



## **Wellington School Privacy Notice for Pupils, Parent & Carers – how we use your personal data**

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’ (sometimes called ‘fair processing notices’) to individuals where we are processing their personal data. This privacy notice explains how we collect, store and use personal data about you.

### **Who processes your information?**

Wellington School is the data controller of the personal information you provide to us. This means the School determines the purposes for which, and the manner in which, any personal data relating to Pupils and their families is to be processed.

In some cases, we may share your data with a third-party processor; however, this will only be done with your consent, unless the law requires the School to share your data. Where the School outsources data to a third-party processor, the same data protection standards that the School upholds are imposed on the processor.

Matthew Keeffe, from Keeffe and Associates Ltd is the Data Protection Officer, and who the School has nominated to support and advise on technical data protection matters. He will be supported for all matters data protection by the Headteacher. Their role is to oversee and monitor the School’s data protection procedures, and to ensure they are compliant with the UK GDPR. The School contact for data protection queries can in the first instance be contacted on **0161 928 4157** or via **admin@wellington.trafford.sch.uk**.

### **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 meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Special categories of information (such as assessment information, exclusions and behavioural information)
- Special Educational Needs Information

Whilst the majority of the personal data you provide to the School is mandatory, some is provided on a voluntary basis. When collecting data, the School will inform you whether you are required to provide this data or if your consent is needed.

Where consent is required, the School will provide you with specific and explicit information with regards to the reasons the data is being collected and how the data will be used.

### **Why we collect and use this information:**

Wellington School holds the legal right to collect and use personal data relating to Pupils and their families, and we may also receive information regarding them from their previous school, LA and/or the DfE.

Also, when a pupil transitions from primary school to secondary, the primary school has a legal obligation to transfer certain personal data to us, including the pupil’s educational record and certain

special categories of personal data (such as ethnic origin). This transfer takes place no later than 15 school days after the pupil ceases to be registered at the primary school and is carried out using secure file transfer services including the Department for Education's school-to-school (S2S) system.

However, it is often necessary or beneficial for us to collect this information earlier, usually in March, so that we can make the necessary preparations for the arrival of new pupils.

In respect of any information which we require, at this early stage, in order to fulfil our duties as a school and a public authority (including any information necessary to make any preparations for safeguarding purposes or to make reasonable adjustments for disabilities), our legal basis for collecting this information is that it is necessary for the performance of a public task.

We may also collect additional personal data about the pupil, at this early stage, which is not strictly necessary for the performance of our duties as a public authority, but which makes the process of transitioning from primary to secondary school more efficient and reduces the administrative burden for both establishments and, in some case, the parents or guardians of the pupil. In this respect, our legal basis for collecting this information is that it is necessary for our legitimate interest in ensuring the smooth transition of pupils between the schools.

You have the right to object to this early collection of information by contacting us on 0161 928 4157 and, if you do, we will only collect information from the school at this stage where we can demonstrate that we have compelling, legitimate grounds to do so.

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.

In accordance with the above, the personal data of pupils and their families is collected and used for the following reasons:

- To support pupil learning
- To monitor and report on pupil progress
- To provide appropriate pastoral care
- To assess the quality of our service
- To comply with the law regarding data sharing
- To safeguard pupils
- To advise of any curriculum or faith related activities we undertake or encourage you to attend, this may involve sending a newsletter or brief via email.

#### **Which data is collected?**

The categories of pupil information that the school collects, holds and shares include the following:

- Personal information – e.g. names, pupil numbers and addresses

- Characteristics – e.g. ethnicity, language, nationality, country of birth and free school meal eligibility
- Attendance information – e.g. number of absences and absence reasons
- Assessment information – e.g. national curriculum assessment results
- Relevant medical information
- Information relating to SEND
- Behavioural information – e.g. number of temporary exclusions.

Whilst much of the personal data you provide to the school is mandatory, some is provided on a voluntary basis. When collecting data, the school will inform you whether you are required to provide this data or if your consent is needed.

Where consent is required, the school will provide you with specific and explicit information with regards to the reasons the data is being collected and how the data will be used.

We use the Pupil data:

- to support the pupils learning
- to monitor and report on Pupil progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to advise of any curriculum related or community-based activities we undertake or encourage you to attend, this may involve sending a newsletter or brief via email.

### **Collecting pupil information**

Whilst the majority of Pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the UK General Data Protection Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

### **Storing pupil data**

Personal data relating to Pupils at the School and their families is stored in line with the School's Records Management Policy which is available on the website.

In accordance with the UK GDPR, the School does not store personal data indefinitely (However, there may be exceptions to this, where we have obligations under our insurance cover scheme to retain data for indefinite or protracted periods); all other data is only stored for as long as is necessary to complete the task for which it was originally collected.

### **Who we share Pupil information with:**

We routinely share Pupil information with:

- School's that the Pupil's attend after leaving us
- our local authority
- the Department for Education (DfE)
- other outside agencies (such as the School Nurse, GMP, Careers)
- NHS

## **Youth support services**

### **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 or 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.

### **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.

For additional information go to the National Careers Service page at:

<https://nationalcareersservice.direct.gov.uk/aboutus/Pages/default.aspx> .

### **What are your rights?**

Parents and Pupils have the following rights in relation to the processing of their personal data. You have the right to:

- Be informed about how School use your personal data.
- Request access to the personal data that School holds.
- Request that your personal data is amended if it is inaccurate or incomplete.
- Request that your personal data is erased where there is no compelling reason for its continued processing.
- Request that the processing of your data is restricted.
- Object to your personal data being processed.
- Request information in a machine-readable format i.e. Excel, word or a CSV file.
- Object to direct marketing and such objection will not affect any dealings you have with us.

Where the processing of your data is based on your consent, you may be able to withdraw such consent in limited circumstances.

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

### **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 Pupil's 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 the (DfE) under regulation 5 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>.

### **National Pupil Database**

The NPD is owned and managed by the Department for Education and contains information about pupils in School 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 Trusts, 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. 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 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>

### **Parent and pupil rights regarding personal data**

Individuals have a right to make a '**subject access request**' to gain access to personal information that the School holds about them. Parents/carers can make a request with respect to their child's data. 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 the School does hold information about you or your child, the School will:

- give you a description of it
- tell you why the School is holding and processing it, and how long it will be kept for
- explain where the School got it from, if not from you
- 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 i.e. Excel, word or a CSV file.

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 subject access request please contact our DPO via the School office on 0161 928 4157.

Parents/carers also have a legal right to access to their child's educational record. To request access, please contact the School directly on 0161 928 4157.

### **How will we respond if Requests are for excessive or are for large amounts of data?**

Where the request you make is specific and we are able to complete it in reasonable time then no charge will be made.

However, where excessive amounts of data are requested, for example where we must interrogate a number of IT systems and collect an inordinate amount of data that takes excessive amounts of time, the School will make a reasonable administrative charge for time spent completing your request.

In addition, where data you request requires to be redacted and you request the same in printed copies then an administrative charge may be applied. We will charge for any additional copies of the information you request. Our reasonable administrative costs include photocopying, postage and administrative time where the request is excessive and or takes in excess of 3.5 days to process or collate the data. If this applies to your request, we will advise you at the earliest opportunity.

### **Other rights regarding personal data**

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

- object to the use of personal data if it would cause, or is causing, damage or distress
- object to the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- in certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing

- claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact the DPO via the School office.

### **Complaints**

We take any complaints about the collection and use of personal information very seriously. If you think that the collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about data processing, please raise this with the School in the first instance.

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 5A

### **Where can you find out more information?**

If you would like to find out more information about how we use and store your personal data, please visit our website <https://www.wellington-school.co.uk/policies/> to view our Data Protection Policy.

If you would like to discuss anything in this privacy notice, please contact our Data Protection Officer Matthew Keeffe on 0161 928 4157 or via [admin@wellington.trafford.sch.uk](mailto:admin@wellington.trafford.sch.uk) .