



Bexley Grammar School

Privacy Notice - Pupils (also provided to parents and carers)

This document is about how we use information about you and what we do with it. We call this information about you 'personal data' or 'personal information.' Please ask your parents / carers or teachers if you find any aspect difficult to understand.

Who we are

Bexley Grammar School is the organisation which is in charge of your personal information. This means that Bexley Grammar School is called the 'Data Controller'.

The postal address of the School is Danson Lane, Welling, DA16 2BL

There is a Data Protection Officer for the school as well as a number of schools we work closely with under the umbrella of the Penhill Trust. Their role is to oversee and monitor the school's data protection procedures and to ensure that they are compliant with GDPR (General Data Protection Regulations).

If you want to contact us about your personal information you can contact our Data Protection Officer, Mrs Victoria Ellis, via Miss Bottomley in the School Office or you can leave a letter at Reception or send one by post to the school.

Why we collect and use pupil information

Bexley Grammar School collects and holds personal information relating to its pupils and may also receive information about them from their previous school, local authority and/or the Department for Education (DfE). We use this personal data to:

- support your learning
- to keep informed to keep children safe
- monitor and report on their progress
- provide appropriate care for you; and
- assess the quality of our services
- comply with the law about sharing personal data
- to meet the statutory duties placed upon us for DfE data collections.
- to ensure financial stability

The Categories of Pupil Information That We Process Include:

For <u>all</u> pupils	Personal Information	Name, Date of Birth, Gender, Year Group, Class, Address, Contacts Dietary needs, dietary preferences Medical practice address and telephone number Medical conditions
	Characteristics	Ethnicity, language, nationality, country of birth
	Attendance Information	Sessions attended, number of absences, reasons for absence
	Academic attainment and progress records	Teacher Assessment grades Statutory assessment results Standardised score results Learning journey evidence (photographs and annotations) Other photographic evidence of learning Reports to parents (mid-year and end of year)
	Other	Pupil Surveys Incidental evidence of pupils' successes (certificates, photographs, named trophies, celebration events)
For <u>some</u> pupils (only if applicable)	Other	Free School Meals eligibility Court Orders Other pupil premium eligibility (such as if the child is looked after) Safeguarding records (incidents, external agency reports) Special Educational needs records (professional assessments, external professionals' reports, referrals for external support) Pastoral records (referrals for support both internal and external, notes of discussions with pupils, pupils' jottings of thoughts and feelings) Exclusion information Behaviour incident records
All Parents/Carers*	Personal Information	Names, addresses, telephone numbers, email addresses, relationship to the child (of parents/carers and other given contacts) Free school meals eligibility evidence
	Other	Parents' surveys Letters sent to school Emails sent to school Financial payments, including debt (both manual and electronic)

*this refers to those with legal responsibility for the child

The use of your information for these purposes is lawful for the following reasons:

- Bexley Grammar is under a legal obligation to collect the information or the information is necessary for us to meet legal requirements imposed upon us such as our duty to safeguard pupils.
- It is necessary for us to hold and use your information for the purposes of our functions in providing schooling and in looking after our pupils. This is a function which is in the public interest because everybody needs to have an education. This means we have real and proper reasons to use your information.
- We will not usually need your consent to use your information. However, if at any time it appears to us that we would like to use your personal data in a way which means that we would need your consent then we will explain to you what we want to do and ask you for consent. This is most likely to be when we are involved in activities which are not really part of our job as a school but we are involved because we think it would benefit our pupils. If you give your consent, you may change your mind at any time. If we think that you will not understand what we are asking then we will ask your parent or carer instead. Usually, we will involve your parents / carers even if you can make your own decision.

When we collect personal information on our forms, we will make it clear whether there is a legal requirement for you/your parents / carers to provide it and whether there is a legal requirement on the school to collect it. If there is no legal requirement then we will explain why we need it and what the consequences are if it is not provided.

Under the UK General Data Protection Regulation (UK GDPR), the lawful bases we rely on for processing pupil information are:

The lawful bases for processing personal data are set out in Article 6 of the UK General Data Protection Regulation. The school processed such data because we have:

(6a) Consent: parents / carers have given clear consent for us to process their (and their child's) personal data for the purposes indicated above.

(6c) A Legal obligation: the processing is necessary for us to comply with the law (e.g. we are required by law to submit certain teacher assessment information and to safeguard pupils' welfare by sharing information with other agencies).

(6d) A duty to safeguard pupils: the processing is necessary in order to protect the vital interests of the data subject (children); (e.g. if we are required to share medical history information with emergency services in the event of an accident or to other agencies when a child may be in danger).

(6e) Public task: the processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law (e.g. processing attendance information or academic attainment and progress records).

Special Categories of data are set out in Article 9 of the UK General Data Protection Regulation. The school processes such data because we have:

(9.2a) explicit consent. In circumstances where we seek consent, we make sure that the consent is unambiguous and for one or more specified purposes, is given by an affirmative action and is recorded as the condition for processing. Examples of our processing include use of pupil photographs for external purposes, pupil dietary requirements, and health information we receive from our pupils who require a reasonable adjustment to access our services.

(9.2b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of social security and social protection law in so far as it is authorised by UK GDPR and the Data Protection Act 2018, providing for appropriate safeguards for the fundamental rights and the interests of the data subject.

(9.2c) where processing is necessary to protect the vital interests of the data subject or of another natural person. An example of our processing would be using health information about a pupil in a medical emergency.

(9.2f) for the establishment, exercise or defence of legal claims. Examples of our processing include processing relating to any employment tribunal or other litigation.

(9.2g) reasons of substantial public interest. As a school, we are a publicly funded body and provide a safeguarding role to young and vulnerable people. Our processing of personal data in this context is for the purposes of substantial public interest and is necessary for the carrying out of our role. Examples of our processing include the information we seek or receive as part of

investigating an allegation.

(9.2j) for archiving purposes in the public interest. The relevant purpose we rely on is Schedule 1 Part 1 paragraph 4 – archiving. An example of our processing is the transfers we make to the County Archives as set out in our Records Management Policy.

We process criminal offence data under Article 10 of the UK GDPR and Data Protection Act 2018.

Our Data Protection Policy highlights the conditions for processing in Schedule 1 of the Data Protection Act 2018 that we process Special Category and Criminal Offence data under.

How We Collect Pupil Information

We collect pupil information via registration forms at the start of the school year or Common Transfer File (CTF) or secure file transfer from the previous setting.

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this.

How We Store Pupil Data

We hold pupil data securely for the set amount of time shown in our data retention schedule as detailed below.

All confidential information is kept secure either on encrypted, password protected devices or paper copies kept on the school site. Once the deadline for retaining information has passed, data kept electronically is deleted and paper copies are destroyed in conjunction with the retention schedule.

When we give your information to others

Once our pupils reach the age of 13, the law requires us to pass on certain information to Bexley local authority which has responsibilities in relation to the education or training of 13-19 year olds. We may also share certain personal data relating to children aged 16 and over with post-16 education and training providers in order to secure appropriate services for them. A parent/carer can request that **only** their child's name, address and date of birth be passed to Bexley local authority by informing Miss Bottomley at the School. This right is transferred to the child once he/she reaches the age of 16. For more information about services for young people, please go to our local authority website www.bexley.gov.uk.

We will not give information about you to anyone without your consent unless the law and our policies allow us to do so. If you want to receive a copy of the information about you that we hold, please contact:

- Miss Bottomley, School Office, Bexley Grammar School, Danson Lane, Welling, DA16 2BL

We are required, by law (under regulation 5 of the Education (Information about Individual Pupils) (England) Regulations 2013, to pass some information about our pupils to the Department for Education (DfE). This is the part of the Government which is responsible for schools. This information may, in turn, then be made available for use by the Local Authority.

The DfE may also share information about pupils that we give to them, with other people or organisations. This will only take place where the law, including the law about data protection allows it.

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:

[National pupil database: user guide and supporting information - GOV.UK](#).

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 that the confidentiality of our data is maintained and that there are stringent controls in place regarding access and use of the data. Decisions on whether the 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>

We will also normally give information about you to your parents or your main carer. Where appropriate, we will listen to your views first. We will also take family circumstances into account, in particular where a Court has decided what information a parent is allowed to have.

We will also disclose your personal data to specific external agencies, such as:

- Your new school if you move schools
- Disclosures connected with SEN support
- School nurse
- School Counsellor
- CAMHS (Child and Adolescent Mental Health Service)
- Children's Social Care
- External professionals who visit school (such as Educational Psychologists)
- Suppliers and service providers with whom we have a contract which requires the sharing of data e.g. for attendance or reporting purposes
- Voluntary organisations linked to the school e.g. visiting speakers or groups

The information disclosed to these people/services will include sensitive personal information about you. Usually this means information about your health and any special educational needs or disabilities which you have. We do this because these people need the information so that they can support you.

Our disclosure of your personal data is lawful for the following reasons:

- The school is under a legal obligation to disclose the information or disclosing the information is necessary for us to meet legal requirements imposed upon us such as our duty to look after our pupils and protect them from harm.
- It is necessary for us to disclose your information for the purposes of our functions in providing schooling. This is a function which is in the public interest.
- We have a legitimate interest in disclosing your information because it is necessary in order to provide our pupils with education and pastoral care and connected purposes as outlined above.
- We will not usually need consent to disclose your information. However, if at any time it appears to us that we would need consent then this will be sought before a disclosure is made.

It is in your vital interests for your personal information to be passed to these people or services. We will ask you for consent once we think that you can understand what we are asking. This is because the law requires us to ask you if you can understand. Normally, we involve your parents / carers too. By law we won't need their consent if you can give it but parents / carers like to be involved because it is part of looking after you. Before you are old enough to understand we will ask your parents / carers to consent for you.

We do not normally transfer your information to a different country which is outside the UK. This would only happen if one of your parents / carers lives abroad or if you move to a new school abroad. If this happens we will be very careful to make sure that it is safe to transfer your information. We will look at whether that other country has good data protection laws for example. If we cannot be sure that it is safe then we will talk to you and your parents about it and make sure that you are happy for us to send your information. As this is not something we normally do and we don't know which country we might need to send your information to, we cannot tell you more about it now but if we want to transfer your data to a different country then we will tell you whether or not we think it is safe and why we have decided that.

The school may make use of limited personal data (such as contact details) relating to pupils and

their parents or carers, for fundraising, marketing or promotional purposes and to maintain relationships with pupils of the school, but only where consent has been provided.

How long we keep your information

We only keep your information for as long as we need to or for as long as the law requires us to. Most of the information we have about you will be in our pupil file. We usually keep these until your 25th birthday unless you move to another school in which case we send your file to your new school. We have a policy which explains how long we keep information. It is called a Records Retention Policy and you can find it by asking for a copy at reception.

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, you can contact our Data Protection Officer via Miss Bottomley in the School Office or you can leave a letter at Reception or send one by post to the school.

Depending on the lawful basis used for processing data (as identified above), you may also have the right to:

- have your personal data rectified if it is inaccurate or incomplete;
- request the deletion or removal of personal data where there is no compelling reason for its continued processing;
- restrict our processing of your personal data (i.e. permitting its storage but no further processing);
- object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics; or
- not be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you.

If you have a concern or complaint 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/>

For further information on how to request access to personal information held centrally by DfE, please see the 'How Government uses your data' section of this notice.

Withdrawal of Consent and the Right to Lodge a Complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting our Data Protection Officer via Miss Bottomley in the School Office or you can leave a letter at Reception or send one by post to the school.

