

Student and parent Privacy Notice

How we use student and parent information

Responsibility	Finance and Resources Committee	
Status	Statutory	
Ratification date		
Review cycle / date	2	Summer
Reference	078	
Version	Last updated: 03.03.2019	

Under General Data Protection Regulations (GDPR) we are obliged to inform you of the information we hold on and your child(ren), what we use it for, who we share it with, and for how long we keep it. This privacy notice (also known as a fair processing notice) aims to provide you with this information. If, or any information linked to is unclear, please contact the school office, or the school's Data Protection Officer. Contact details for both are available at the end of this privacy notice.

We, the Richmond upon Thames School are the Data Controller for the purposes of data protection law.

As a public body as we have appointed a Data Protection Officer (DPO), David Coy, Email: david.coy@london.anglican.org

Why do we collect and use student and parent information?

We collect and use the student and parent information under the Education Act 1996.

<https://www.gov.uk/education/data-collection-and-censuses-for-schools>

We use the student and parent data:

- to support student learning
- to monitor and report on student progress
- to provide appropriate pastoral and medical care
- for safeguarding and student welfare purposes
- administer admissions waiting lists
- for research purposes
- to inform you about events and other things happening in the school
- to assess the quality of our services
- to comply with the law regarding data sharing

The categories of student and parent information that we collect, hold and share include but are not limited to:

- Personal information (such as name, unique student number and address, parents national insurance number)
- Any relevant medical information (such as NHS information, health checks, physical and mental health care, immunisation program and allergies)
- Special educational needs information (such as EHCP's, statements, applications for support, care or support plans)
- Safeguarding information
- Exclusions and behavioural information
- Assessment information (such as data scores, tracking, and internal and external testing)
- Characteristics (such as ethnicity, religion, language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Photographs (for internal safeguarding and security purposes, school newsletters, media and promotional purposes)
- CCTV images
- Payment details
- Biometric data
- Genetic data

We may also hold data about students that we have received from other organisations, including other schools, local authorities and the Department for Education.

The lawful basis on which we use this information

Our lawful basis for collecting and processing student information information is defined under Article 6, and the following sub-paragraphs in the GDPR apply:

- (a) Data subject gives consent for one or more specific purposes.
- (c) Processing is necessary to comply with the legal obligations of the controller.
- (d) Processing is necessary to protect the vital interests of the data subject.
- (e) Processing is necessary for tasks in the public interest or exercise of authority vested in the controller(the provision of education).

Our lawful basis for collecting and processing student information information is also further defined under Article 9, in that some of the information we process is deemed to be sensitive, or special, information and the following sub-paragraphs in the GDPR apply:

- (a) The data subject has given explicit consent.
- (b) It is necessary to fulfill the obligations of controller or of data subject.
- (c) It is necessary to protect the vital interests of the data subject.
- (d) Processing is carried out by a foundation or not-for-profit organisation (includes religious, political or philosophical organisations and trade unions)
- (g) Reasons of public interest in the area of public health
- (i) It is in the public interest

A full breakdown of the information we collect on students can be found here [\[link to record of processing\]](#).

Where we have obtained consent to use students' 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 students' personal data overlap, and there may be several grounds which justify our use of this data.

An example of how we use the information you provide is:

The submission of the school census returns, including a set of named student records, is a statutory requirement on schools under Section 537A of the Education Act 1996.

Putting the school census on a statutory basis:

- means that schools do not need to obtain parental or student consent to the provision of information
- ensures schools are protected from any legal challenge that they are breaching a duty of confidence to students
- helps to ensure that returns are completed by schools

Collecting student information

Whilst the majority of student information you 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 you whether you are required to provide certain student information to us or if you have a choice in this. Where we have obtained consent to use students' 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.

Storing student data

We hold student data for 6 years following a student's last entry which would be when they reach **23 years of age** (as we are an 11-16 school).

We hold student data whilst the child remains at the Richmond upon Thames School. The file will follow the student when he / she leaves the Richmond upon Thames School/will be retained until the Date of Birth of the student + 25 years. However, where there is a legal obligation to retain the information beyond that period, it will be retained in line with our retention policy.

Please refer [here](#) to our Data Storage and Retention policy for further information.

We have data protection policies and procedures in place, including strong organisational and technical measures, which are regularly reviewed. Further information can be found on our website.

Who do we share student information with?

We routinely share student information with:

- schools that the student's attend after leaving us
- our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- the Department for Education (DfE)
- School nurse
- The student's family and representatives
- Educators and examining bodies
- 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
- Survey and research organisations
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Professional bodies

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

Why we share student information?

- 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 the (DfE) under regulation 5 of The Education (Information About Individual Students) (England) Regulations 2013.

- 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.
- 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.

Youth support services

What is different about students aged 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 / 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 / student once he/she reaches the age 16.

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

www.richmond.gov.uk

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>.

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-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>

Requesting access to your personal data and your Data Protection Rights

Under data protection legislation, parents and students have the right to request access to information about them that we hold through a Subject Access Request. To make a request for your personal information, or be given access to your child's educational record, please contact our DPO - David Coy, Email: david.coy@london.anglican.org

Parents/carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child has provided consent.

Parents also have the right to make a subject access request with respect to any personal data the school holds about them.

If you make a subject access request, and if we do hold information about you or your child, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you or your child
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request please contact our data protection officer. David Coy, Email: david.coy@london.anglican.org

Parents/carers also have a legal right to access to their child's educational record. To request access, please contact: David Coy, Email: david.coy@london.anglican.org - Data Protection Officer.

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/>

Complaints

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our data protection officer. [insert details here]

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our data protection officer: David Coy, Email: david.coy@london.anglican.org