Local Authority, the Local Authority Designated Officer and / or the Police. Such information will only be processed to the extent that it is lawful to do so and appropriate measures will be taken to keep the data secure.

We collect information about pupils when they join the school and update it during their time on the roll as and when new information is acquired.

As the school has a cashless catering system, we also process biometric data about pupils in the form of photographs. Please see our Data Protection Policy for more details about how we process biometric data.

### **Collecting pupil information**

Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this. Where appropriate, we will ask parents [/ pupils] for consent to process personal data where there is no other lawful basis for processing it, for example where we wish to use photos or images of pupils on our website or on social media to promote school activities [or if we want to ask your permission to use your information for marketing purposes]. Parents / pupils may withdraw consent at any time.

When pupils are deemed to be old enough to make their own decisions in relation to their personal data, we will also ask the pupil for their consent in these circumstances. This will usually be around the age of 13. Although parental consent is unlikely to be needed, we wish to take a collaborative approach so we will keep parents informed when we are approaching pupils for consent up to the age of 16. Pupils with the maturity to make their own decisions about their personal data may withdraw consent if consent has previously been given.

In addition, the School also uses CCTV cameras around the school site for security purposes and for the protection of staff and pupils. CCTV footage may be referred to during the course of disciplinary procedures (for staff or pupils) or investigate other issues. CCTV footage involving pupils will only be processed to the extent that it is lawful to do so. Please see our CCTV policy for more details.

### **Storing pupil data**

We hold pupil data for the statutory length of time relating to that specific data type. A significant amount of personal data is stored electronically, for example, on our MIS database. Some information may also be stored in hard copy format.

Personal data may be transferred to other countries if, for example, we are arranging a school trip to a different country. Appropriate steps will be taken to keep the data secure.

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

Schools that pupils attend after leaving us;

Scopay - online payment system for catering, trips and Adhoc payments

Parent Booking System - to enable parents/careers to book online appointments for Parents Evening / Events

Sims Intouch – for the school to communicate with parents/carers through emails or text messages.

Unifrog

UCAS

Other software providers on an ad-hoc basis after vetting for compliance

From time to time, we may also share parent / carer information other third parties including the following:

- our local authority Hertfordshire County Council;
- a pupil's home local authority (if different);
- the Department for Education (DfE);
- school governors
- 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 Teaching Regulation Authority;
- 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 legal advisors;
- our insurance providers / the Risk Protection Arrangement;

Some of the organisations referred to above are joint data controllers. This means we are all responsible to you for how we process your data.

In the event that we share personal data about pupils with third parties, we will provide the minimum amount of personal data necessary to fulfil the purpose for which we are required to share the data.

## **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.

We do not share information about our pupils with anyone without consent unless the law allows us to do so.

We are required to share information about our pupils with our local authority (LA) and the Department for Education (DfE) under section 3 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>.

### **Youth support services**

What is different about 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 / 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 16.

### **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 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 services;
- careers advisers.

For more information about services for young people, please visit our [local authority website](#).

### **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 and early years' 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 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 DfE 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, (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 legislation, pupils over 13 and legal guardians have the right to request access to information about them that we hold ("Subject Access Request"). To make a request for your child's personal data, or be given access to your child's educational record, contact Mr Neil Parsons, [dpo@priory.herts.sch.uk](mailto:dpo@priory.herts.sch.uk) although any written request for personal data will be treated as a Subject Access Request.

This does not affect any separate statutory right parents might have to access information about their child.

Subject to the section below, the legal timescales for the school to respond to a Subject Access Request is one calendar month. As the school has limited staff resources outside of term time, we encourage parents / students to submit Subject Access Requests during term time and to avoid sending a request during periods when the school is closed or is about to close for the holidays where possible. This will assist us in

responding to your request as promptly as possible. For further information about how we handle Subject Access Requests, please see our Data Protection Policy.

The term “parent” is widely defined in education law to include the natural or adoptive parents (regardless of whether parents are or were married, whether a father is named on a birth certificate or has parental responsibility for the student, with whom the student lives or whether the student has contact with that parent), and also includes non-parents who have parental responsibility for the student, or with whom the student lives. It is therefore possible for a student to have several “parents” for the purposes of education law.

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 the 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/>

Under data protection legislation, pupils over 13 and legal guardians have the right to request access to information about them that we hold (“Subject Access Request”). To make a request for your child’s personal data, or be given access to your child’s educational record, contact Mr Neil Parsons, [dpo@priory.herts.sch.uk](mailto:dpo@priory.herts.sch.uk) although any written request for personal data will be treated as a Subject Access Request.

### **No fee is usually required**

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is manifestly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

### **What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

### **Right to withdraw consent**

In the limited circumstances where you may 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. To withdraw your consent, please contact Janine Cane, [Janine.cane@priory.herts.sch.uk](mailto:Janine.cane@priory.herts.sch.uk).



Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

### **Changes to this privacy notice**

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.