



Privacy Notice for All

May 2018

The legal grounds for using your information

This Privacy Notice is for all personal and sensitive data we collect and process about staff, volunteers, pupils, parents, carers and any other individuals. Some data is more sensitive than other types of data. These special categories are as follows:

- Personal information revealing racial or ethnic origin
- Political opinions, religious or philosophical beliefs
- Trade union membership
- Genetic information
- Biometric information
- Health information
- Information about sex life or orientation

Consent

The school will ask for consent to process data about you or a pupil. The type of data that is to be used, and how it is to be used will be specified on the consent forms.

You have the choice to opt in for certain types of data usage, and this will be made clear on data collection forms. However, some data that is collected and processed in schools is not optional.

Legitimate interests

This means that the processing is necessary for legitimate interests except where the processing is unfair to you. The school relies on legitimate interests for many of the ways in which it uses information.

Specifically, the school has a legitimate interest in:

- Providing educational services to pupils
- Safeguarding and promoting the welfare of pupils and staff
- Promoting the objects and interests of the school
- Ensuring the efficient operation of the school
- Compliance with all relevant legal obligations of the school
- Keeping the whole school community informed about events, news and activities

Necessary for a contract

Information about individuals may be necessary to perform our obligations under our contracts. For example, maintaining the school Management Information System database.

Legal obligation

Much of school life is governed by legal obligations to supply information to organisations such as the Department for Education (DfE), Local Authority (LA) or HMRC. We may also have to disclose information to third parties such as the courts, Disclosure and Barring Service or the police where legally obliged to do so.

Vital Interests

For example, to prevent someone from being seriously harmed or killed.

Public interest

The school considers that it is acting in the public interest when providing education. Certain regulations, DfE and LA, health and other guidance may require the school to process data in the public interest.

Legal claims

The processing is necessary for the establishment, exercise or defence of legal claims. This allows us to share information with our legal advisors and insurers.

Your rights - What decisions can you make about your information?

From May 2018 data protection legislation gives you a number of rights regarding your information. Some of these are new rights, whilst others build on your existing rights.

Your rights are as follows:

- You can ask what information we hold about you and be provided with a copy. You can do this by making a Subject Access Request (SAR). Sometimes we are not able to share all the information, but this is set out in our Subject Access Request process and protocol on our website
- If information is incorrect you can ask us to rectify it. This can be done by making a Right to Rectification Request. Sometimes we are not able to rectify your data. This is set out in the Right to Rectification process and protocol on our website
- You can ask us to delete the information that we hold about you or your child in certain circumstances. For example, where we no longer need the information. This can be done by completing a Right to Erasure form. More information regarding this can be found in our Right to Erasure process and protocol on our website
- You can ask us to send you, or another organisation, certain types of information about you in a format that can be read by computer – this does not apply to pupil records as these are transferred by a DfE process called the Common Transfer File

- Our use of information about you may be restricted in some cases. For example, if you tell us that the information is inaccurate we can only use it for limited purposes while we check its accuracy

If you disagree with any decision we make about your data you can use our Complaints Policy, you also have the right to make a complaint to the Information Commissioner, and sometimes to the Information Tribunal or through the court process. Our Complaints Policy is available on the website.

Contacts

If you have any enquiries in relation to this Privacy Notice, please contact the Headteacher.

Our Data Protection Officer is J. A. Walker, Solicitor info@jawalker.co.uk

Information Commissioning Office (ICO) - <https://ico.org.uk/for-the-public/raising-concerns/>

COVID 19 Addendum – June 2020

Test and Trace

Schools are in a very difficult situation. The tracing process of 'Test and Trace' is made more difficult as schools are public authorities. They have a legal duty to protect and promote the welfare of pupils and a duty of care to staff. It is hoped that additional government guidance will be provided for schools.

As a private individual, compliance with the scheme is optional, you cannot at the present time be forced to provide details. As a school it is more complicated.

If a person in a school has Covid 19 or symptoms they will be sent home as will other people in school who have had contact and who may be at risk.

In school it would be most unusual for any one person to know the details of everyone else who may be affected. It is only the school that will have that data. We would notify individuals about a risk, and in many instances that will be sufficient.

However, the Department of Education Guidance does say:

'As part of the national test and trace programme, if other cases are detected within the child or young person's cohort (Bubble) or in the wider education or childcare setting, Public Health England's local Health Protection Teams will conduct a rapid investigation and will advise schools and other settings on the most appropriate action to take.'

In this situation it is not a matter of giving consent to share data, there is a Public Duty to do so. As a school we will co-operate with such requests. Schools are under an obligation to share data

At no point we will we share data without a sound legal basis, but please be aware that we will share data where necessary.

Legal and Public Duties

We may also use your contact details to comply with our legal and public duty obligations to manage situations that arise as a result of the Coronavirus pandemic.