



ELLESMERE PORT CATHOLIC HIGH SCHOOL

'I have come so that they may have life and have it to the full' John 10.10

Privacy Notice

June 2018

The EU General Data Protection Regulation (GDPR) – Privacy Notice

At Ellesmere Port Catholic High School, we aim to provide a positive, aspirational learning environment to support our children achieve their potential. In order to undertake this we need to work in partnership with parents, students, governors, the Local Authority and carefully selected outside agencies. We are the Data Controller for the purpose of GDPR and the personal data we hold is used to support our teaching and learning, monitor and report on your child's progress and to provide the appropriate pastoral care.

On the 25th May 2018 the General Data Protection Regulation (GDPR) will become applicable and the current Data Protection Act (DPA) will be updated by the new EU legislation. Before that time the DPA will continue to apply. We will now inform any data subject before we collect, hold and process any data collected.

Data Controller

EPCHS complies with the GDPR regulations and is registered as a 'Data Controller' with the Information Commissioner's Office (Reg No Z2092374).

The Data Controller for the school is Sarah Powell. Our Schools Data Protection Officer is based at the Local Authority.

We ensure that all personal data is processed fairly and lawfully, is accurate and up to date, is kept secure and is retained for no longer than is necessary.

The Legal Basis for Processing Personal Data

The main reason that the school processes personal data is because it is necessary in order to comply with the schools legal obligations and to enable it to perform tasks carried out in the public interest.

The school may also process personal data if at least one of the following applies:

- In order to protect the vital interest of an individual.
- There is explicit consent.
- To comply with school's legal obligations in the field of employment and social security and social protection law.
- For establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity.
- For reasons of public interest in the area of public health.
- For reasons of substantial public interest, based on law, which is proportionate in the circumstances and which has provided measures to safeguard the fundamental rights and the interest of the individual.

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

- Personal Information (name, unique pupil number, address, carers detail and contact details).
- Characteristics (such as ethnicity, language, nationality, country of birth, religion and free school meal eligibility).
- Attendance Information (sessions attended, number of absences and absence reasons).
- Behavioural information and details of any exclusions.
- National Curriculum assessment results and examination results.
- Where students go when they leave us.
- Any special educational needs or disabilities as well as relevant medical information.

How we use the information

We collect and hold personal information relating to our pupils and those involved with their care, we may also receive information from any schools previously attended, the Local Authority and/or the Department for Education (DfE).

We use this personal information to:

- Support our pupils' learning
- Support our pupils' welfare
- Monitor and report on their progress
- Provide appropriate pastoral care
- Assess the quality of our service
- Process any complaints or grievances
- Protect any vulnerable individuals
- The prevention and detection of crime

Who we may share the data with

- The Local Authority
- Schools that pupils attend after leaving EPOCHS.
- The Department of Education (DfE)
- NHS
- Third party organisation, as allowed by law
- Outside agencies that provide services on our behalf
- Outside agencies with whom we have a duty to co-operate
- School nursing team
- External agencies (MASH, CAMHS, Social Workers , Educational Psychologists)

For further information about who we share our information with, please see [Appendix A](#)
Retention Period

Personal data will not be retained by the school for longer than necessary in relation to the purposes for which they are collected. The school keeps all records on students until they reach the age of 25

years old. We hold historic staff data for 7 years after the employee has left Ellesmere Port Catholic High School. All our financial records are held in accordance with the current financial framework set out by the Local Authority.

Information will be held in accordance with the Information and Records Management Society Tool Kit for Schools.

<https://irms.site-ym.com/page/SchoolsToolkit>

Photographs / CCTV

The school may take photographs, videos or webcam recordings of our students for official use, monitoring and for educational purposes. You will be made aware that this is happening and the context in which the photographs will be used.

Photographs may also be taken of any students attending any ceremonies which may appear in the local newspapers. You will be made aware that this is happening and again the context in which the photograph will be used.

For Security purposes CCTV operates within the school. This is operated by our Site Manager and when necessary members of the Senior Leadership Team. If you require any further information on this matter, please contact the school on 0151 355 2373.

Rights

As a data subject, you have the right to:

- Be informed of any data processing (which is covered by this Privacy Notice)
- Access information held by the school (known as a Subject Access Request)
- Have any inaccuracies corrected
- Have information erased
- Restrict what data is processed
- Data portability (this is rarely relevant to education settings)
- Intervention in respect of automated decision making (automated decision making is rarely operated with in schools)
- Withdraw consent for data to be processed
- Complain to the Information Commissioner's Office

To exercise any of these rights please see the Data Protection Officer.

Withdrawal of Consent

The lawful basis upon which the school processes personal data is that it is necessary in order to comply with the schools legal obligations and to enable it to perform tasks carried out in the public interest.

Where the school process personal data solely on the basis that you have consented to the processing, you have the right to withdraw that consent.

Legislation

We collect and process students information as part of our public function under both the Data Protection Act and Article 6 (1)(e), of the General Data Protection Regulations.

The legislation and guidance that allows us to do this is in the UK includes, but is not limited to:

- **The Education Pupil registration (England) Regulations 2006**
- **Education (Information About Individual Pupils)(England) Regulations 2013**
- **Education Act 2002**
- **Education Act 2011**
- **Government Guidance on Schools and Education**

Complaints

If you are unhappy with the way your personal data has been processed or with the way that your request has been handled, you may wish to ask for a review of our decision by, in the first instance, contacting the schools Data Controller.

For any general questions or advice about the schools data protection procedures or to alert us to any issues you may have in the way we handle your or your child's information please contact the schools Data Protection Officer direct at:

Schools Data Protection Officer
Cheshire West and Chester Council
58 Nicholas Street
Chester
CH1 2NP

If you are not content with the outcome of the internal review, you may apply directly to the information Commissioner for a decision. Generally the ICO cannot make a decision unless you have exhausted our internal review procedure. The Information Commissioner can be contacted at:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow, Cheshire, SK9 5AF
0845 630 6060 or 01625 545 745

APPENDIX A – Student Data

Who we share data with and why

We routinely share student information with:

- Schools that students attend after leaving us
- Our Local Authority
- The Department of Education

To find out more about that data collections requirements placed on us by the Department of Education (for example; via the school census) go to the Department of Educations website.

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

We share students' data with the Department of 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 students with our Local Authority (LA) and the Department of Education (DfE) under section 3 of The Education (Information about Individual Pupils) Regulation 2013.

To find out more about the data collection requirements placed on schools by the DfE (for example through 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 of 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 DfE. It is held in an 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. Some of this information is then stored in the NPD. The law that allows this is the Education (Information About Individual Pupils) Regulations 2013.

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 students from NPD with third parties who promote the education or well-being of children in England by:

- Conducting research analysis
- Producing reports and statistics
- Providing information, advice or guidance

The department has robust processes in place to ensure the confidentiality of our data is maintained and that there are stringent controls in place regarding access and use of the data. Decisions on whether the DfE releases the 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 arrangements that the third party have for storing and handling the data

To be granted access to pupil information, organisations must comply with strict terms and conditions covering confidentiality and handling of the data, security arrangements and retention and use of the data.

To find out more information about the departments sharing process, go to:

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

For information about which organisations the DfE has provided student information, (and for which project) visit the following website:

<https://www.gov.uk/government/publications/national-pupil-database-requests-received>

To contact the Department of Education: <https://www.gov.uk/contact-dfe>

Primary Care Trusts (PCT's)

We are required by law, to pass certain information about our students to PCT's.

PCT's use information about students for research and statistical purposes, to develop, monitor and evaluate the performance of local health services. These statistics will not identify individual students. It is necessary for certain health information about children (such as their height and weight) to be retained for a certain period of time (designated by the Department of Health) and requires these PCT's to maintain children's names and addresses for this purpose. PCT's may also provide individual schools and Local Authorities with aggregated health information which will not identify children.

Local Authority – Education and Training

We are required by law to pass certain information about our students to the Local Authorities.

The LA holds information about young people that live in its area, including information about their education and training history. This is to support the provision of their education up to the age of 20 (and beyond for those with special educational needs or disabilities). Education institutions and other public bodies (including the DfE, police, probation and health services) may pass information to the LA to help them do this.

The LA share some of the information it collects with the DfE to enable them to; produce statistics, assess performance, determine the destinations of young people after they have left school or college and to evaluate Government funded programmes.

The LA may also share information with post-16 education and training providers to secure appropriate support for them. They may also share data with education establishments which shows what they go on to do after the age of 16.

Local Authority – Social Services

In order to comply with our statutory safeguarding duties we are required, by law, to pass certain information about our students to Local Authorities. Information will only be shared where it is fair and lawful to do so.

Police, Fire and Rescue Services, Ambulance Service and other emergency or enforcement agencies

In order to comply with our duty of care to students, our statutory safeguarding duties and our obligations in respect to the prevention and detection of crime, we may also share personal data with other statutory and partnership agencies.

APPENDIX B – Staff Workforce Data

We process personal data relating to those we employ in order to administer payroll, pensions, training and appraisal, monitor equal opportunities and manage your access to various services such as IT and buildings. This is for employment purposes to assist in the running of the school.

The data will be processed managed and held by Ellesmere Port Catholic High School.

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

- Personal Information (Name, DOB, NI Number, etc.)
- Characteristics (Ethnicity, Nationality, Country of Birth etc.)
- Qualifications
- Work Related Information (Contracts, Absences, CPD etc.)

We collect and process information as part of our contract with employees both under the Data Protection Act and Article 6(1)(b) of the General Data Protection Regulations.

The submission of the school workforce census return, including a set of staff records, is a statutory requirement on schools and local authorities by virtue of regulations made under sections 113 and 114 of the Education Act 2002. This means that:

- Although schools and Local Authorities must meet their obligations to data subjects under the Data Protection Act, they do not need to obtain consent for the provision of information from individual members of the workforce
- Schools and Local Authorities are protected from any legal challenge that they are breaching a duty of confidence to staff members
- Schools and Local Authorities must complete the returns

Under the Regulation of Investigatory Powers Act 2000, Computer Misuse Act 1990 and The Telecommunications (Lawful Business Practice)(Interception of Communications) Regulations 2000, we also have the right to monitor the use of computer and telephone facilities for purposes such as preventing and detecting criminal acts, investigating unauthorised use, making sure that policies are being followed and for training and quality control.

We are required by law, to pass on some of this personal data to our Local Authority and the Department of Education (DfE). For more information about the department's data sharing process, please visit the Department of Education's website.

All of the data we hold on our staff workforce is held on our Management Information System and staff personnel files (held securely by our School Business Manager)

What rights do employees have when it comes to their personal information?

Under the Data Protection Act and General Data Protection Regulations employees have the right to request access to the information that schools holds about them.

To make a request for personal information contact our School Data Protection Officer. More information is available in our Request to Access Policy on our school website.

Employees also have the right to:

- Prevent processing for the purpose of direct marketing
- Object to decision being taken by automated means
- In certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed.