



Gosden House School Pupil Privacy Notice

At Gosden House School we collect and hold personal information relating to our pupils and their parents/carers/guardians. Our school aims to ensure that all data collected about pupils is collected, stored and processed in accordance with the General Data Protection Regulation (GDPR).

This policy applies to all data, regardless of whether it is in paper or electronic format.

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

- Personal information (such as name, unique pupil number and address)
- Characteristics (such as gender, ethnicity, language, nationality, country of birth, special educational needs and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Medical information (such as dietary, physical and mental health notes and conditions)
- Assessment information (such as internal assessment and externally set tests)
- Exclusions information
- Safeguarding information
- Photographs
- CCTV images

Additionally, for parents/carers/guardians, we collect personal information (name, address, contact details) to allow us to communicate with you about your child.

Why we collect and use this information

We use the pupil data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care, safeguarding and medical support
- to assess how the school is performing
- to comply with the law regarding data sharing
- to maintain our own finances, accounts and records
- to support admissions
- to monitor behaviour and attendance

Our legal basis for using this information

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 (General Data Protection Regulation (EU) 2016/679 (from 25th May 2018))
- 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Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.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.

Collecting pupil information

Whilst the majority of pupil 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 pupil information to us or if you have a choice in this. For example, pupil photograph consent will be requested.

Storing pupil data

The school will hold pupil data as outlined in our retention schedule.

Who we share pupil information with

We routinely share pupil information with:

- our local authority i.e. Surrey
- for pupils living outside of Surrey, we regularly share information with their local authority e.g. Hants
- the Department for Education (DfE)
- the pupil's family and representatives
- our regulator, Ofsted
- public health authorities and social welfare organisations e.g. NHS
- residential trip providers
- formative assessment providers i.e. BSquared and Evisense
- schools and colleges that the pupil's attend after leaving us
- Capita SIMS for pupil database management
- Parentmail for parent communication, school dinner payments, school payments, forms and parents evening bookings
- school website administered by Anna Chapman (Gosden House School) and Sweethaven
- Microsoft Outlook and Google calendar for school email and calendar
- Sweethaven for data backup and storage
- Numicon for teaching applications
- Farnborough College and Merrist Wood College for KS4
- Learning Records Service (LRS) for pupils aged 14.
- Youth Support Services for pupils aged 13+
- Microsoft Teams
- Education City an educational resource for children aged 3-12 and their teachers
- CPOMS for monitoring Safeguarding, wellbeing and all pastoral issues
- Strictly Education 4S for finance and database management
- other educational programmes that we may subscribe to from time to time

Why we share pupil information

We do not share information about our pupils 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.

To find out more about the National Pupil Database used by the Department for Education, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

Learning Records Service (LRS)

- For pupils aged 14+, We share information with the Learning Records Service (LRS) in order to obtain a pupil's Unique Learner Number (ULN) to enrol for post 14 qualifications and may also give us details about the pupil's learning or qualifications

Youth Support Services (YSS)

- For pupils aged 13+, we pass pupil information onto our Local Authority and/or provider of youth support services as they have responsibilities in relation to the education or training of 13-19 year olds under section 507B of the Education Act 1996. This enables them to provide services as follows: youth support services, careers advisers.
- A parent/carer can request that only their child's name, address and date of birth is passed to their local authority or provider of youth support services by informing us. This right is transferred to the child/pupil once he/she reaches age 16.
- For more information about services for young people, please visit our local authority website.

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 school 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 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 Cindy O'Sullivan, Head Teacher.

You also have the right 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, we request that you raise your concern with our Head Teacher, Cindy O'Sullivan, 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/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Contact:

If you would like to discuss anything in this Privacy Notice, please contact Cindy O'Sullivan, Head Teacher. info@gosden-house.surrey.sch.uk

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School e-mail address	info@gosden-house.surrey.sch.uk
School telephone number	01483 892008

APPENDIX:

- Privacy Notice – Coronavirus Track and Trace

APPENDIX

CORONAVIRUS TRACK AND TRACE PRIVACY NOTICE

Coronavirus Track and Trace Privacy Notice Responding to the Coronavirus advice from the Government is an obligation on all schools in England. The development of the NHS 'Track and Trace' scheme is a key part of the government plan to manage Coronavirus. As more pupils are returning to our schools, the safety and wellbeing of pupils, staff and their families is a priority. Planning to manage a safe return is in place; however, our responsibility extends beyond the school gates.

We hold a lot of data, and it may be necessary for us to share that data on request from NHS Track and Trace workers. We will do this and will play our part in making this process as effective as possible. It is likely that we will be asked to provide contact details if a case of Coronavirus or a suspected case arises in our school. There is an obligation to support the government planning. We will provide details as requested to do this.

We will be sharing data on the basis that this is a Public Duty (see below) and that in the case of any health data it is necessary for the public interest, as set out.

Please be assured that we will keep a record of information that we share.

This Privacy Notice should be read in alongside the other GDPR and Data Protection information on our website.

NHS Test and Trace and the Law

The law on protecting personally identifiable information, known as the General Data Protection Regulation (GDPR), allows Public Health England to use the personal information collected by NHS Test and Trace.

The section of the GDPR that applies is:

Article 6(1)(e) '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'

As information about health is a special category of personal information, a further section of the GDPR applies:

Article 9(2)(i) 'processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of healthcare'

Public Health England also has special permission from the Secretary of State for Health and Social Care to use personally identifiable information without people's consent where this is in the public interest.

This is known as 'Section 251' approval and includes the use of the information collected by NHS Test and Trace to help protect the public from coronavirus. The part of the law that applies here is Section 251 of the National Health Service Act 2006 and the associated Health Service (Control of Patient Information) Regulations 2002.

Test and Trace

Schools are in a very difficult situation. The tracing process of 'Test and Trace' is made more difficult as schools are public authorities. They have a legal duty to protect and promote the welfare of pupils and a duty of care to staff. It is hoped that additional government guidance will be provided for schools.

As a private individual, compliance with the scheme is optional; you cannot at the present time be forced to provide details. As a school, it is more complicated.

If a person in a school has COVID or symptoms, they will be sent home, as will other people in school who have had contact and who may be at risk.

In school, it would be most unusual for any one person to know the details of everyone else who may be affected.

It is only the school that will have that data. We would notify individuals about a risk, and in many instances that will be sufficient.

However, the Department of Education Guidance goes onto say 'As part of the national test and trace programme, if other cases are detected within the child or young person's cohort or in the wider education or childcare setting, Public Health England's local Health Protection Teams will conduct a rapid investigation and will advise schools and other settings on the most appropriate action to take.'

So in this situation it is not a matter of giving consent to share data, there is a Public Duty to do so. As a school, we will co-operate with such requests. Schools are under an obligation to share data.

At no point we will we share data without a sound legal basis, but please be aware that we will share data where necessary.