

# SACRED HEART OF MARY GIRLS' SCHOOL



## PRIVACY STATEMENT

<b>Policy adopted</b>	<b>September 2024</b>	
<b>SLT Member Responsible</b>	<b>Mr T Bright</b>	
<b>To be reviewed</b>	<b>Annually</b>	
<b>Date of next review</b>	<b>July 2026</b>	
<b>Headteacher</b>	<b>Ms V Qurrey</b>	<b>Date:September 2024</b>

# PRIVACY NOTICE FOR PARENTS AND CARERS

Under data protection law, individuals have a right to be informed about how our school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'Fair Processing Notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about pupils at our school.

Once a child is able to understand their rights over their own data (generally considered to be age 12, but this has to be considered on a case-by-case basis), pupils have rights over their own personal data.

We, The Sacred Heart of Mary Girls' School St. Mary's Lane Upminster RM14 2QR are the 'data controller' for the purposes of data protection law.

**Our data protection officer is Mr Sean Hartley (see 'Contact us' below).**

## The personal data we hold

Personal data that we may collect, use, store and share (when appropriate) about pupils includes, but is not restricted to:

- Contact details, contact preferences, date of birth, identification documents
- Results of internal assessments and externally set tests
- Pupil and curricular records
- Characteristics, such as ethnic background, eligibility for free school meals, or special educational needs
- Exclusion information
- Details of any medical conditions, including physical and mental health that we need to be aware of
- Attendance information
- Safeguarding information
- Details of your family circumstances
- Details of any support received, including care packages, plans and support providers
- Details of any complaints that you have made
- Photographs

- CCTV images captured in school
- information about your religion, as part of our admission arrangements

We may also hold data about pupils that we have received from other organisations, including other schools, local authorities and the Department for Education.

- Characteristics, such as ethnic background or special educational needs

We may also hold data about your child that we have received from other organisations, including other schools and social services.

### **Why we use this data**

We use the data listed above to:

- a) Support pupil learning
- b) Monitor and report on pupil progress
- c) keep you informed about the running of the school (such as emergency closures) and events
- d) Process payments for school services and clubs
- e) Provide appropriate pastoral care
- f) Protect pupil welfare
- g) Assess the quality of our services
- h) Administer admissions waiting lists
- i) Carry out research
- j) Comply with our legal and statutory obligations

We do not currently process any parents' or carers' personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain processing to you including your right to object to it.

### **Use of your personal data for filtering and monitoring purposes**

While you're in school, we may monitor your use of our information and communication systems, equipment and facilities (e.g. school computers). We do this so that we can:

- a) comply with health and safety and other legal obligations
- b) comply with our policies (e.g. child protection policy, IT acceptable use policy) and our legal obligations
- c) keep our network and devices safe from unauthorised access, and prevent malicious software from harming our network

## **Our legal basis for using this data**

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

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest

Less commonly, we may also process pupils' personal data in situations where:

- We have obtained consent to use it in a certain way
- We need to protect the individual's vital interests (or someone else's interests)

Where we have obtained consent to use pupils' 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 be withdrawn.

Some of the reasons listed above for collecting and using pupils' personal data overlap, and there may be several grounds which justify our use of this data.

## **Our basis for using special category data**

For 'special category' data, we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in UK data protection law:

We have obtained your explicit consent to use your personal data in a certain way

We need to perform or exercise an obligation or right in relation to employment, social security or social protection law

We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent

The data concerned has already been made manifestly public by you

We need to process it for the establishment, exercise or defence of legal claims

We need to process it for reasons of substantial public interest as defined in legislation

We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law

We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law

We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in UK data protection law. Conditions include:

We have obtained your consent to use it in a specific way

We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent

The data concerned has already been made manifestly public by you

We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights

We need to process it for reasons of substantial public interest as defined in legislation

### **Collecting this data**

While the majority of information we collect about your child is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

Most of the data we hold about your child will come from you, but we may also hold data about your child from:

- Local authorities
- Government departments or agencies
- Police forces, courts, tribunals

### **How we store this data**

We keep personal information about your child while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations.

We will dispose of your child's personal data securely when we no longer need it.

### **Who we share data with**

We do not share information about pupils with any third party without consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about pupils with:

- Our local authority: the London Borough of Havering – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- The Department for Education

- The pupil's family and representatives
- Educators and examining bodies
- Our regulator Ofsted
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- Financial organisations
- Central and local government
- Our auditors
- Survey and research organisations
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Professional bodies

## **Transferring data internationally**

We may share personal information about you with the following international third parties, where different data protection legislation applies:

Where we transfer your personal data to a third-party country or territory, we will do so in accordance with UK data protection law.

In cases where we have to set up safeguarding arrangements to complete this transfer, you can get a copy of these arrangements by contacting us.

## **Parents' and Students' Rights regarding Personal Data**

### **How to access personal information that we hold about your child**

Individuals can make a '**Subject Access Request**' to gain access to personal information that the Academy holds about them.

Parents/carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child has provided consent.

Parents can also make a subject access request with respect to any personal data the school holds about them.

If you make a subject access request and if we do hold information about you or your child we will:

- Give you a description of it;
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

Individuals also have the right for your child's personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact us (see 'Contact us' below).

Once your child is able to understand their rights over their own data (generally considered to be age 12, but this has to be considered on a case-by-case basis), we will need to obtain consent from your child for you to make a subject access request on their behalf.

## **8.2 Your right to access your child's educational record**

Parents, or those with parental responsibility, also have the right to access their child's educational record (which includes most information about a pupil). This right applies as long as the pupil is aged under 18.

There are certain circumstances in which this right can be denied, such as if releasing the information might cause serious harm to the physical or mental health of the pupil or another individual, or if it would mean releasing exam marks before they are officially announced.

To make a request, please contact

## **8.3 Other rights regarding data**

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe including the right to:

- Object to the use of your child's personal data;
- Prevent data being used to send direct marketing;
- Object to and challenge 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;
- In certain circumstances, be notified of a data breach;
- Make a complaint to the Information Commissioner's Office;
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact us (see 'Contact us' below).

Once your child is able to understand their rights over their own data (generally considered to be age 12, but this has to be considered on a case-by-case basis), we will need to obtain consent from your child for you to make these requests on their behalf.

## 9. Complaints

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/make-a-complaint/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

## 10. Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our **data protection officer**:

Our data protection officer is:

- Mr. Sean Hartley c/o Sacred Heart of Mary Girls' School

However, our **data protection lead** has day-to-day responsibility for data protection issues in our school.

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact: Mrs. Kerry Jones c/o Sacred Heart of Mary Girls' School