

# Privacy Notice (How we use student information)

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At St Joseph's Specialist Trust (St Joseph's) we collect and hold personal information relating to our students, tenants and their parents/carers/guardians. We may also receive information about them from parents, previous schools, local authorities, and/or the Department for Education (DfE). St Joseph's aims to ensure that all data collected about students/ tenants is collected, stored and processed in accordance with the General Data Protection Act (GDPR).

Our Privacy Notice and Data Protection Policy apply to all data, regardless of whether it is in paper or electronic format.

## The categories of student/tenant information that we process include:

- personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- characteristics (such as gender, ethnicity, language, nationality, country of birth, special educational needs and free school meal eligibility)
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)
- medical information (such as doctors contact details, child health, including physical and mental health conditions, dental health, allergies, medication and dietary requirements)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- assessment and attainment (such as internal progress assessments and externally set tests)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- Photographs and videos (such as whole school photographs or newsletter items) □ CCTV images
- Trips and activities (additional information for off-site or on-site activities such as swimming ability)
- Benefit entitlements

Additionally, for parents/carers/guardians, we collect personal information (name, address, contact details) to allow us to communicate with you about your child, young person or adult.

This list is not exhaustive, to access more information about the data that we process please contact [GDPR@st-josephscranleigh.surrey.sch.uk](mailto:GDPR@st-josephscranleigh.surrey.sch.uk) to request further information.

## Why we collect and use student/tenant information

We collect and use student/tenant information, for the following purposes:

- a) to support our student learning and tenant living needs
- b) to monitor and report on your child/ young person/ adult's progress
- c) to provide appropriate pastoral care
- d) to assess the quality of the services that we provide
- e) to keep children safe (safeguarding and medical support)
- f) to comply with the law regarding data sharing
- g) to maintain our own finances, accounts and records
- h) to support admissions
- i) to monitor attendance and special educational needs

## Our legal basis for processing this information under the General Data Protection Regulation (GDPR)

We only collect and use student/ tenants' personal data when the law allows us to. Most commonly, we process it where:

### Under Article 6

- We need to comply with a legal obligation (General Data Protection Regulation (EU) 2016/679 (from 25<sup>th</sup> May 2018) -  
In accordance with the legal basis GDPR Article 6 (1) c) "processing is necessary for compliance with a legal obligation to which the controller is subject"
- We need it to perform an official task in the public interest -  
In accordance with the legal basis GDPR Article 6 (1) e) "processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller"

However special category data also applies:

### Under Article 9

1. "Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation shall be prohibited".
2. "Paragraph 1 shall not apply if one of the following applies -
  - In accordance with the legal basis GDPR Article 9 (2) a) "the data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide

that the prohibition referred to in paragraph 1 may not be lifted by the data subject”

- We need to protect the individual’s vital interests (or someone else’s interests)
  - In accordance with the legal basis GDPR Article 9 (2) c) “processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent”

Where we have obtained consent to use a student’s 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 easily be withdrawn through provision of clear contact details.

Some of the reasons listed above for collecting and using students’ personal data overlap and there may be several grounds which justify why we process this data.

## **How we collect student/tenant information**

Student/tenant data is essential for St Joseph’s operational use. We collect most of our student/tenant information when they are admitted to St Joseph’s through completion of registration forms or Common Transfer File (CTF).

Whilst the majority of student/tenant information we collect from you 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 at the point of collection, whether you are required to provide certain student/tenant information to us or if you have a choice in this. For example, student/tenant photography consent will be requested.

## **How we store student/tenant data**

We hold student/tenant data securely for the set amount of time shown in our data retention schedule.

## **Who we share student/tenant information with**

We routinely share student information with:

- local authorities
- youth support services (students aged 13+)
- the Department for Education (DfE) / ESFA
- schools, colleges and placements that the students attend after leaving us
- the student’s family or legal guardians
- our regulators (e.g. Ofsted Care, Ofsted Education, CQC, Regulation 44 Inspector)
- public health authorities and social welfare organisations
- residential trip providers
- formative assessment providers and assessment data management (e.g. BSquared and Caspar)
- Capita SIMS for student database management

- Teachers2parents and Schoolmoney.co.uk (parent online communications and payment systems)
- our school surgery staff, in-house psychiatric and psychology practitioners, and visiting GP
- adult services

This list is not exhaustive, to access more information about the data that we process please contact [GDPR@st-josephscranleigh.surrey.sch.uk](mailto:GDPR@st-josephscranleigh.surrey.sch.uk) to request further information

## **Why we regularly share student/tenant information**

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

We share student/tenant data with the Department for Education (DfE), ESFA and other relevant bodies on a statutory basis. This data sharing underpins St Joseph's funding and educational attainment policy and monitoring.

We are required to share information about our students with local authorities and the Department for Education (DfE) under section 3 of the Education (Information About Individual Pupils) (England) Regulations 2013.

To find out more about the National Pupil Database used by the Department for Education go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-and-supporting-information>.

## **Youth support services**

### **Students aged 13+**

Once our students reach the age of 13, we also pass student information to their 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

The information shared is limited to the child's name, address and date of birth. However, where a parent or guardian provides their consent, other information relevant to the provision of youth support services will be shared. This right is transferred to the child / pupil once they reach the age 16.

### **Students aged 16+**

We will also share certain information about students aged 16+ with their 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 your local authority website.

## Department for Education

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our students with the Department for Education (DfE) either directly or via our local authorities for the purpose of those data collections, under: Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

The Education Act 1996 - Section 537A – states that we provide individual pupil information to the relevant body such as the Department for Education.

Children's Act 1989 – Section 83 – places a duty on the Secretary of State or others to conduct research.

All data is transferred securely and held by DfE under a combination of software and hardware controls, which meet the current [government security policy framework](#).

For more information about how the Government uses your data, the National Pupil Database and data collection requirements placed on us by the DfE (for example via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools> or <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

The law allows the DfE to share pupils' personal data with certain third parties, including:

schools, local authorities, researchers, organisations connected with promoting the education or wellbeing of children in England, other government departments and agencies, organisations fighting or identifying crime.

For more information about the DfE's NPD data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

For information about which organisations the DfE has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website:

<https://www.gov.uk/government/publications/dfe-external-data-shares>

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

## Supported Living Tenants

We are required to share some information about tenants with funding providers such as Local Authorities and the CCG in relation to the maintenance of adult placements.

## Requesting access to your personal data

Under data protection legislation, parents/legal guardians and students/tenants 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 please email [GDPR@st-josephscranleigh.surrey.sch.uk](mailto:GDPR@st-josephscranleigh.surrey.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
- a right to seek redress, either through the ICO, or through the courts

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/>

## Contact

If you would like to discuss anything in this privacy notice, please contact: Our Data Protection Officer Satswana Ltd by email at [GDPR@st-josephscranleigh.surrey.sch.uk](mailto:GDPR@st-josephscranleigh.surrey.sch.uk) for the attention of the DPO.