

# Sir Roger Manwood's School



## Privacy Notice for Students and Parents

**Date of Approval:** May 2025

**Next Review:** May 2028

## **Document Owner and Approval**

Mr Ben Pennells, Head Teacher, is the owner of this document and is responsible for ensuring that this policy document is reviewed in line with the School's policy review schedule.

## **What is the Notice about?**

This notice explains what personal data Sir Roger Manwood's School holds about you, how we collect it, how we use it and how we may share it. We are required to give you this information under data protection law. This notice applies to all pupils and parents.

## **The law**

The School collects, uses and is responsible for certain personal information about its pupils, in accordance with the UK General Data Protection Regulation (UK GDPR) which applies across the United Kingdom, section 537A of the Education Act 1996 and section 83 of the Children Act 1989. Following Brexit, Regulation (EU) 2016/679, General Data Protection Regulation (GDPR) is retained EU law and is known as UK GDPR. The UK GDPR sits alongside an amended version of the Data Protection Act 2018 that relates to general personal data processing, powers of the Information Commissioner and sanctions and enforcement. The GDPR as it continues to apply in the EU is known as the EU GDPR.

## **The School as Data Controller**

Sir Roger Manwood's School is a "data controller" of personal data and gathers and uses certain information about pupils and parents. This means that we are responsible for deciding how we hold and use personal information about pupils and parents. Under data protection legislation, we are required to notify you of the information contained in this privacy notice. We have appointed Judicium Consulting Ltd to be our Data Protection Officer (contact details are at the end of this notice).

This notice does not form part of any contract to provide services, and we may update this notice at any time.

It is important that you read this notice with any other policies mentioned within this privacy notice, so that you are aware of how and why we are processing your information, what your rights are under data protection legislation and the procedures we take to protect your personal data.

## **Data Protection Principles**

We will comply with the data protection principles when gathering and using personal information, as set out in our data protection policy.

## **Categories of Pupil Information we collect, process, hold and share**

In the course of providing education, we may collect, store and use the following categories of personal information about you:

- Personal information, such as name, unique pupil number, date of birth, gender, contact information, nationality and country of birth
- Emergency contact details
- Family information such as names, relationships, phone numbers and email addresses
- Characteristics, such as language and free school meal eligibility
- Special category characteristics

- Race or ethnicity, and religious beliefs
- Special educational needs (SEN) information
- Relevant medical information
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Behavioural information, including exclusions
- Assessment results

We also obtain personal information from other sources as follows:

- From previous schools attended e.g. personal information, special category information, assessment results and SEN information
- We collect images of pupils engaging in school activities and images captured by the school's CCTV
- From KCC teams working to improve outcomes for children and young people, such as SEND, Early Help, Free School Meals, Admissions

### **How we collect this information**

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. 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.

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your relationship with us.

### **How and why we use your personal information**

We will only use your personal information when the law allows us to do so. Most commonly, we will hold pupil data and use it for:

- Pupil selection (and to confirm the identity of prospective pupils and their parents);
- Providing education services and extra-curricular activities to pupils, and monitoring pupils' progress and educational needs;
- Informing decisions such as the funding of schools;
- Assessing performance and to set targets for schools;
- Safeguarding pupils' welfare and providing appropriate pastoral (and where necessary medical) care;
- Support teaching and learning;
- Giving and receive information and references about past, current and prospective pupils, and to provide references to potential employers of past pupils;
- Managing internal policy and procedure;
- Enabling pupils to take part in assessments, to publish the results of examinations and to record pupil achievements;
- To carry out statistical analysis for diversity purposes;
- Legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with legal obligations and duties of care;
- Enabling relevant authorities to monitor the school's performance and to intervene or assist with incidents as appropriate;

- Monitoring use of the school's IT and communications systems in accordance with the school's IT security policy;
- Making use of photographic images of pupils in school publications, on the school website and on social media channels;
- Security purposes, including CCTV; and
- Where otherwise reasonably necessary for the school's purposes, including to obtain appropriate professional advice and insurance for the school.

### **How long your personal data will be kept**

We will hold your personal information securely and retain it from your date of birth until you reach the age of 25, after which the information is archived or securely destroyed.

### **The lawful bases on which we use this Information**

We will only use your information when the law allows us to do so. Most commonly we will hold pupil data and use it for:

- Consent: the individual has given clear consent to process their personal data for a specific purpose;
- Contract: the processing is necessary for a contract with the individual;
- Legal obligation: the processing is necessary to comply with the law (not including contractual obligations);
- Vital interests: the processing is necessary to protect someone's life.
- Public task: the processing is necessary to perform a task in the public interest or for official functions, and the task or function has a clear basis in law; and
- The Education Act 1996: for Departmental Censuses 3 times a year. More information can be found at: <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

We need all the categories of information in the list above primarily to allow us to comply with legal obligations. Please note that we may process information without knowledge or consent, where this is required or permitted by law.

### **How we use particularly sensitive personal information**

Special categories of particularly sensitive personal information, such as information about your health, racial or ethnic origin, or sexual orientation require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data. We may process special categories of personal information in the following circumstances:

- In limited circumstances, with your explicit written consent.
- Where we need to carry out our legal obligations in line with our data protection policy.
- Where it is needed in the public interest, such as for equal opportunities monitoring.
- Where it is necessary to protect you or another person from harm.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

## **Sharing Data**

We may need to share your data with third parties where it is necessary. There are strict controls on who can see your information. We will not share your data if you have advised us that you do not want it shared unless it's the only way we can make sure you stay safe and healthy, or we are legally required to do so.

We share pupil information with:

- the Department for Education (DfE) - on a statutory basis under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013;
- Ofsted;
- Other Schools that pupils have attended/will attend;
- NHS;
- Welfare services (such as social services);
- Law enforcement officials such as police, HMRC;
- Local Authority Designated Officer;
- Professional advisors such as lawyers and consultants;
- Support services (including insurance, IT support, information security);
- Providers of learning software and
- The Local Authority.

The Department for Education request regular data sharing on pupil attendance to help support those vulnerable students and to assist with intervention strategies. Further information on how the Department for Education collects this data will be made available on the school website.

Information will be provided to those agencies securely or anonymised where possible.

The recipient of the information will be bound by confidentiality obligations, we require them to respect the security of your data and to treat it in accordance with the law.

## **Aged 14+ qualifications**

For pupils enrolling for post-14 qualifications, the Learning Records Service will give us a pupil's unique learner number (ULN) and may also give us details about the pupil's learning or qualifications

## **Our pupils in Year 11**

We also provide additional pupil information to KCC to fulfil their responsibilities in relation to the education or training of 13-19 year olds under section 507B of the Education Act 1996:

- Intended destinations of pupils in Year 11 moving into Year 12
- Course offers for pupils in Year 11 moving into Year 12 (September Guarantee)

- Information for Kent Choices4U (careers advice and course application website)

### **Our pupils aged 16+**

We will share information about pupils aged 16+ with our local authority as they have responsibilities in relation to the education or training of 13-19 year olds under section 507B of the Education Act 1996.

KCC has a legal responsibility to track all young people up to the age of 19 (and young adults with learning difficulties or disabilities up to the age of 25). The purpose of collecting this information is to assist the planning of education and training for young people and the support services they require. KCC will inform us of your current activity once you have left the school. This is in relation to education, training, employment with training you may be undertaking and whether you are NEET (not in Education, Employment or Training). Some of this information is then shared with the DfE who use the information to plan at a national level.

This information enables KCC to provide and arrange:

- post-16 education and training provision
- youth support services
- careers advice and guidance

### **The National Pupil Database (NPD)**

The NPD is owned and managed by the DfE 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 DfE. 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.

The DfE 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 DfE 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.

## **Security**

We have put in place measures to protect the security of your information (i.e., against it being accidentally lost, used or accessed in an unauthorised way). In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. The school keep information about pupils on computer systems and sometimes on paper.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

**It is important that the personal information we hold about you is accurate and current. Please keep us informed if the information we hold about your or your child changes while your child attends our school.**

## **Your rights**

Under the GDPR you have rights which you can exercise free of charge which allow you to:

- Know what we are doing with your information and why we are doing it
- Ask to see what information we hold about you (Subject Access Requests)
- Ask us to correct any mistakes in the information we hold about you
- Object to direct marketing
- Make a complaint to the Information Commissioners Office
- Withdraw consent (if applicable)

Depending on our reason for using your information you may also be entitled to:

- Ask us to delete information we hold about you
- Have your information transferred electronically to yourself or to another organisation
- Object to decisions being made that significantly affect you
- Object to how we are using your information
- Stop us using your information in certain ways

We will always seek to comply with your request however we may be required to hold or use your information to comply with legal duties. Please note: your request may delay or prevent us delivering a service to you.

For further information about your rights, including the circumstances in which they apply, see the guidance from the UK Information Commissioners Office (ICO) on individuals' rights under the General Data Protection Regulation.

If you would like to exercise a right, please contact the school Office who will be able to put you in contact with our Data Protection Officer.

## Who to contact and where to go for further information

Please contact the School's Data Protection Officer if you wish to exercise any of your rights or make a complaint about why your information has been collected, how it has been used or how long we have kept it for:

Judicium Consulting Ltd, 5<sup>th</sup> Floor, 98 Theobalds Rd, London WC1X 8WB

Email: [dataservices@judicium.com](mailto:dataservices@judicium.com)

Web: [www.judiciumeducation.co.uk](http://www.judiciumeducation.co.uk)

Telephone: 0203 326 9174

If you would like to get a copy of the information about you that KCC shares with the DfE or post-16 providers or how they use your information, please contact the Information Resilience and Transparency Team at [data.protection@kent.gov.uk](mailto:data.protection@kent.gov.uk).

For more information about services for children and young people, please go to: <http://www.kent.gov.uk/education-and-children> or the KCC website at [www.kent.gov.uk](http://www.kent.gov.uk)

For further information visit <https://www.kent.gov.uk/about-the-council/about-the-website/privacy-statement>

For further information about how the Department for Education uses your information:

- To find out more about the pupil information we share with the DfE, 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-pupil-database-user-guide-and-supporting-information>.
- For more information about the DfE'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>

The General Data Protection Regulation also gives you right to lodge a complaint with a supervisory authority. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns> or telephone 03031 231113.

## Changes to this Privacy Notice

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.