



## **FAIR PROCESSING NOTICE FOR PARENTS / CARERS / GUARDIANS OF STUDENTS**

We collect data and information about our pupils and their parents/ carers/ guardians so that we can run effectively as a school and comply with our duties and obligations. This Fair Processing Notice explains what data we process, why we process it, our legal basis, how long we keep it and the rights of our pupils and their parents, carers or guardians.

We will always make sure that our pupil's information is protected and treated securely. Any information that we process will be held in accordance with the UK General Data Protection Regulation (GDPR), the Data Protection Act 2018 and other UK or EU data protection legislation.

### Our contact details

St Bernard's High School

Milton Road, Westcliff-on-Sea, Essex, SS0 7JS

tel: 01702 343583 | fax: 01702 390201 | email: [head@stbernards.southend.sch.uk](mailto:head@stbernards.southend.sch.uk)

Our Data Protection Officer is Kristy Gouldsmith and she can be contacted at the school email address.

### **What pupil data is processed?**

The pupil record starts its life when a file is opened for each new pupil as they begin school. This is the file which will follow the pupil for the rest of his/her school career and this file is transferred to us when the pupil begins school here.

- Surname
- Forename
- DOB
- Unique Pupil Number
- The name of the pupil's doctor
- Emergency contact details
- Gender
- Preferred name
- Position in family
- Ethnic origin
- Language of home (if other than English)
- Religion
- Names of adults who hold parental responsibility with home address and telephone number (and any additional relevant carers and their relationship to the child)
- Name of the school, admission number and the date of admission and the date of leaving.
- Any other agency involvement e.g. speech and language therapist, paediatrician
- Image
- The record of transfer from previous school

- Any information regarding free school meals
- Any information relating to a major incident involving the child (either an accident or other incident)
- Any reports written about the child
- Any information about a statement and support offered in relation to the statement
- Child protection reports/disclosures
- Safeguarding information (such as court orders and professional involvement)
- Special educational needs (including the needs and ranking)
- Medical and administration (such as doctor's information, child health, dental health, allergies, medication and dietary requirements)
- Attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- Assessment and attainment (such as key stage 1 and phonics results, post 16 courses enrolled for and any relevant results)
- Behavioural information (such as exclusions and any relevant alternative provision put in place)
- Any information relating to exclusions (fixed or permanent)
- Any correspondence with parents or outside agencies relating to major issues
- Details of any complaints made by the parents or the pupil
- Absence notes
- Parental consent forms for trips/outings (in the event of a major incident all the parental consent forms will be retained with the incident report not in the pupil record)
- Correspondence with parents about minor issues
- Accident forms
- Image related to identify management/authentication

We will also hold data about pupil's that we have received from other organisations, including other schools, local authorities and the Department for Education.

#### **What parent data is processed?**

- Surname
- Forename
- Contact details
- Any correspondence with parents or outside agencies relating to major or minor issues
- Details of any complaints made by the parents or the pupil
- Parental consent forms for trips/outings (in the event of a major incident all the parental consent forms will be retained with the incident report not in the pupil record)
- Image when visiting the school

#### **How is pupil and parent data collected?**

We collect pupil information via:

- you directly
- external agencies, such as Local Council, Department of Education, etc.

Pupil and parent data are essential for the school's operational use. Whilst the majority of information that you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this.

## Why is pupil data being collected and how will it be used?

The personal data of the pupil and the parent is required for the pupil to attend our school, to best meet the needs of the pupil whilst attending our school and for communications between us and you.

We use this data to:

- Support pupil learning
- Monitor and report on pupil progress
- Provide appropriate pastoral care
- Protect pupil welfare
- Assess the quality of our services
- Administer admissions waiting lists
- Carry out research
- Comply with the law regarding data sharing
- Keep pupils safe
- To meet the statutory duties placed upon us for DfE data collections

### Legal basis

We only collect and use the pupil's 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

Public Interest	Providing an education. Fulfilling the safeguarding and special educational needs obligations for our pupils.
Legal Obligation	Details are used for statutory reporting requirements to the Department of Education, local council and third parties such as courts or police where we are legally obliged to do so. We will also process personal data and share it with outside agencies in safeguarding situations.
Vital Interests	Pupil details may be required, such as allergy information, for their own protection and wellbeing.
Contract	Pupil details are required to satisfy a contract for fees
Legitimate interest	Parent details are used to communicate events and activities that are part of the school ethos.

Less commonly, we may also process pupil's 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 pupil's 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 pupil's personal data overlap and there may be several grounds which justify our use of this data.

### Who will it be shared with?

Personal data of pupils will be shared with:

Local Council	Personal data will be shared with the local council for purpose of education provision and performance monitoring.
Department of Education	Personal data will be shared into the National Pupil Database, owned by the DfE, for the purpose of school funding, educational attainment policy and monitoring. For completing census returns.
Contractors	Personal data may be passed to contractors for providing extra activities or clubs or meal provisions.
School Staff	Personal data will be shared with appropriate members of staff for the purpose of pupil welfare, such as, understanding medical needs.
Health Providers	Personal details will be shared with immunisation and statutory pupil health monitoring services, school nurse, NHS
External Education Resources	Personal details maybe shared with external education resources to allow pupil's access to extra resources
SENCO Specialists	Personal data may be passed to specialists involved with the SENCO provision for the pupil.
Service Providers	Personal data will be shared with our service providers, such as software platforms.

### Department for Education

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our pupils with the Department for Education (DfE) either directly or via our local authority for the purpose of those data collections, under:

- Pupil transfer forms
- School census

#### School census

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All data is transferred securely and held by DfE under a combination of software and hardware controls, which meet the current [government security policy framework](#).

## **How the Government uses your data**

The pupil data that we lawfully share with the DfE through data collections:

- underpins school funding, which is calculated based upon the numbers of Pupil's and their characteristics in each school.
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Pupil Progress measures).
- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)

## **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>

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

Much of the data about pupils in England goes on to be held in 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.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

## **Sharing by the Department**

The law allows the Department to share pupils' personal data with certain third parties, including:

- schools
- local authorities
- researchers
- organisations connected with promoting the education or wellbeing of Pupil's in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the Department's NPD data sharing process, please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

Organisations fighting or identifying crime may use their legal powers to contact DfE to request access to individual level information relevant to detecting that crime. Whilst numbers fluctuate slightly over time, DfE typically supplies data on around 600 pupils per year to the Home Office and roughly one per year to the police.

For information about which organisations the Department has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the

Police please visit the following website: <https://www.gov.uk/government/publications/dfе-external-data-shares>

To contact DfE: <https://www.gov.uk/contact-dfe>

### Local Authorities

We may be required to share information about our pupils with the local authority to ensure that they can conduct their statutory duties under the [Schools Admission Code](#), including conducting Fair Access Panels.

### **How we store your data**

Personal data is stored in accordance with our Data Retention Policy.

### **How long do we keep your personal data**

We hold pupil data securely 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 retain personal data in accordance with our Data Retention Policy.

### **Transferring data internationally**

While we make every effort to ensure that data is kept in the UK, some of our software providers may host the data in countries outside of the UK. Please enquire if you wish to have this information.

### **What are your privacy rights**

Under GDPR, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's educational record, contact our DPO.

Depending on the lawful basis above, you may 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
- a right to seek redress, either through the ICO, or through the courts

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/>

For more information about your Data Subject Rights, please refer to the ICO website – <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulations-gdpr/individual-rights/>

We are registered with the Information Commissioner's Office.

### **Contact**

If you would like to discuss anything in this privacy notice, please contact our DPO.