

The Weald School & Sixth Form New Student Privacy Notice

Information about Students in Schools, Alternative Provision, Student Referral Units and Children in Early Years Settings

The EU General Data Protection Regulation (GDPR)

The Data Protection Act 2018 (DPA) is the UK's implementation of the General Data Protection Regulation (GDPR) and both came into force on 25th May 2018.

The DPA 2018 sets out the framework for data protection law in the UK. It updates and replaces the Data Protection Act 1998.

The DPA sits alongside the GDPR, and tailors how the GDPR applies in the UK.

Everyone responsible for using personal data has to follow the 'data protection principles'.

They must make sure the information is:

- used fairly, lawfully and transparently
- used for specified, explicit purposes
- used in a way that is adequate, relevant and limited to only what is necessary
- accurate and, where necessary, kept up to date
- kept for no longer than is necessary
- handled in a way that ensures appropriate security, including protection against unlawful or unauthorised processing, access, loss, destruction or damage

Data Controller

The Weald School & Sixth Form complies with the GDPR and is registered as a 'Data Controller' with the Information Commissioner's Office (Reg. No. Z7576978).

The Data Protection Officer (DPO) for the school is Kate Truss.

We ensure that your personal data is processed fairly and lawfully, is accurate, is kept secure and is retained for no longer than is necessary.

The Legal Basis for Processing Personal Data

The main reason that the school processes personal data is because it is necessary in order to comply with the schools legal obligations and to enable it to perform tasks carried out in the public interest.

The school may also process personal data if at least one of the following applies:

- in order to protect the vital interests of an individual
- there is explicit consent
- to comply with the school's legal obligations in the field of employment and social security and social protection law
- for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity
- for reasons of public interest in the area of public health
- for reasons of substantial public interest, based on law, which is proportionate in the circumstances and which has provides measures to safeguard the fundamental rights and the interests of the data subject

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

- Personal identifiers and contacts (such as name, unique pupil number and address and contact details, carers details)
- Characteristics (such as ethnicity, language, nationality, country of birth, religion and free school meal eligibility)
- A safeguarding information (such as court orders and professional involvement)
- Medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- Attendance information (such as sessions attended, number of absences and absence reasons, behavioural information, details of any exclusion information, alternative provision put in place)
- national curriculum assessment and attainment (such as key stage 1 and phonics results, post 16 courses enrolled for and any relevant results, examination results*)
- where students go after they leave us
- any special educational needs or disabilities as well as relevant medical information.

*Exam results are only published in the media at 'headline' level and individual student details are not identified. Where individual students have achieved exceptional results we will only publish this personal information after obtaining personal consents.

For students enrolling for post 14 qualifications, the Learning Records Service will give us the unique learner number (ULN) and may also give us details about your learning or qualifications.

Why we collect and use student information

The personal data collected is essential for the school to fulfil their official functions and meet legal requirements.

We collect and hold personal information relating to our students and those involved in their care. We may also receive information from previous schools, the local authority(s) and/or the Department for Education (DfE).

Whilst the majority of student information you provide to us is mandatory, some of it is requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you whether you are required to provide certain student information to us or if you have a choice in this.

We use this personal data to:

- support our students' learning
- support our students' welfare
- monitor and report on student attainment progress
- provide appropriate pastoral care
- to keep children safe (food allergies, or emergency contact details)
- assess the quality of our services
- process any complaints
- protecting vulnerable individuals
- to meet the statutory duties placed upon us by the Department for Education
- the prevention and detection of crime

Who we share data with

We may pass data to:

- local authority
- Schools that a student attends after leaving this school
- The Department for Education (DfE)
- NHS
- third-party organisations, as allowed by law
- agencies that provide services on our behalf
- agencies with whom we have a duty to co-operate
- nominated school photographer
- school nurse
- youth support services

For further information about who we share with and why please see APPENDIX A.

Retention Periods

Personal data will not be retained by the school for longer than necessary in relation to the purposes for which they were collected.

Information will be held in accordance with the Information and Records Management Society Tool Kit for Schools.

<https://irms.site-ym.com/page/SchoolsToolkit>

Imagery

The School may take photographs, videos or webcam recordings of students for official use, identification, monitoring and for educational purposes. You will be made aware that this is happening and the context in which the photograph will be used.

Photographs may also be taken of those attending an event which may appear in the newspaper.

Please see Appendix B for further information regarding our use of Imagery of students.

After reading Appendix B please indicate your options for consent to the processing of your child's imagery by completing the 'Use of Imagery Consent' section found in the 'Data Collection on Admission to School' form that is included in this pack.

CCTV

The school operates CCTV on the school site as it is considered necessary to protect Students' safety and/or the school's property.

Biometrics

The school operates biometric recognition systems for catering purchases, printing and some registration.

All data collected will be processed in accordance with the GDPR Data Protection Principles and the Protection of Freedoms Act 2012.

Please see Appendix C for further information on our use of Biometric Information.

Please indicate whether or not you give consent to the processing of your child's biometric information by completing the biometric consent box found on the 'Data Collection on Admission to School' form that is included in this pack.

Rights

You have the right to:

1. be informed of data processing (which is covered by this Privacy Notice)
2. access information (also known as a Subject Access Request)
3. have inaccuracies corrected
4. have information erased
5. restrict processing
6. data portability (this is unlikely to be relevant to schools)
7. intervention in respect of automated decision making (automated decision making is rarely operated within schools)
8. withdraw consent (see below)
9. complain to the Information Commissioner's Office (See below)

To exercise any of these rights please contact the DPO.

Withdrawal of Consent

The lawful basis upon which the school processes personal data is that it is necessary in order to comply with the school's legal obligations and to enable it to perform tasks carried out in the public interest.

Where the school processes personal data solely on the basis that you have consented to the processing, you will have the right to withdraw that consent.

Complaints to ICO

If you are unhappy with the way your request has been handled, you may wish to ask for a review of our decision by contacting the DPO.

If you are not content with the outcome of the internal review, you may apply directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted our internal review procedure. The Information Commissioner can be contacted at:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

APPENDIX A

Who we share data with and why

We do not share information about our students with anyone without consent unless the law and our policies allow us to do so.

We share students' data with the Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

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

Youth Service

Students aged 13+

Once students reach the age of 13, the law requires us to pass student information to the local authority and/or the provider of Youth Support Services in the area 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 be passed to their local authority or provider of Youth Support Services by informing the DPO. **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
- careers advisers

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

A parent/guardian can request that **only** their child's name, address and date of birth be passed to their local authority or provider of Youth Support Services by informing the DPO. **This right is transferred to the child once he/she reaches the age 16.**

For more information about services for young people, please go to the local authority website:

<https://www.westsussex.gov.uk/>

Career Guidance

As part of our Careers Guidance programme we use third party portals and online platforms, such as Unifrog, Startprofile and Compass Plus and to assist students with their journey to employment and with their preparations for Further Education, University and Apprenticeship applications.

Along, with our own in school staff, we use the services of an Independent Careers Advisor, Kerry Mann, with whom we share student information in order for her to tailor her support to the students she works with.

The National Pupil 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 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-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>

NHS/Clinical Commissioning Groups (CCGs)

We are required, by law, to pass certain information about our students to CCGs.

CCGs use information about students for research and statistical purposes, to develop, monitor and evaluate the performance of local health services. These statistics will not identify individual students. It is necessary for certain health information about children (for example, such as their height and weight) to be retained for a certain period of time (designated by the Department of Health) and requires these CCGs to maintain children's names and addresses for this purpose. CCGs may also provide individual schools and Local Authorities (LAs) with aggregated health information which will not identify individual children.

Local Authority - education and training

We are required, by law, to pass certain information about our students to local authorities.

The LA holds information about young people living in its area, including about their education and training history. This is to support the provision of their education up to the age of 20 (and beyond this age for those with a special education need or disability). Education institutions and other public bodies (including the Department for Education (DfE), police, probation and health services) may pass information to the LA to help them to do this.

The LA shares some of the information it collects with the Department for Education (DfE) to enable them to; produce statistics, assess performance, determine the destinations of young people after they have left school or college and to evaluate Government funded programmes.

The LA may also share information with post-16 education and training providers to secure appropriate support for them. They may also share data with education establishments which shows what their students go on to do after the age of 16.

If you want to see a copy of information about you that the LA holds, please contact the Data Protection Officer: FOI@westsussex.gov.uk

Local Authority - social services

In order to comply with our statutory safeguarding duties we are required, by law, to pass certain information about our students to local authorities. Information will only be shared where it is fair and lawful to do so.

If you want to see a copy of information about you that the LA holds, please contact the Data Protection Officer: FOI@westsussex.gov.uk

Police, Fire and Rescue Service, Ambulance Service and other emergency or enforcement agencies

In order to comply with our duty of care to students, our statutory safeguarding duties and our obligations in respect of the prevention and detection of crime, we may also share personal data with other statutory and partnership agencies.

APPENDIX B

Use of Student Imagery

At The Weald School, we use imagery for a variety of purposes. We use them **in school**, for **internal displays**, on the **school website**, on **social media** and in **school marketing materials**. The school also supplies images with press releases to be published in the **local media** (online and printed) and may be visited by **local and national news media** to take photographs or videos. Students may appear in these images which will be published in newspapers or broadcast on television.

We really value using these images of students as it enables us to showcase what life is like at our school.

Images that we believe might cause embarrassment or distress will **NOT** be used. Full names of students will **NOT** be published alongside images unless specific parental consent is given. The School will only publish images of students for the conditions for which consent has been provided.

Whilst we recognise the benefits of photos and videos to our school community, we also understand that these can have risks for those involved. Under the legal obligations of the General Data Protection Regulation (GDPR), the school has specific responsibilities in terms of how photos and videos are taken, stored and retained.

In order for the school to fulfil its statutory educational duties, the school will need to store and use an image of your child for identification purposes. This image will be stored in our Management Information Systems, including SIMS, Class Charts & Insight. This image will also be used internally by teachers and staff for individual identification for organisational purposes. For 6th Form students we will also use this image in order to issue a photocard used for identification and building access purposes. Consent for this is not required.

We want to ensure that, as far as possible, the use of imagery is used positively, safely and with the correct consents at all times. **The information provided below should be read prior to completing the 'Use of Imagery Consent' form included with the 'Data Collection on Admission to School' form.** This information applies to all forms of visual media, including film, print, video, DVD and websites. If you want further information or guidance then please do not hesitate to contact the school office team on 01403 787200.

Why do we need your consent?

The Weald School requests the consent of parents to use images of their child for a variety of different purposes. Without your consent, the school will not take and use images of your child. Similarly, if there are only certain conditions under which you would like images of your child to be used, the school will abide by the conditions you outline on the consent form.

Why do we use images of your child?

The Weald School also uses images of students as part of school displays to celebrate school life and student achievements; to promote the school on social media and on the school's website; and for other publicity purposes in printed publications, such as newspapers.

Where the school uses images of individual students, the full name of the student will not be disclosed unless express consent is obtained. Where an individual student is named in full in a written publication, a photograph of the student will not be used to accompany the text. If, for example, a student has won an award and their parent would like their name published alongside the image, separate consent will be obtained prior to this.

Who else uses images of your child?

It is common that the school is visited by local and national media and press, who take photos or videos of school events, such as award evenings and sports days. Students will appear in these images, and these may be published in local or national newspapers, or on approved websites.

The following organisations may use photos and videos of your children:

- The West Sussex County Times
- The Village Tweet
- West Sussex Gazette
- The District Post
- Ad Vincula Magazine

Where any organisations other than those above intend to use images of your child, additional consent will be sought before any image is used.

What are the conditions of use?

- This consent form is valid whilst your child attends school at The Weald and until a revised consent form is received from a parent.
- It is the responsibility of parents to inform the school, in writing, if consent needs to be withdrawn or amended. You can request a new 'Use of Imagery Consent' form to fill in.
- It is the responsibility of the parent to ensure that their child is informed of their decisions and to advise their child to endeavour to remove themselves from photos/videos or notify a member of staff, if consent is not given. The school will not use the personal details or full names of any student in an image on our website, in our school prospectuses or any other printed publications.
- The school will not include personal emails or postal addresses, telephone or fax numbers on images on our website, in our school prospectuses or any other printed publications.
- The school may use pictures of students and teachers that have been drawn by students.
- The school may use work created by students.
- The school may use group or class images with general labels, e.g. 'sports day'.
- The school will only use images of students who are suitably dressed, i.e. it would not be suitable to display an image of a student in swimwear.
- The school photographer may take individual images of your child, which are available to purchase annually.

Amending your consent

This form is valid for the entire time your child attends The Weald School.

Consent can be amended where any changes to circumstances occur - this can include, but is not limited to, the following:

- New requirements for consent, e.g. an additional social media account will be used to share student images and videos.
- Changes to a student's circumstances, e.g. safeguarding requirements mean a student's image cannot be used.
- Changes to parental consent, e.g. amending the provisions for which consent has been provided for.

Where you would like to amend the provisions for which consent has been provided, you must submit your request in writing to the Headteacher. A new form will be supplied to you to amend your consent accordingly and provide a signature.

Withdrawing your consent

Parents have the right to withdraw their consent at any time. Withdrawing your consent will not affect any images or videos that have been shared prior to withdrawal.

If you would like to withdraw your consent, you must submit your request in writing to the Headteacher.

If you are unsure and want further guidance on what to give consent for or would like assistance with completing the form then please contact the school office.

APPENDIX C

Biometric Information and Guidance

The school wishes to use information about your child as part of an automated (i.e. electronically-operated) recognition system. This is for the purposes of canteen purchases, printing and some registration. The information from your child that we wish to use is referred to as 'biometric information' (see next paragraph). Under the Protection of Freedoms Act 2012 (sections 26 to 28), we are required to notify each parent of a child and obtain the written consent of at least one parent before being able to use a child's biometric information for an automated system.

Biometric information and how it will be used

Biometric information is information about a person's physical or behavioural characteristics that can be used to identify them, for example, information from their fingerprint/iris/palm. The school would like to take and use information from your child's fingerprint and use this information for the purpose of enabling your child to make canteen purchases, printing and photocopying and registration to some software applications.

The information will be used as part of an automated biometric recognition system. This system will take measurements of your child's fingerprint and convert these measurements into a template to be stored on the system. An image of your child's fingerprint is not stored. The template (i.e. measurements taken from your child's fingerprint) is what will be used to permit your child to access services.

You should note that the law places specific requirements on schools when using personal information, such as biometric information, about students for the purposes of an automated biometric recognition system.

For example:

- a) the school cannot use the information for any purpose other than those for which it was originally obtained and made known to the parent(s) (i.e. as stated above)
- b) the school must ensure that the information is stored securely
- c) the school must tell you what it intends to do with the information
- d) unless the law allows it, the school cannot disclose personal information to
- e) another person/body - you should note that the only bodies that the school wishes to share the information with are:
 - ID Manager - Supplier of biometric system
 - Live Register - Supplier of Cashless Catering System
 - Paper Cut - Supplier of Print Managing System

The Weald School is a cashless school and uses software packages from these suppliers to set up individual user accounts for students to use whilst at The Weald and for parents to make online top up payments. Sharing this biometric information with these companies is necessary in order to provide secure individual identification and registration for purchases and printing requests and ensure that the right charge is made to the right individual.

Further information and guidance

Department for Education's '*Protection of Biometric Information of Children in Schools - Advice for proprietors, governing bodies, head teachers, principals and school staff*':

<https://www.gov.uk/government/publications/protection-of-biometric-information-of-children-in-schools>

ICO guide to data protection for organisations:

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

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

ICO guidance on data protection for education establishments:

<https://ico.org.uk/for-organisations/education/>

Providing your consent/objecting

As stated above, in order to be able to use your child's biometric information, the written consent of at least one parent is required. However, consent given by one parent will be overridden if the other parent objects in writing to the use of their child's biometric information. Similarly, if your child objects to this, the school cannot collect or use his/her biometric information for inclusion on the automated recognition system.

You can also object to the proposed processing of your child's biometric information at a later stage or withdraw any consent you have previously given. This means that, if you give consent but later change your mind, you can withdraw this consent. Please note that any consent, withdrawal of consent or objection from a parent must be in writing.

Even if you have consented, your child can object or refuse at any time to their biometric information being taken/used. His/her objection does not need to be in writing. We would appreciate it if you could discuss this with your child and explain to them that they can object to this if they wish.

If you do not wish your child's biometric information to be processed by the school, or your child objects to such processing, the law says that we must provide reasonable alternative arrangements for children who are not going to use the automated system to make canteen purchases or request printing or photocopying.

Please note that when your child leaves the school/college, or if for some other reason he/she ceases to use the biometric system, his/her biometric data will be securely deleted.

The school is also happy to answer any questions you or your child may have.

Please indicate whether or not you give consent to the processing of your child's biometric information by completing the biometric consent box found on the 'Data Collection on Admission to School' form that is included in this pack.