



# **PRIVACY POLICY PUPILS AND PARENTS / GUARDIANS**

**MAY 2018**

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| <b>Title</b>  | Privacy Policy for Pupils and Parents  |
| <b>Summary</b>  | This policy explains how the School will hold and process your information. It explains your rights as a data subject.   |
| <b>Purpose</b>  | The School takes the security and privacy of your data seriously. We need to gather and use information or 'data' about you to support pupil learning, monitor and report on pupil progress, provide appropriate pastoral care, for safeguarding purposes, to assess the quality of our services and comply with the law re data sharing. We intend to comply with our legal obligations under the Data Protection Act 2018 (the '2018 Act') and the EU General Data Protection Regulation ('GDPR') in respect of data privacy and security. |
| <b>Operational Date</b>                                       | May 2018   |
| <b>Next Review Date</b>                                       | May 2019   |
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| <b>Supersedes previous</b>                                    | Yes  |
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| <b>Date last Reviewed and Approved by Board of Governors</b>  | June 2018  |

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| <b>To be posted on School website</b> | Yes     |
| <b>Date and version posted</b>        | Current |

## 1 Overview

1.1 The School takes the security and privacy of your data seriously. We need to gather and use information or 'data' about you to support pupil learning, monitor and report on pupil progress, provide appropriate pastoral care, for safeguarding purposes, to assess the quality of our services and comply with the law re data sharing. We intend to comply with our legal obligations under the Data Protection Act 2018 (the '2018 Act') and the EU General Data Protection Regulation ('GDPR') in respect of data privacy and security. We have a duty to notify you of the information contained in this policy.

1.2 This policy applies to current pupils and parents and prospective pupils and their parents / guardians. If you fall into one of these categories, then you are a 'data subject' for the purposes of this policy. You should read this policy and any other notice we issue to you from time to time in relation to your data.

1.3 The School will hold data in accordance with our Data Retention Policy. A copy of this can be obtained from the Head of Finance & Corporate Services. We will only hold data for as long as necessary for the purposes for which we collected it. The School has taken measures to protect the security of your data.

1.4 The School is a 'data controller' for the purposes of your personal data. This means that we determine the purpose and means of the processing of your personal data.

1.5 This policy explains how the School will hold and process your information. It explains your rights as a data subject.

## 2 Data Protection Principles

2.1 Personal data must be processed in accordance with six 'Data Protection Principles.' It must:

- be processed fairly, lawfully and transparently;
- be collected and processed only for specified, explicit and legitimate purposes;
- be adequate, relevant and limited to what is necessary for the purposes for which it is processed;
- be accurate and kept up to date. Any inaccurate data must be deleted or rectified without delay;
- not be kept for longer than is necessary for the purposes for which it is processed; and
- be processed securely.

We are accountable for these principles and must be able to show that we are compliant.

## 3 How we define personal data

3.1 'Personal data' means information which relates to a living person who can be identified from that data (a 'data subject') on its own, or when taken together with other information which is likely to come into our possession. It includes any expression of opinion about the person and an indication of the intentions of us or others, in respect of that person. It does not include anonymised data.

3.2 This policy applies to all personal data whether it is stored electronically, on paper or on other materials.

3.3 This personal data might be provided to us by you, or someone else (such as the Education Authority, an examining body, your former school, a medical practitioner/ consultant), or it could be created by us. We mainly collect personal information about our pupils and parents/ guardians throughout the course of the pupil's time at the school, for example, when completing educational visit consent forms, from statutory curriculum assessments and throughout our relationship with a pupil, when we are exercising our legal obligations as a public educational body and in carrying out our pastoral care role.

3.4 We will collect and use the following types of personal data about you:

- Your name including legal and preferred name, date of birth and unique reference number
- Contact details of parents/ guardians and emergency contact details
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Who has parental responsibility and any Court Orders (if applicable)
- Your gender;
- Medical information, welfare and dietary issues, special educational needs information
- Your religion
- Your ethnicity and home language
- Your entitlement to free school meals
- Your transfer grade
- Details of siblings at the school
- Details of parents' careers
- Examination results, pupil assessments (such as statutory assessment processes, GCSE and post 16 qualifications and standardised tests provided by commercial companies)
- Attendance records
- Behaviour and disciplinary issues/ exclusion information / criminal issues
- Photographs of pupils
- CCTV footage captured in school and other information obtained through electronic means

- Biometric data for school meals
- Information on bank account details of parent / guardian for payment of fees and payment history
- Any other category of personal data of which we may notify you from time to time.

#### **4 How we define special categories of personal data**

4.1 'Special categories of personal data' are types of personal data consisting of information as to:

- your racial or ethnic origin;
- your religious or philosophical beliefs;
- your genetic or biometric data;
- your health; special educational needs, allergies and disabilities
- any convictions or offences.

We may hold and use any of these special categories of your personal data in accordance with the law.

#### **5 How we define processing**

5.1 'Processing' means any operation which is performed on personal data such as:

- collection, recording, organisation, structuring or storage;
- adaption or alteration;
- retrieval, consultation or use;
- disclosure by transmission, dissemination or otherwise making available;
- alignment or combination; and
- restriction, destruction or erasure.

This includes processing personal data which forms part of a filing system and any automated processing.

## **6 How will we process your personal data?**

6.1 The School will process your personal data (including special categories of personal data) in accordance with our obligations under the 2018 Act.

6.2 We will use your personal data and special categories of personal data as listed above:

- if it is necessary for performing tasks in the public interest, for us to exercise our authority as a public educational body (the majority of data categorised under 3.4 and 4 above falls into this classification, with the exception of those listed under other legal bases for processing of data- see below)
- To comply with any legal obligation (this includes data collected for completion of census returns as required by the Department of Education, and covers the categories listed above such as your religion, ethnicity and home language and information provided to examination bodies).
- Less frequently, to protect a pupil's or their family's interests (or someone else's interests). This might be to investigate a complaint made by another pupil.

We can process your personal data for these purposes without your knowledge or consent. We will not use your personal data for an unrelated purpose without telling you about it and the legal basis that we intend to rely on for processing it.

If you choose not to provide us with certain personal data you should be aware that we may not be able to carry out our legal obligations or perform tasks which are in the public interest. For example, if you do not provide us with your ethnicity and religion, we will be unable to fulfil our legal obligation to complete the Department of Education census forms.

## **7 Examples of when we might process your personal data**

7.1 We have to process your personal data in various situations during your time at the school, and if you become an alumnus, once you leave the school. We also track destinations of our former pupils.

7.2 We will only process certain special categories of your personal data (see above) in certain situations in accordance with the law. For example, we can do so if we have your explicit consent. If we asked for your consent to process a special category of personal data then we would explain the reasons for our request. You do not need to consent and can withdraw consent later if you choose by contacting the General Office Supervisor. Any use of your information before you withdraw consent remains valid.

7.3 We require your explicit consent for processing of photographic images for publicity and fundraising purposes, for collection of biometric data for use in the school canteen and for storing of CCTV recorded images of individual pupils.

7.4 For photographic images and use of biometric data, we will seek explicit parental consent for pupils in Forms 1-V, and will seek pupil consent for use of data for these purposes when pupils are in Sixth Form.

7.5 We do not need your consent to process special categories of your personal data when we are processing it for the following purposes, which we may do:

- where it is necessary for carrying out rights and legal obligations;
- where processing is necessary for the establishment, exercise or defence of legal claims;
- where processing is necessary for reasons of substantial public interest; and
- where it is necessary to protect your vital interests or those of another person where you/they are physically or legally incapable of giving consent;
- where you have made the data public;

7.6 We do not take automated decisions about you using your personal data or use profiling in relation to you.

## 8 Sharing your personal data

8.1 Sometimes we might share your personal data with third parties and other relevant parties to carry out our legal obligations or in carrying out a public task. We do not share information about our pupils with anyone without consent unless the law and our Policies allow us to do so. We regularly share pupil information with:

- schools that the pupil attends after leaving us
- Examination Bodies
- the Department of Education
- the Education Authority (EA)
- Social Services
- Health Agencies
- Contractors (in-house catering company, supplier of fingerprinting system, supplier of communications systems, supplier of on-line payments systems)
- The Board of Governors
- Exceptional Circumstances Body
- PSNI
- C2k School Management Information System
- Commercial standardised test providers

We share pupils' data with schools that pupils attend after leaving us, examination bodies, the Department of Education and the EA on a statutory basis and for reasons of public interest. We share information with Social Services and Health Agencies for safeguarding purposes and in fulfilling a public task.

Once our pupils reach the age of 13, we may pass information to the Education Authority and/ or provider of youth support services as they have responsibilities in relation to the education or training of 13-19 year olds. A parent, carer or guardian can request that only their child's name, address and date of birth is passed to the EA or provider of youth services by informing us. We will also share certain information about pupils aged 16+ with the Department of Education and or provider of youth support services as they have responsibilities for the education or training of 13-19 year olds.

We share information with our catering agent, for the delivery of the catering service, including the provision of meals, the processing of payments and processing of those with entitlement to free school meals.

We share information on parents' names, mobile phone numbers and e-mail addresses with a supplier specialising in electronic communications, to enable us to communicate with parents via text and e-mail, in emergency situations and to manage attendance within school, for the purpose of pupil welfare.

We share information with a company specialising in on-line payment systems, for safeguarding purposes, to reduce cash carried into school by pupils, to ensure that pupils have access to nutritious menu options and to facilitate electronic payment by parents and guardians.

8.2 We require those entities to keep your personal data confidential and secure and to protect it in accordance with the law and with our policies. They are only permitted to process your data for the lawful purpose for which it has been shared and in accordance with our instructions.

8.3 We do not send your personal data outside the European Economic Area. If this changes you will be notified of this and the protections which are in place to protect the security of your data will be explained.

## 9 **Subject access requests**

9.1 Parents and pupils can make a 'subject access request' ('SAR') to find out the information we hold about them. This request must be made in writing.

9.2 If you would like to make a SAR in relation to your personal information or be given access to your child's educational record you should make this request in writing to the Head of Finance & Corporate Services. We must respond within one month unless the request is complex or excessive in which case the period in which we must respond can be extended by a further two months.

9.3 There is no fee for making a SAR. However, if your request is manifestly unfounded or excessive we may charge a reasonable administrative fee or refuse to respond to your request.

## 10 **Your data subject rights**

10.1 You have the right to information about what personal data we process, how we process it and on what basis as set out in this policy.

10.2 You have the right to access your own personal data by way of a subject access request (see above).



10.3 You can correct any inaccuracies in your personal data. To do so you should contact the General Office Supervisor.

10.4 You have the right to request that we erase your personal data where we were not entitled under the law to process it or it is no longer necessary to process it for the purpose it was collected. To do so you should contact the Head of Finance & Corporate Services.

10.5 While you are requesting that your personal data is corrected or erased or are contesting the lawfulness of our processing, you can apply for its use to be restricted while the application is made. To do so you should contact the Head of Finance & Corporate Services.

10.6 You have the right to object if we process your personal data for the purposes of direct marketing.

10.7 You have the right to receive a copy of your personal data and to transfer your personal data to another data controller. We will not charge for this and will in most cases aim to do this within one month.

10.8 With some exceptions, you have the right not to be subjected to automated decision-making.

10.9 You have the right to be notified of a data security breach which poses a high risk to your rights and freedoms as a Data Subject.

10.10 In most situations we will not rely on your consent as a lawful ground to process your data. If we do however request your consent to the processing of your personal data for a specific purpose, you have the right not to consent or to withdraw your consent later. To withdraw your consent, you should contact the Head of Finance & Corporate Services.

10.11 Our Data Protection Officer is the Education Authority and it monitors the school's data protection procedures to ensure they meet the standards and requirements of the GDPR. Please contact the Data Protection Officer at the Education Authority ([dpo@eani.org.uk](mailto:dpo@eani.org.uk)).

10.12 You have the right to complain to the Information Commissioner. You can do this by contacting the Information Commissioner's Office directly. Full contact details including a helpline number can be found on the Information Commissioner's Office website ([www.ico.org.uk](http://www.ico.org.uk)). This website has further information on your rights and our obligations.