



## **St Bernard's Preparatory School**

### **General Data Protection Regulations (GDPR) - Privacy Notice for Parents**

**May 2019**

#### **Introduction**

This notice is to help you understand how and why we collect personal information about our students under the Education Act 1996/ Data Protection Act 1998 and EU General Data Protection Regulation (GDPR) Article 6, and Article 9 – from 2018 and what we do with that information.

St Bernard's Preparatory School is the data controller of the personal information you provide to St Bernard's Preparatory. This means the school determines the purpose for which, and the manner in which,

#### **What is "personal information"?**

Personal information is information that St Bernard's Preparatory School holds about its students and parents which identifies them and relates to them. This includes information such as: name, date of birth and address, examination results, medical details, ethnicity, religion and behaviour records. CCTV recordings, photos and video recordings of you are also personal information.

- Personal information (such as name, number and address)
- Characteristics (such as ethnicity, language, nationality and country of birth)
- Medical information (such as GP, relevant medical conditions)
- Attendance information (such as sessions attended, number of absences, absence reasons)
- Behavioural information (such as behaviour incidents)
- Assessment information (such as national curriculum assessments)
- Special educational needs information
- School History (such as where students go when they leave us)
- CCTV recording

Whilst the majority of student information 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 to whether you are required to provide certain student information to us or if you have a choice on this.

#### **How and why does St Bernard's Preparatory School collect and use personal information?**

The school's primary reason for using personal information is to provide students with an education. We have set out below examples of the different ways in which we use personal information and where this personal information comes from.

- to support student learning
- to monitor and report on student progress

- to provide appropriate pastoral care
- to track the quality of our teaching and the learning that takes place at St Bernard's Preparatory School
- to comply with the law regarding data sharing
- to assess the quality of our services

We obtain information from admission forms and from your child's previous school.

- We may also get information from professionals such as doctors and from local authorities.
- We may have information about any family circumstances which may affect your child's welfare or happiness.
- We may need information about any court orders or criminal petitions which relate to you. This is so that we can safeguard the welfare and wellbeing of your child and the other students at the school.
- We use CCTV to make sure the schools site is safe. CCTV is not used in private areas such as changing rooms.
- We will monitor your child's use of web browsing, the internet and mobile electronic devices e.g. iPads to comply with the schools E-Safety Policy when using technology and to keep them safe.
- We may take photographs or videos of your child or you at school events to use on social media and on the school website. This is to show prospective parents and students what we do here and to advertise the School activities of the St Bernard's Preparatory Parents Society. We may continue to use photographs and videos after your child has left the school.
- We may send you information to keep you up to date with what is happening at the school. For example, by sending you information about events and activities taking place (including fundraising events) and the school newsletter.
- We may keep details of your child's address when your child leaves the school so we can keep in touch and find out how your child is progressing.
- We may use information about your child if we need this for historical research purposes or for statistical purposes.

In addition, the School will on occasion need to process **special category personal data** (concerning health, ethnicity or religion) or criminal records information (such as when carrying out DBS checks) in accordance with rights or duties imposed on it by law, including as regards safeguarding and employment, or from time to time explicit consent required. These reasons will include:

- To safeguard pupil's welfare and provide appropriate pastoral (and when necessary, medical) care, and to take appropriate action in the event of an emergency, incident or accident, including by disclosing details of an individual's medical condition or other relevant information where it is in the individual's interests to do so: for example medical advice, for social protection, safeguarding and cooperation with police or social services, for insurance purposes or to caterers or organisers of School trips who need to be made aware of dietary or medical needs
- To provide educational services in the context of any special educational needs of a pupil;
- To provide spiritual education in the context of any religious beliefs
- In connection with employment of its staff, for example DBS checks, welfare, union membership or pension plans
- As part of School or external complaints, disciplinary or investigation process that involves such data, for example if there are SEN, health or safeguarding elements
- For legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with its legal obligations and duties of care.

## **How the School collects Data**

Generally, the School receives personal data from the individual directly (including, in the case of pupils, from their parents). This may be via a form, or simply in the ordinary course of interaction or communication (such as email or written assessments).

However, in some cases personal data will be supplied by third parties (for example another school, or other professionals or authorities working with that individual); or collected from publicly available resources.

## **Who has access to personal data and the school shares it with**

Occasionally, the School will need to share information relating to its community with third parties, such as:

- professional advisers (e.g. lawyers, insurers and accountants);
- government authorities (e.g. HMRC, DfE, police or the local authority); and
- appropriate regulatory bodies
- professional associations

For most part, personal data collected by the School will remain within the School, will remain within the School and will be processed by appropriate individuals only in accordance and access protocols (i.e. on a need to know basis). Particularly strict rules of access apply in the context of:

- medical records, held and accessed by appropriate staff under supervision, or otherwise in accordance with express consent; and
- pastoral or safeguarding files.

However, a certain amount of SEN pupils relevant information will need to be provided to staff more widely in the context of providing the necessary care and education that the pupil requires.

Finally, in accordance processing activity is carried out by web developers. This is always subject to contractual assurances that personal data will be kept securely and only in accordance with the School's specific directions.

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

The School will retain personal data securely and only in line with how long it is necessary to keep for legitimate and lawful reason. Typically, the legal recommendation for how long to keep ordinary staff and pupil personnel is up to 7 years following departure from the School. However, incident reports and safeguarding files will need to be kept much longer, in accordance with specific legal requirements.

If you have any specific queries about how our retention policy is applied, or wish to request that personal data that you no longer believe to be relevant is considered erasure, please contact us . However, please bear in mind that the School will often have lawful and necessary reasons to hold on to some personal data **even following such request.**

A limited and reasonable amount of information will be kept for achieving purposes, for example; historical data information.

## **Financial information**

- We will process financial information about you in relation to the payment of educational events, resources and fees.

## **Data Sharing**

- Occasionally we may use consultants, experts, peripatetic teachers and other advisors to assist the school in fulfilling its obligation and to help run the school properly. We might need to share your information with them if this is relevant to their work.
- If your child leaves us to attend another school we may need to provide that school with information about you. For example, details of family circumstances for safeguarding reasons.
- We may share information about you with others in your family, such as another parent or step parent. For example, where this is a part of obligations, or in connection with miscellaneous school charges.
- We may need to share information if there is an emergency, for example, if you are hurt whilst on school premises
- We may also need to share information with our legal advisers for the purpose of obtaining legal advice.
- On occasion, we may need to share information with the police.
- Any personal data relating to students and their families is to be processed.

## **Our legal grounds for using personal information**

This section contains information about legal basis that we are relying on when handling your information.

St Bernard's Preparatory School holds the legal right to collect and use personal data relating to students and their families, and we may also receive information regarding from their previous school. Local authority and or the Departments for Education.

We collect and use personal data in order to meet legal requirements and legitimate interests set out in the GDPR and UK Law, including those in relation to the following:

- Article 6 and Article 9 of the GDPR
- Education Act 1996
- Regulation 5 of the Education (Information about Individual Pupils) (England) Regulations 2013

We will need to use your information in order to perform our obligations under our contract with you. For example, we need your name and contact details so that we can update you on your child's progress and so that we can contact you if there is concern.

## **Legal obligation**

Where the school needs to use your information in order to comply with legal obligation, for example to report a concern about your wellbeing to Children's Services. We may also have to disclose information to third parties such as the courts, the local authority or the police where legally obliged to do so.

## **Vital and Public Interests**

St Bernard's Preparatory School considers that it is acting in the public interest when providing education. St Bernard's Preparatory School considers it is acting to protect the vital interests of any person where that a person cannot give consent, for example, if they are seriously hurt and are unconscious or to prevent someone from being seriously harmed or killed.

We are legally required to share students' data with the DfE on a statutory basis. This data sharing underpins the school's funding and educational attainment policy and monitoring.

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

The NPD is owned and managed by the DfE and contains information about students in schools in England. It provides important evidence on educational performance to inform independent research, as well as studies commissioned by the DfE. It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, local authorities and examination boards.

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. 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.

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.

We can keep information about students for a very long time or even indefinitely if we need this for historical, research or statistical purposes. For example, if we consider the information might be useful to write a book about the school.

### **What decisions can you make about your information?**

From May 2018 you will be able to make various decisions about personal information stored. Some of these are new rights whilst others build on your existing rights. Your rights are as follows:

- If information is incorrect you can ask to correct it;
- You can also ask what information we hold about you and be provided with a copy. We will also give you extra information, such as why we use this information about you, where it came from and what types of people we have sent it to;
- You can ask to delete the information that we hold about you in certain circumstances. For example, where we no longer need the information;
- You can ask the school to send you, or another organisation, certain types of information about you in a format that can be read by computer; and
- 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.
- You can object to processing of personal data that is likely to cause, or is causing, damage or distress

- You can in certain circumstances, have personal data, blocked, erased or destroyed;
- Claim compensations for damages caused by a breach of the Data Protection Regulations
- Where the processing of your data is based on your consent, you have the right to withdraw this consent at any time e.g. direct marketing and fundraising

Like other organisations we need to keep personal information safe, up to date, only use it for its original purposes, destroy it when it is no longer needed and treat the information we get fairly.

Please contact the school's GDPR Lead if:

- You have any questions or concerns
- You object to the school using your information for marketing
- You would like the school to update the information we hold about you
- You would prefer that certain information is kept confidential.

If you have any concerns about the way St Bernard's Preparatory School and /or the DfE is collecting or using your personal data, you can raise a concern with DPO in the first instance or contact Information Commissioner's Office (ICO). The ICO can be contacted on 0303 123 1113, Monday- Friday 9am-5pm or <https://ico.org.uk/concerns/>

Key Officers:

Headteacher: Mr N. Cheesman

Assistant Headteacher: Mrs A. Verma

GDPR School Lead: Mrs A. Verma

Data Protection Officer (DPO): Mrs A. Verma