



Shepherds Down School Data Protection Policy

September 2024

Shepherds Down School collects and uses personal information (referred to in the General Data Protection Regulation (GDPR) as personal data) about staff, pupils, parents and other individuals who come into contact with the school. This information is gathered in order to enable the provision of education and other associated functions. In addition, the school may be required by law to collect, use and share certain information.

The school is the Data Controller, of the personal data that it collects and receives for these purposes.

The school has a Data Protection Officer, Trudy Hill who may be contacted at t.hill@shepherdsdown.hants.sch.uk or through the main school office on 01962 713445

The school issues Privacy Notices (also known as a Fair Processing Notices) to all pupils/parents and staff. These summarise the personal information held about pupils and staff, the purpose for which it is held and who it may be shared with. It also provides information about an individual's rights in respect of their personal data. These notices can be found at Appendix A (Pupils) And Appendix B (Staff)

Purpose

This policy sets out how the school deals with personal information correctly and securely and in accordance with the GDPR, and other related legislation.

This policy applies to all personal information however it is collected, used, recorded and stored by the school and whether it is held on paper or electronically.

What is Personal Information/ data?

Personal information or data means any information relating to an identified or identifiable individual. An identifiable individual is one who can be identified, directly or indirectly by reference to details such as a name, an identification number, location data, an online identifier or by their physical, physiological, genetic, mental, economic, cultural or social identity. Personal data includes (but is not limited to) an individual's, name, address, date of birth, photograph, bank details and other information that identifies them.

Data Protection Principles

The GDPR establishes six principles as well as a number of additional duties that must be adhered to at all times:

1. Personal data shall be processed lawfully, fairly and in a transparent manner
2. Personal data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes (subject to exceptions for specific archiving purposes)
3. Personal data shall be adequate, relevant and limited to what is necessary to the purposes for which they are processed and not excessive;
4. Personal data shall be accurate and where necessary, kept up to date;
5. Personal data shall be kept in a form that permits the identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed;
6. Personal data shall be processed in a manner that ensures appropriate security of the personal

Duties

Personal data shall not be transferred to a country or territory outside the European Economic Area, unless that country or territory ensures an adequate level of data protection.

Data Controllers have a General Duty of accountability for personal data.

Commitment

Shepherds Down School is committed to maintaining the principles and duties in the GDPR at all times. Therefore the school will:

- Inform individuals of the identity and contact details of the data controller
- Inform individuals of the contact details of the Data Protection Officer
- Inform individuals of the purposes that personal information is being collected and the basis for this
- Inform individuals when their information is shared, and why and with whom unless the GDPR provides a reason not to do this.
- If the school plans to transfer personal data outside the EEA the school will inform individuals and provide them with details of where they can obtain details of the safeguards for that information
- Inform individuals of their data subject rights

- Inform individuals that the individual may withdraw consent (where relevant) and that if consent is withdrawn that the school will cease processing their data although that will not affect the legality of data processed up until that point.
- Provide details of the length of time an individual's data will be kept
- Should the school decide to use an individual's personal data for a different reason to that for which it was originally collected the school shall inform the individual and where necessary seek consent
- Check the accuracy of the information it holds and review it at regular intervals.
- Ensure that only authorised personnel have access to the personal information whatever medium (paper or electronic) it is stored in.
- Ensure that clear and robust safeguards are in place to ensure personal information is kept securely and to protect personal information from loss, theft and unauthorised disclosure, irrespective of the format in which it is recorded.
- Ensure that personal information is not retained longer than it is needed.
- Ensure that when information is destroyed that it is done so appropriately and securely.
- Share personal information with others only when it is legally appropriate to do so.
- Comply with the duty to respond to requests for access to personal information (known as Subject Access Requests)
- Ensure that personal information is not transferred outside the EEA without the appropriate safeguards
- Ensure that all staff and governors are aware of and understand these policies and procedures.

Complaints

Complaints will be dealt with in accordance with the school's complaints policy. Complaints relating to the handling of personal information may be referred to the Information Commissioner who can be contacted at Wycliffe House, Water Lane Wilmslow Cheshire SK9 5AF or at www.ico.gov.uk

Review

This policy will be reviewed as it is deemed appropriate, but no less frequently than every 2 years. The policy review will be undertaken by the Data Protection Officer, Head teacher, or nominated representative.

Contacts

If you have any enquires in relation to this policy, please contact Trudy Hill at school.

Shepherds Down School Pupil Privacy Notice (How we use personal information)

Why do we collect and use personal information?

We collect and use personal information:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to help pupils achieve targets as laid out in their EHCP's
- to assess the quality of our services and how well our school is doing
- Statistical forecasting and planning
- to comply with the law regarding data sharing

The categories of personal 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 school meal eligibility.
- Attendance information such as sessions attended, number of absences and absence reasons.
- Assessment information
- Modes of travel
- Relevant medical needs & medical history
- Special Educational Needs
- Behavioural information

The General Data Protection Regulation allows us to collect and use pupil information with consent of the data subject, where we are complying with a legal requirement, where processing is necessary to protect the vital interests of a data subject or another person and where 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. When the personal information is Special Category Information we may rely on processing being in the vital interests of the pupil subject or another.

Our requirement for this data and our legal basis for processing this data includes the Education Act 1996, 2002 and 2011, The Childrens Act 1989 and 2004, Education and Skills Act 2008, Schools Standards and Framework Act 1998 and the Equalities Act 2010.

As all of our pupils are aged under 13, consent will be sought from the parents / guardians of the pupil.

Collecting personal information

Whilst the majority of personal information you provide to us 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 whether you are required to provide certain personal information to us or if you have a choice in this. Where we are using your personal information only on the basis of your permission you may ask us to stop processing this personal information at any time.

Storing personal data

We hold pupil data for / in accordance with our retention schedule which can be found on the school

website, or a paper copy can be obtained by contacting the school office on 01962 713445.

Who do we share pupil information with?

We routinely share pupil information with:

- Schools that the pupil's attend after leaving us
- The Department for Education (DfE)
- Solent Healthcare (providers of therapists to school)
- NHS (School Nurse, Paediatricians)
- CAMHS
- Hampshire County Council
- Hampshire Childrens Services

Why we share pupil information

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

We share pupils' 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 our local authority (LA) and the Department for Education (DfE) under section 3 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>.

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 <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>

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, contact our Data Protection Officer, Trudy Hill on 01962 713445 or t.hill@shepherdsdown.hants.sch.uk

You also have the right, subject to some limitations 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
- claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern 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 Trudy Hill at Shepherds Down School.

Shepherds Down School Staff Privacy Notice (How we use personal information)

Why do we collect and use personal information?

We collect and use personal information:

- enable the development of a comprehensive picture of the workforce and how it is deployed
- inform the development of recruitment and retention policies
- enable individuals to be paid
- to assist us in safeguarding pupils
- to assess the quality of our services and how well our school is doing
- Statistical forecasting and planning
- to comply with the law regarding data sharing

The categories of personal information that we collect, hold and share include:

- Personal information such as name, address, teacher number, national insurance number.
- Special categories of data including characteristics information such as gender, ethnicity, age.
- Contract Information such as start dates, hours worked & salary.
- Work absence information such as number of absences and reason.
- Relevant medical information
- Modes of travel

The General Data Protection Regulation allows us to collect and use staff information with consent of the employee as processing of this data is necessary to allow them to perform their employment contract. Data may also be needed to protect the vital interests of a pupil or another person. When the personal information is of a Special Category nature we are and authorised by law for to collect this for employment obligations.

Our requirement for this data and our legal basis for processing this data includes the Income Tax Act 2007, The Childrens Act 1989 and 2004, The Equalities Act 2010 and the Education Act 1996 – this information can be found in the guide documents on the following website <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

Collecting personal information

Whilst the majority of personal information you provide to us 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 whether you are required to provide certain personal information to us or if you have a choice in this. Where we are using your personal information only on the basis of your permission you may ask us to stop processing this personal information at any time.

Storing personal data

We hold staff data in accordance with our retention schedule which can be found on the school website or a paper copy can be obtained from the school office.

Who do we share staff information with?

We routinely share staff information with:

- Hampshire County Council
- The Department for Education (DfE)
- HMRC

Why we share Staff Information

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

We share staff 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 workforce members with our local authority (LA) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

Data collection requirements:

The DfE collects and processes personal data relating to those employed by schools (including Multi Academy Trusts) and local authorities that work in state funded schools (including all maintained schools, all academies and free schools and all special schools including Pupil Referral Units and Alternative Provision). All state funded schools are required to make a census submission because it is a statutory return under sections 113 and 114 of the Education Act 2005

To find out more about the data collection requirements placed on us by the Department for Education including the data that we share with them, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

The department may share information about school employees with third parties who promote the education or well-being of children or the effective deployment of school staff 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 personal data is maintained and there are stringent controls in place regarding access to it and its use. Decisions on whether DfE releases personal 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 securely store and handle the data

To be granted access to school workforce information, organisations must comply with its 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>

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

Requesting access to your personal data

Under data protection legislation, you have the right to request access information that is held about you. To make a request for your personal information, contact Trudy Hill, Data Protection Officer on 01962 713445 or admin@shepherdsdown.hants.sch.uk

You also have the right, subject to some limitations 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
- claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern 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 Trudy Hill in the school office.