

# Privacy Notice – Parents

Date: Aug 2024

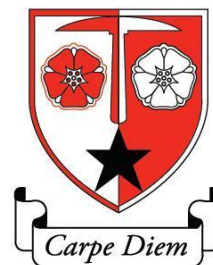
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## Introduction

Audenshaw School must process the personal data of its Students and parents to fulfil our statutory and operational duties as an education provider.

As part of our obligations under the UK General Data Protection Regulation (UK-GDPR) we must inform you what personal data we process about you, why we need it and how it is used and managed. This information is provided in the following privacy notice.

## Data Controller

The school is the 'Data Controller' for the personal information that we process about you. This means that we are responsible for your data and make decisions on how it is used.

## Data Protection Officer

The school has appointed a Data Protection Officer (DPO) who is responsible for overseeing compliance with the relevant data protection legislation. Our DPO provides support to the school and acts as the first point of contact for any questions or queries regarding data protection. Our DPO is Mrs Monks who can be contacted on:

T: 0161 336 2133 | E: [monkss@audenshawschool.org.uk](mailto:monkss@audenshawschool.org.uk)

## The categories of Student information that we process:

The school process the following categories of information about Students and their families; this information forms the key Student record evidencing their educational development:

### Students:

- Student name, address and contact details.
- Unique Student Number (UPN)
- Characteristics including gender, first language, ethnicity and religion.
- Allergies and special dietary requirements.
- Special educational needs (SEN) and medical records.
- Safeguarding and behaviour records.
- Attendance and absence records.
- Assessment and progress records.
- After-school club and extra-curricular activities records.
- School meal records (free and paid)

### Parents:

- Name, address and contact details.
- Emergency contact information.
- Proof of identity and parental responsibility (where required)
- NI number (free school meal entitlement).
- Payment records (meals, trips, uniforms etc)

Alongside the Student record, the following information about Students will be processed throughout their time at school:

- Images – CCTV
- images – Identification

- Images – Promotional activities such as displays to celebrate achievements \*
- Images – Biometric fingerprint (lunchtime system and access to services) \*
- Usage – Logs of activity on school software, apps and digital systems.
- Usage – Internet activity.
- Consent – Records of when consent has or has not been provided.

*\* Information will only be processed with permission.*

### **Why we collect and use Student information.**

We collect and use Student information, for the following purposes:

- to support Student learning
- to safeguard Students
- to monitor and report on Student attainment progress.
- to provide appropriate pastoral care
- to assess the quality of our services
- to keep Students and members of the school community safe
- to meet the statutory and legal duties placed upon us
- to meet our operational duties as an organisation
- to correspond with Students and their families
- to promote the school and provide an insight into school life.

### **The lawful basis for processing personal data**

Under the UK-GDPR, we must have a lawful basis to process personal data; personal data is any data that can identify a living individual. The school rely on the following lawful bases when we process personal data relating to Students and their families:

- The school must process personal data to meet a **legal obligation** namely;

Category	Law	Purpose for Processing
Admissions	School Admissions Code (2014)	Administer admissions & appeals process.
Education	Childrens Act (1989)	Submission of data for research
	Education Act (1996)	Submission of census data to Local Authority & DfE.
	Education Act (2005) Education & Inspections Act (2006) Education & Skills Act (2008) Childcare Act (2006)	School improvement & accountability (Ofsted)
	Education Regulations (2002)	Effective management of school
	Education (Information about Individual Students, England) Regulations 2013)	School funding and attainment monitoring
Equalities	Equality Act (2010)	Protect individuals by preventing discrimination.

Health & Safety	Health & Safety at Work Act (1974)	Providing a safe & secure environment
Safeguarding	Safeguarding Act (2006)	Safeguarding of Children
	Keeping Children Safe in Education (2024)	
	Working Together to Safeguard Children (2018)	
SEND	Children & Families Act (2014) – Special Educational Needs & Disability Code of Practice (2014)	Provide support & pastoral care

**\*Please contact the school office if further information is required about our legal obligations.**

2. Personal data is processed in the performance of a **public task** for example:
  - The use of CCTV to create a secure environment and to aid in crime prevention and detection.
  - Data is processed in the act of providing a full-time education to Students; our curriculum.
3. The school has a **contractual obligation** to process personal data for instance when taking payment from parents for school meals and trips.
4. The school has a **legitimate interest** to process personal data when providing educational resources and services to Students. Such activities are not part of the statutory curriculum but complement the Student's education, examples include access to classroom resources and learning apps.
5. **Consent** has been provided for the school to process data; consent is reserved for situations when the use of data is optional such as including Students in promotional images and using Student fingerprints to access the lunchtime system and other school services.
6. The school must process personal data in the act of protecting or saving someone's life; there is a **vital interest**. This lawful basis will typically apply in situations where we must share details with emergency services and first aiders if an incident or accident has occurred.

### Special category data

Special category data is information that we process that is much more sensitive in nature such as details about health and wellbeing and characteristics including gender, ethnicity and religion. The school must take extra measures to ensure such information is secure and confidential, therefore we must meet an additional lawful basis from the UK-GDPR.

When processing special categories of personal data in the routine running of the school, we rely upon the following conditions:

1. **Explicit consent** (written) has been provided to make a referral to an outside agency for support with their child's health and wellbeing; this will typically involve the sharing of Student records containing special category data.
2. Personal data is processed for reasons of **substantial public interest** including:
  - Sharing special categories of personal data about Students with the government to meet our legal and statutory obligations; submitting census data to the DfE for instance.
  - Collecting special categories of personal data for equal opportunities monitoring to ensure all of our Students receive equal treatment.

- Referring serious safeguarding concerns about a Student's health and wellbeing to the police and social services; situations where parental consent is not appropriate.
3. The school must process special category data in the act of protecting or saving someone's life; there is a **vital interest**. We have a duty to inform emergency services of any known allergies, medical conditions and religious preferences if an accident occurs.

In certain circumstances, the school may be required to process personal data (including special category) for the following reasons:

- If the school is involved in a legal claim that involves you or your child; in such instances, we are processing personal data as part of or in defence of **legal claims and other judicial acts**.
- The school may be instructed to partake in public vaccination programs and health monitoring in situations where there is a threat to health such as a pandemic. In such instances, our lawful basis to process Student health records is for **reasons of public interest in the area of public health**.

### **Consent & Children**

Consent will be sought directly from you as the parent or carer for any data processing that is optional. Although a Student's personal data belongs to them, due to their age they are not typically deemed mature enough to understand their rights with regards to their personal data.

Where consent is the lawful basis relied upon for the processing of personal data, you have the right to withdraw your consent or change your preferences at any time by contacting the school office.

### **Collecting Student information**

Most of the personal data that we collect about Students is provided directly by you as the parent or carer upon admission to the school. Records for each Student will also be transferred to us from the previous school where applicable; data is transferred securely through the electronic school to school system.

As Students progress through their educational journey with us, information is collated by the school and our staff; we will also receive information from third party agencies if Students require additional support such as therapists reports and health care plans.

In certain circumstances, the police and local authority may provide us with information they have received about a Student and / or their family that raises a safeguarding concern. Such information will be logged and monitored on the Students safeguarding record.

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

### **Storing and retaining Student data**

To comply with the UK-GDPR, the school only keep personal data for as long as necessary to meet our legal and operational duties.

Our 'Records Management Policy & Retention Schedule' (available at our school office) outlines how long Student records are kept and how we determine and manage these periods. As a rule of thumb, Student educational records are kept until the child's 18<sup>th</sup> birthday, whilst safeguarding and health related records are kept until the Student reaches 31.

Personal data about Students and their families is stored securely on site. Records kept in electronic format are stored securely on carefully selected databases and systems that are fully encrypted with password protection and two factor authentication utilised where available. Physical records are kept in locked cabinets within locked offices and archive rooms; key access is strictly limited depending upon role.

School staff and those third parties accessing key Student records are subject to DBS checks and strict confidentiality agreements.

### **Who we share Student information with and why?**

The school do not share information about Students without consent unless the law and our policies allow us to do so.

The school routinely share Student information with the following third parties to fulfil our legal duties:

- Schools that the Student attends once leaving us.
- The Local Authority
- The Department for Education
- Youth Support Services
- NHS

***Appendix A provides further details on statutory data sharing.***

In addition to statutory data sharing, Student data is shared with the following third-party providers of services to fulfil our operational duties as an education provider:

- ICT to give Students access to the necessary school systems.
- Information Management Software Providers to help us manage Student information more effectively.
- Classroom Apps & Software to provide Students with access to learning resources.
- Caterers to manage lunchtime provision more effectively.

In certain circumstances, we also share Student data with the following organisations:

- Auditors to ensure we are complaint and meet best practice standards.
- Third party support agencies if assistance is required to support a Student's health and wellbeing or educational development (therapists, psychologists etc).
- Police and emergency services if an accident or incident has occurred.
- Professional advisors if assistance is required to support the school with legal advice.
- Governing bodies if an incident or accident has occurred and we have a duty to report the details to them. Examples include the HSE and ICO.
- Insurance provider if we must enact a claim to which you are a party.
- Courts if we are party to a legal claim that involves you and your child.

Checks are performed on third parties with whom we share personal data to ensure they meet the high levels of data protection compliance and security expected by the school. The school take a minimalist approach to data sharing and only provide the limited amount of data if it is strictly necessary.

**Transferring data internationally**

We do not routinely transfer the personal data of Students and their families outside of the United Kingdom (UK). However, some of our software providers will store data remotely on servers outside of the UK, typically within the European Economic Area (EEA) whose member states must also comply to the same high standards set out in the UK-GDPR.

The school will not share any personal data with such providers or any third parties outside of the UK unless we are satisfied that they meet the necessary conditions of the UK-GDPR for international data processing.

**Requesting access to your personal data and your rights**

Under data protection legislation you have the right to request access to the personal data that the school holds about you and your child. You have the right to:

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

Under data protection law, individuals also 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 make a request, please contact your respective school office in the first instance.

The school office along with the Data Protection Officer (DPO) will support you with your request; a response will be provided within one calendar month. The school has a legal right to extend this period by a further two months for any requests deemed complex, we will however inform you of our intentions to extend the response time within one calendar month.

### **Complaints**

If you have any concerns at all about how we process your personal data, please contact us in the first instance so that we can help resolve any issues.

You can also complain to the Information Commissioners Office (ICO) if you are unhappy with how we have used your data:

Information Commissioners Office

Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Helpline: 0303 123 1113 | Website: <https://www.ico.org.uk>

### **Last Updated**

We may need to update this privacy notice periodically, so we recommend that you revisit this information from time to time. This version was last updated in August 2024.

### **Appendix 1: Why we must share Student data?**

#### **Data shared between educational settings.**

When a Student transitions between educational settings, their educational record moves with them; this is a legal obligation placed on each school to allow each setting to adequately provide an education and support to Students. Any transfers completed between educational settings are carried out using secure file transfer systems including the DfE's school to school system (S2S) and the Child Protection Online Monitoring and Safeguarding system (CPOMs). Checks are made to confirm the Students next destination prior to any transfer taking place.

#### **Youth Support Services**

Once Students reach the age of 13, the School are legally required to pass on certain information about them to the Local Authority. The Local Authority have a statutory obligation to provide youth support services, post-16 education and training and careers services to Students age 13-19.

Once Students reach the age of 16 or over, a request can be made to limit the data shared with the Local Authority to the name, address and date of birth.

#### **The NHS & School Nurse**

From time to time, the school is part of immunisation programmes and other statutory and routine medical programmes that require us to share Student data with the NHS. Please note that we do not administer any immunisations or healthcare without the explicit consent of parents or carers.

#### **Local Authority & 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 authority for the purpose

of those data collections, under section 3 of The Education (Information About Individual Students) (England) Regulations 2013.

The National Student Database (NPD) is owned and managed by the DfE 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; the school census is an example of when we share data. 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 NPD, go to <https://www.gov.uk/government/publications/national-Student-database-user-guide-and-supporting-information>.

We may be required to share information about our Students with the local authority to ensure that they can conduct their statutory duties under

- the [Schools Admission Code](#), including conducting Fair Access Panels.