



## Privacy Notice (How we use pupil information)

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about **pupils**. We, St John Bosco College, Parkham Street, SW11 3DQ, are the 'data controller' for the purposes of data protection law.

Our data protection lead is Mr James Smith (see 'Contact us' below).

### **Why do we collect and use pupil information?**

We only collect and use pupils' 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

Less commonly, we may also process pupils' 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Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent and explain how consent can be withdrawn.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 pupils' personal data overlap, and there may be several grounds which justify our use of this data.

### **We use the pupil data:**

- to support pupil learning
- to monitor and report on pupil progress
- protect pupil welfare
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing

### **The categories of pupil information that we collect, hold and share include:**

- Personal information (such as name, unique pupil number and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)

### **Collecting pupil information**

While the majority of information we collect about pupils is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you or your child, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

### **Storing pupil data**

We hold pupil data until that pupil is 25 years old.

### **Who do we share pupil information with?**

We routinely share pupil information with:

- schools that the pupil's attend after leaving us
- our local authority
- the Department for Education (DfE)
- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- The Department for Education
- The pupil's family and representatives
- Educators and examining bodies
- Our regulator Ofsted
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- Financial organisations
- Central and local government
- Our auditors
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Police forces, courts, tribunals
- Professional bodies
- Hootsuite INC – for marketing purposes
- CPOMS
- Applicaa – Sixth online enrolment

### **Aged 14+ qualifications**

For pupils enrolling for post 14 qualifications, the Learning Records Service will give us a pupil's unique learner number (ULN) and may also give us details about the pupil's learning or qualifications

### **Why we share pupil information**

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

We share pupils' 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 pupils with our local authority (LA) and the Department for Education (DfE) under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

### **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>.

## Youth support services

### What is different about pupils aged 13+?

Once our pupils reach the age of 13, we also pass pupil 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 / guardian 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 / pupil once he/she reaches the age 16.

### Our pupils aged 16+

We will also share certain information about pupils 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.

### 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.

We are required by law, to provide information about our pupils 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 Pupils) (England) Regulations 2013.

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

The department may share information about our pupils 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 pupil 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 pupil information, (and for which project), please visit the following website:

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

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

### **Requesting access to your personal data**

Under data protection legislation, 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 Mr James Smith, Data Protection Lead via email: [dpo@sjbc.wandsworth.sch.uk](mailto:dpo@sjbc.wandsworth.sch.uk)

You 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
- claim compensation for damages caused by a breach of the Data Protection regulations

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/>

### **Contact:**

If you would like to discuss anything in this privacy notice, please contact:

Mr James Smith, Data Protection Lead via email: [jsmith@sjbc.wandsworth.sch.uk](mailto:jsmith@sjbc.wandsworth.sch.uk)

Mr Garry Hipple, Data Protection Officer via email: [garry.hipple@richmondandwandsworth.gov.uk](mailto:garry.hipple@richmondandwandsworth.gov.uk)

## **ADDENDUM FOR PARENTS/STUDENTS PRIVACY NOTICE/FAIR PROCESSING NOTICE RE COVID-19**

We are committed to protecting your personal data and being transparent about what data we process about you. This privacy notice applies to all parents and students and it explains how we collect, use, process and share your personal data in relation to COVID-19 and your rights regarding your personal data.

We've used a Q&A method to explain:

- What information we collect about you.
- How we may use that information.
- In what situations we may disclose your information to third parties.

## **Can we ask parents if their child has any symptoms or to notify us if s/he has been diagnosed?**

**Yes.** ICO states that it would be reasonable to ask people if they are experiencing symptoms.

Data about a student's health, including whether or not they are experiencing COVID-19 symptoms, is 'special category' personal data as defined in the GDPR.

As well as requiring a lawful basis for processing under Article 6, schools need an additional exemption to process this data under Article 9.

The relevant legal bases are:

- Compliance with health and safety obligations under employment law (for the safety of staff) (GDPR art 9(2)(b); DPA 2018 sch1, para 1).
- For reasons of public health (GDPR art 9(2)(i); DPA 2018 sch1, para 3).

Do not collect more data than you need – ie limit the collection of health data to information that is relevant to COVID-19.

Ensure collection of this data is in the least intrusive way possible.

Make sure you keep the data safe and secure and limit circulation on a 'need to know' basis only.

## **Can we take students' temperature readings?**

**Yes, if strictly necessary.** ICO guidance does not prevent collecting and recording students' temperatures. However, the government states that parents, carers and settings do not need to take children's temperatures every morning. Routine testing of an individual's temperature is not a reliable method for identifying coronavirus. Educational and childcare settings should reiterate to parents the need to follow the standard national advice on the kind of symptoms to look out for that might be due to coronavirus, and where to get further advice.

Conducting health screening of students needs to be carefully considered and justified in the circumstances.

## **Can we ask about symptoms in the student's household?**

**Yes.** ICO states that, where necessary, the collection of additional data about those in a student's household may be proportionate. However, the data minimisation principle is key – do not collect more information than needed and ensure it is treated with appropriate safeguards. For example, we recommend not to collect information about specific symptoms about each household member.

## **Can we keep a record of students who are diagnosed as infected?**

**Yes.** Note that such collection of data would need to comply with data protection principles. In particular, data minimisation and purpose limitation will be important. Therefore, you will need to keep the minimum data that is necessary for your purpose and have a retention period for the list.

## **Can we notify members of staff about an infected student?**

**Yes.** The ICO has advised that informing employees that a student may have contracted the virus is permitted by virtue of the employer's duty of care and to ensure employees' health and safety.

Such information may, for example, facilitate contact tracing and thereby reduce virus exposure. However, this should be done on an anonymised and need-to-know basis, disclosing the minimum data required.

### **Can we notify parents of an infected student?**

**Yes.** You can notify parents if the infected student has interacted with their child(ren).

It is unlikely that information about specific individuals will need to be disclosed. However, where identification is required, the processing of health-related personal data can be carried out under GDPR art 9(2)(i) and DPA 2018 sch1, para 3, where it is necessary for reasons of public interest in the area of public health.

### **How long do we keep your COVID-19 health data?**

We will hold your personal data for the duration of the pandemic and then as directed by the government.

### **Your rights in connection with your and your child's personal information**

You have rights in respect of our processing of your personal data which are:

- To request access to your personal data and information about our processing of it. You also have the right to request a copy of your personal data (but we will need to remove information about other people).
- To request we rectify incorrect personal data that we are processing.
- To request that we erase your personal data if:
  - We no longer need it.
  - We are processing your personal data by consent and you withdraw that consent.
  - We no longer have a legitimate ground to process your personal data.
  - We are processing your personal data unlawfully.
- To object to our processing if it is by legitimate interest.
- To restrict our processing if it was by legitimate interest.
- To request that your personal data be transferred from us to another company if we were processing your data under a contract or with your consent and the processing is carried out by automated means.

If you want to exercise any of these rights, please contact us.

If you have any questions or concerns, please contact us as most matters can be resolved informally in the first instance.

You also have the right to lodge a complaint about our processing via the UK's Information Commissioner's Office (ICO).