



DRAYTON MANOR HIGH SCHOOL

PRIVACY NOTICE

Approved by Business, Finance, Audit and Personnel Committee 5 June 2018
Approved by Governors' and Staff Joint Committee 7 June 2018
Ratified by the Governing Body 12 June 2018

PRIVACY NOTICE

(How we Use Student Information)

INTRODUCTION

Drayton Manor High School ('the School') is committed to the protection of all personal and sensitive data for which it holds responsibility as the Data Controller and the handling of such data in line with the data protection principles and the Data Protection Act (2018).

This privacy notice provides detailed information about how we process personal data. Please read it carefully and, if you have questions regarding your personal data or its use, please contact the school's Data Protection Officer by email on dpo@draytonmanorhighschool.co.uk.

OUR COMMITMENT TO PRIVACY

Our School is committed to the protection of all personal and sensitive data for which it holds responsibility as the Data Controller and the handling of such data in line with the data protection principles and the Data Protection Act (2018).

<https://ico.org.uk/for-organisations/guide-to-data-protection/data-protection-principles/>

Changes to data protection legislation with the introduction of the GDPR and the Data Protection Act (2018) on 25 May 2018, shall be monitored and implemented to remain compliant with all requirements.

STUDENT PERSONAL DATA

The rights under the Data Protection Act (2018) and the GDPR belong to the individual to whom the data relates. However, we will often rely on parental / the care provider with parental responsibility consent to process personal data relating to students (if consent is required) unless, given the nature of the processing in question, and the student's age and understanding, it is more appropriate to rely on the student's consent.

Parents/care providers should be aware that in such situations, they may not be consulted, depending on the interests of the child, the parents' rights at law or under their contract, and all the circumstances.

In general, students' consent will not be required for ordinary disclosure of their personal data to their parents or care providers with parental responsibility, e.g. for the purposes of keeping parents/care providers informed about the student's activities, progress and behaviour, and in the interests of the student's welfare, unless, in the school's opinion, there is a good reason to do otherwise.

However, where a student seeks to raise concerns confidentially with a member of staff and expressly withholds their agreement to their personal data being disclosed to their parents, we may be under an obligation to maintain confidentiality unless, in our opinion, there is a good reason to do otherwise; e.g. where the school believes disclosure will be in the best interests of the student or other students, or is required by law.

Students can make subject access requests for their own personal data, provided that they have sufficient maturity to understand the request they are making. A person with parental responsibility

will generally be entitled to make a subject access request on behalf of students, but the information in question is always considered to be the child's at law.

A student of any age may ask a parent or other representative to make a subject access request on their behalf. Moreover (if of sufficient maturity) their consent or authority may need to be sought by the parent making such a request.

YOUR RIGHTS

You have various rights under the Data Protection Act (2018) to access and understand the personal data we hold about you, and in some cases to ask for it to be erased or amended or for us to stop processing it, but this is subject to certain exemptions and limitations.

You always have the right to withdraw consent, where given, or otherwise object to receiving generic or fundraising communications. Please be aware that the school may have another lawful reason to process the personal data in question even without your consent. That reason will usually have been asserted under this Privacy Notice, or may exist under some form of contract or agreement with the individual (e.g. an employment or parent contract, or because a purchase of goods, services or membership of one of our societies).

If you would like to access or amend your personal data, or would like it to be transferred to another person or organisation, or have some other objection to how your personal data is used, please make your request in writing to the Administration Office.

We will respond to any such written requests as soon as is reasonably practicable and in any event within statutory time-limits, which is one month in the case of requests for access to information.

We will be better able to respond quickly to smaller, targeted requests for information. If the request is manifestly excessive or similar to previous requests, we may ask you to reconsider or charge a proportionate fee, but only where Data Protection Act (2018) permits this.

DATA EXEMPT FROM THE RIGHT OF ACCESS

You should be aware that certain data is exempt from the right of access. This may include information which identifies other individuals, or information which is subject to legal privilege. We are also not required to disclose any student examination scripts (though examiners' comments may fall to be disclosed), nor any confidential reference given by the school for the purposes of the education, training or employment of any individual.

CHANGE OF DETAILS

We try to ensure that all personal data held in relation to an individual is as up to date and accurate as possible. Please notify the Administration Office of any significant changes to important information, such as contact details, held about you.

RIGHT TO BE FORGOTTEN

Where any personal data is no longer required for its original purpose, an individual can demand that the processing is stopped and all their personal data is erased by the school including any data held by contracted processors.

DATA ACCESS REQUESTS (SUBJECT ACCESS REQUESTS)

All individuals whose data is held by us, has a legal right to request access to such data or information

about what is held. We shall respond to such requests within one month and they should be made in writing and by email to dpo@draytonmanorhighschool.co.uk.

No charge will be applied to process the request.

Personal data about students will not be disclosed to third parties without the consent of the child's parent or carer, unless it is obliged by law or in the best interest of the child. Data may be disclosed to the following third parties without consent

- Other schools
- If a student transfers from Drayton Manor High School to another school, their academic records and other data that relates to their health and welfare will be forwarded onto the new school. This will support a smooth transition from one school to the next and ensure that the child is provided for as is necessary. It will aid continuation which should ensure that there is minimal impact on the child's academic progress as a result of the move.

TRANSPARENCY

We shall be transparent about the intended processing of data and communicate these intentions via notification to staff, parents/care providers and students prior to the processing of an individual's data.

Notifications shall be in accordance with ICO guidance and, where relevant, be written in a form understandable by those defined as 'Children' under the legislation.

<https://ico.org.uk/for-organisations/guide-to-data-protection/privacy-notices-transparency-and-control/>

There may be circumstances where the school is required either by law or in the best interests of our students or staff to pass information onto external authorities, for example local authorities, Ofsted, or the Department of Health. These authorities are up to date with data protection law and have their own policies relating to the protection of any data that they receive or collect.

The intention to share data relating to individuals to an organisation outside of our school shall be clearly defined within notifications and details of the basis for sharing given. Data will be shared with external parties in circumstances where it is a legal requirement to provide such information. Any proposed change to the processing of individual's data shall first be notified to them.

Under no circumstances will the school disclose information or data

- that would cause serious harm to the child or anyone else's physical or mental health or condition
- indicating that the child is or has been subject to child abuse or may be at risk of it, where the disclosure would not be in the best interests of the child
- recorded by the student in an examination that would allow another person to be identified or identifies another person as the source, unless the person is an employee of the school or a local authority or has given consent, or it is reasonable in the circumstances to disclose the information without consent.

The exemption from disclosure does not apply if the information can be edited so that the person's name or identifying details are removed in the form of a reference given to another school or any other place of education and training, the child's potential employer, or any national body concerned with student admissions.

TYPES OF PERSONAL DATA WE PROCESS

We process personal data about prospective, current and past: students and their parents; staff, suppliers and contractors; friends and supporters; and other individuals connected to or visiting the school (including students enrolled on placement program).

The personal data we process takes different forms – it may be factual information, expressions of opinion, images or other recorded information which identifies or relates to a living individual. Examples include

- names, addresses, telephone numbers, e-mail addresses and other contact details;
- family details;
- admissions, academic, disciplinary and other education related records, information about special educational needs, references, examination scripts and marks;
- education and employment data;
- images, audio and video recordings;
- financial information (e.g. for bursary assessment or for fund-raising);
- courses, meetings or events attended.

As a school, we need to process special category personal data (e.g. concerning health, ethnicity, religion or biometric data) and criminal records information about some individuals (particularly students and staff). We do so in accordance with applicable law (including with respect to safeguarding or employment) or by explicit consent.

PERSONAL AND SENSITIVE DATA

All data within the school's control shall be identified as personal, sensitive or both to ensure that it is handled in compliance with legal requirements and access to it does not breach the rights of the individuals to whom it relates.

The definitions of personal and sensitive data shall be as those published by the ICO for guidance: <https://ico.org.uk/for-organisations/guide-to-data-protection/key-definitions/>

The principles of the Data Protection Act (2018) shall be applied to all data processed

- To ensure that data is fairly and lawfully processed;
- To process data only for limited purposes;
- To ensure that all data processed is adequate, relevant and not excessive;
- To ensure that data processed is accurate;
- To not keep data longer than is necessary;
- To process the data in accordance with the data subject's rights;
- To ensure that data is secure;
- To ensure that data is not transferred to other countries without adequate protection.

COLLECTING, HANDLING AND SHARING PERSONAL DATA

Collecting. We collect most of the personal data we process directly from the individual concerned (or in the case of students, from their parents). In some cases, we collect data from third parties (for example, referees, previous schools, the Disclosure and Barring Service, or professionals or authorities working with the individual) or from publicly available resources.

Handling. Personal data held by us is processed by appropriate members of staff for the purposes for which the data was provided. We take appropriate technical and organisational steps to ensure the security of personal data about individuals, including policies around use of technology and devices, and access to school systems.

We do not transfer personal data outside of the EU / EEA / Adequacy List unless we are satisfied that the personal data will be afforded an equivalent level of protection.

Details of EU / EEA / Adequate countries can be found here: <https://tinyurl.com/yd76pwks>

Third Party Software Providers. Some of our systems are provided by third parties, e.g. hosted databases, school website, school calendar, school post and my school portal or cloud storage providers. This is always subject to contractual assurances that personal data will be kept securely and only in accordance with our specific directions. This enables students to access their own learning programmes from multiple providers in and out of school. All providers are checked by the school to ensure they comply with the GDPR and satisfy the criteria of the DfE's guidance for Cloud software.

SHARING YOUR PERSONAL DATA

In the course of school business, we share personal data (including special category personal data where appropriate) with third parties such as examination boards, the school doctors, the school's professional advisors and relevant authorities (e.g. the Local Children Safeguarding Board, DBS, NCTL, UK Visas and Immigration, HM Revenue and Customs, Department for Education and Department for Work and Pensions).

We do share personal data about former students and staff to our alumni association, 'The Draytonians' with the consent of the data subjects.

We do not share information about our students with anyone without consent unless the law and our policies allow us to do so. We do not otherwise share or sell personal data, apart from meeting our legal commitments to the following organisations

DEPARTMENT OF EDUCATION

We are required to share information about our students with the (DfE) under regulation 5 of The Education (Information About Individual Students) (England) Regulations 2013. 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>

EXAMINATION AUTHORITIES

This may be for registration purposes, to allow the students at our school to sit examinations set by external exam bodies. For students enrolling for post 14 qualifications, the Learning Records Service

will give us a student's unique learner number (ULN) and may also give us details about the student's learning or qualifications.

HEALTH AUTHORITIES

As obliged under health legislation, the school may pass on information regarding the health of children in the school to monitor and avoid the spread of contagious diseases in the interest of public health.

POLICE AND COURTS

If a situation arises where a criminal investigation is being carried out we may have to forward information on to the police to aid their investigation. We will pass information onto courts as and when it is ordered.

SOCIAL WORKERS AND SUPPORT AGENCIES

In order to protect or maintain the welfare of our students, and in cases of child abuse, it may be necessary to pass personal data on to social workers or support agencies.

EDUCATIONAL DIVISION

Schools may be required to pass data on in order to help the government to monitor the national educational system and enforce laws relating to education.

YOUTH SUPPORT SERVICES

Students 13+. Once our students reach the age of 13, we also pass student 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/care provider 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 / student once he/she reaches the age 16.

Students Aged 16+. We will also share certain information about students 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
- Career advisers

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

THE NATIONAL STUDENT DATABASE (NPD)

The NPD is owned and managed by the Department for Education and contains information about students 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 students 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 Students) (England) Regulations 2013.

To find out more about the student 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-student-database-user-guide-and-supporting-information>.

The department may share information about our students 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 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 student 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-dat a](https://www.gov.uk/data-protection-how-we-collect-and-share-research-data)

For information about which organisations the Department has provided student information, and for which project, please visit the following website:

<https://www.gov.uk/government/publications/national-student-database-requests-received>

To contact DfE:

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

STORING STUDENT DATA

We are legally obliged to hold student data for differing period of time. Further details can be found within the Records Retention and Protection Policy.

TYPES OF PERSONAL DATA WE PROCESS

We process personal data about prospective, current and past: students and their parents; staff, suppliers and contractors; friends and supporters; and other individuals connected to or visiting the school (including students enrolled on placement program).

The personal data we process takes different forms – it may be factual information, expressions of opinion, images or other recorded information which identifies or relates to a living individual.

Examples include

- names, addresses, telephone numbers, e-mail addresses and other contact details;
- family details;
- admissions, academic, disciplinary and other education related records, information about special educational needs, references, examination scripts and marks;
- education and employment data;
- images, audio and video recordings;
- financial information (e.g. for bursary assessment or for fund-raising);
- courses, meetings or events attended.

As a school, we need to process special category personal data (e.g. concerning health, ethnicity, religion or biometric data) and criminal records information about some individuals (particularly students and staff). We do so in accordance with applicable law (including with respect to safeguarding or employment) or by explicit consent.

LEGAL BASIS TO COLLECT AND USE STUDENT INFORMATION?

The legal bases for processing data are as follows

- **Consent:** the member of staff/student/parent or care provider has given clear consent for the school to process their personal data for a specific purpose;
- **Contract:** the processing is necessary for the contract between the school and the state to conduct and deliver education services to the public;
- **Legal Obligation:** the processing is necessary for the school to comply with the law (not including contractual obligations);
- **Public Interest:** the processing is necessary to deliver the performance of a task carried out in the public interest (Education) or in the exercise of official authority vested in the controller;

PURPOSES FOR WHICH WE PROCESS PERSONAL DATA

We process personal data to support the School's operation as an Academy for students aged 11 – 19, and specifically for

- **Admissions.** The selection and admission of students;
- **Delivering Education.** The provision of education to students including the administration of the school curriculum and timetable; monitoring student progress and educational needs; reporting on the same internally and to parents; administration of students' entries to public examinations, reporting upon and publishing the results; providing references for students (including after a student has left);
- **Educational Support.** The provision of educational support and related services to students (and parents) including the maintenance of discipline; provision of careers and

library services; administration of sports fixtures and teams, school trips; provision of the school's IT and communications system and virtual learning environment (and monitoring the same) all in accordance with our IT policies;

- **Educational Courses.** The provision of educational courses during school holidays to students enrolled on such courses;
- **Safeguarding.** The safeguarding of students' welfare and provision of pastoral care, welfare, health care services by school staff, in boarding accommodation;
- **Improvement.** The research into and development of effective teaching and learning methods and best practice;
- **Legal Obligations.** Compliance with legislation and regulation including the preparation of information for inspections by Ofsted;
- **Census.** The submission of annual census information to the Department for Education;
- **Administration.** Operational management including the compilation of student records; the administration of invoices, fees and accounts; the management of the College's property; the management of security and safety arrangements (including the use of CCTV in accordance with our CCTV Policies and monitoring of the school's IT and communications systems in accordance with our Acceptable Use Policy);
- **Strategical Planning.** Management planning and forecasting; research and statistical analysis; the administration and implementation of the College's rules and policies for students and staff; the maintenance of historic archives and other operational purposes;
- **Human Resources.** Staff administration including the recruitment of staff/ engagement of contractors (including compliance with DBS procedures); administration of payroll, pensions and sick leave; review and appraisal of staff performance; conduct of any grievance, capability or disciplinary procedures; and the maintenance of appropriate human resources records for current and former staff; and providing references;
- **Public Relations.** The promotion of the school through its own website, the prospectus and other publications and communications (including through our social media channels); and
- **Collaborative Working.** Maintaining relationships with OEs and the wider school community by communicating with the body of current and former students and/or their parents or guardians and organising events.

The processing set out above is carried out to fulfil our legal obligations (including those under our parent contract and staff employment contracts). We also expect these purposes to form our legitimate interests.

HOW LONG WE KEEP PERSONAL DATA

We retain personal data only for a legitimate and lawful reason and only for so long as necessary or required by law. We have adopted Records Retention Guidelines which set out the time period for which different categories of data are kept. If you have any specific queries about our record retention periods, or wish to request that your personal data is considered for erasure, please contact us for further information.

LOCATION OF INFORMATION AND DATA

Hard copy data, records, and personal information are stored out of sight and in a locked cupboard. The only exception to this is medical information that may require immediate access during the school day. This will be stored with the School Nurse.

Sensitive or personal information and data should not be removed from the school site; however, the school acknowledges that some staff may need to transport data between the school and their home in order to access it for work in the evenings and at weekends. This may also apply in cases where staff have offsite meetings, or are on school visits with students.

The following guidelines are in place for staff in order to reduce the risk of personal data being compromised

- **Removal off-site.** Paper copies of data or personal information should not be taken off the school site. If these are misplaced they are easily accessed. If there is no way to avoid taking a paper copy of data off the school site, the information should not be on view in public places, or left unattended under any circumstances.
- **Data no longer needed.** Unwanted paper copies of data, sensitive information or student files should be shredded. This also applies to handwritten notes if the notes reference any other staff member or student by name.
- **Printout Discipline.** Care must be taken to ensure that printouts of any personal or sensitive information are not left in printer trays or photocopiers.
- **Computer Discipline.** If information is being viewed on a computer, staff must ensure that the window and documents are properly shut down before leaving the computer unattended. Sensitive information should not be viewed on public computers.
- **Transportation.** If it is necessary to transport data away from the school, it should be downloaded onto an encrypted USB stick. The data should not be transferred from this stick onto any home or public computers. Work should be edited from the USB, and saved onto the USB only.
- **Password Protection.** USB sticks that staff use must be password protected.

These guidelines are clearly communicated to all school staff, and any person who is found to be intentionally breaching this conduct will be disciplined in line with the seriousness of their misconduct.

DATA DISPOSAL

The school recognises that the secure disposal of redundant data is an integral element to compliance with legal requirements and an area of increased risk. All data held in any form of media (paper, tape, electronic) shall only be passed to a disposal partner with demonstrable competence in providing secure disposal services.

All data shall be destroyed or eradicated to agreed levels meeting recognised national standards, with confirmation at completion of the disposal process.

Disposal of IT assets holding data shall be in compliance with ICO guidance:

https://ico.org.uk/media/for-organisations/documents/1570/it_asset_disposal_for_organisations.pdf

The school has identified a qualified source for disposal of IT assets and collections.

PHOTOGRAPHS AND VIDEO

Images of staff and students may be captured at appropriate times and as part of educational activities for use in school only.

Unless prior consent from parents/students/staff has been given, the school shall not utilise such images for publication or communication to external sources.

It is the school's policy that external parties (including parents / parental care providers) may not capture images of staff or students during such activities without prior consent.

THIS POLICY

Our privacy notice should be read in conjunction with our other policies and terms and conditions which make reference to personal data, including our Home School Agreement, our Safeguarding Children and Child Protection Policy, Health and Safety Policies, Acceptable Use Policies and IT Policies.

This document will evolve and will be updated. It has been afforded with a version number to track changes. Therefore, we will update this Privacy Notice from time to time. Any substantial changes that affect how we process your personal data will be notified on our website and to you directly, as far as practicable.

If you believe that we have not complied with this policy or have acted otherwise than in accordance with the Data Protection Act (2018) or the GDPR, you should notify the Data Protection Officer. You can also make a referral to or lodge a complaint with the Information Commissioner's Office (ICO), although the ICO recommends that steps are taken to resolve the matter with us before involving them.

CONTACT

If you would like to discuss anything in this privacy notice, please contact **DRAYTON MANOR HIGH SCHOOL HIGH SCHOOL – DATA PROTECTION OFFICER** dpo@draytonmanorhighschool.co.uk

If you need more information about how our local authority and/or DfE collect and use your information, please visit our local authority at:

http://www.ealing.gov.uk/info/200527/your_child_at_school/710/schools_privacy_notice

or alternatively the DfE website at:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

If you are unable to access these websites we can send you a copy of this information. Please contact the LA or DfE as follows:

Data Protection Officer

Perceval House, 14-16 Uxbridge Road

Ealing

London

W5 2HL

Email dataprotection@ealing.gov.uk

Telephone 020 8825 8282

Public Communications Unit

Department for Education

Sanctuary Buildings

Great Smith Street

London

SW1P 3BT

Website www.education.gov.uk

<http://www.education.gov.uk/help/contactus>

Telephone 0370 000 2288

INFORMATION COMMISSIONERS OFFICE (ICO)

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/>, quoting our registration number ZA007869.