

Ysgol Maesydderwen



GDPR Privacy Notice

Type: Local Authority Policy

Reviewed / Adopted On	Signed	Next Review
21/9/2020		Autumn Term 2021

Privacy Notice (General Data Protection Regulations)

(September 2018)

Powys School / Early Years Provider Privacy Notice

In accordance with General Data Protection Regulation (GDPR) this notice sets out what your School, (**The School**) the Local Authority (Powys County Council) and the Welsh Government does with the education related information that it receives about Children and Young People.

Covid-19 - Please note that under Regulation 3 of the Health Protection (Local Authority Powers) (Wales) Regulations 2010, the head teacher of a school is required to provide the names, addresses and contact telephone numbers of all pupils in their school, or any group of pupils attending that school, when certain circumstances apply. For example, when there is reason to believe that there is or has recently been a person on the school's premises who is or may be infected. Therefore, if your child is absent from school with suspected Covid-19 then this information will be passed on to Powys County Council for them to monitor any possible cluster areas.

1. Background

The **School** collects information about children and young people and their parents or legal guardians when children and young people enrol at the **School**. The **School** also collects information at other key times during the school year and may receive information from other schools or early years providers when children and young people transfer.

The **School** processes the information it collects to administer the education it provides to children and young people. For example:

- the provision of educational services to individuals;
- monitoring and reporting on pupils'/children's educational progress;
- the provision of welfare, pastoral care and health services;
- the giving of support and guidance to children and young people, their parents and legal guardians;
- the organisation of educational events and trips and to inform you about events and other things happening in the school
- to keep children safe (food allergies, or emergency contact details)
- the planning and management of the school

Powys County Council collects information about children and young people and their parents or legal guardians when children and young people apply for admission to the **School**. The local authority also has access to data collected by the **School** for the same reasons listed above and for the following additional purposes:

- to monitor, challenge and provide support to schools to improve performance and set credible targets
 - to support schools in the services delivered to children and young people
 - to inform and support services provided by the Children and Young People's Partnership (CYPP) and the Powys Youth Service to young people and their families
 - to carry out research and inform policy decisions including funding for schools and early years providers
 - to monitor the quality and scope of data held by schools and provide support to ensure the data held about children and young people is accurate and up-to-date
- Upon receipt of the information from your **School** the Local Authority (Powys County Council) also becomes the Data Controller.

Our lawful basis for collecting and processing pupil information is defined under Article 6, and the following sub-paragraphs in the GDPR apply:

- a) Data subject gives consent for one or more specific purposes.
- b) Processing is necessary to comply with the legal obligations of the controller.
- c) Processing is necessary to protect the vital interests of the data subject.
- d) Processing is necessary for tasks in the public interest or exercise of authority vested in the controller (the provision of education).

Our lawful basis for collecting and processing pupil information is also further defined under Article 9, in that some of the information we process is deemed to be sensitive, or special, information and the following sub-paragraphs in the GDPR apply:

- a) The data subject has given explicit consent.
- b) It is necessary to fulfil the obligations of controller or of data subject.
- c) It is necessary to protect the vital interests of the data subject.
- d) Processing is carried out by a foundation or not-for-profit organisation (includes religious, political or philosophical organisations and trade unions)
- e) Reasons of public interest in the area of public health
- f) It is in the public interest

As data controllers, the **School** and Powys County Council use the information received for the purposes listed to enable them to carry out data processing necessary for the performance of a task carried out in the public interest and in the exercise of official authority.

In addition, the **Welsh Government** receives information on pupils directly from schools normally as part of statutory data collections which consists of the following:

- Post-16 data collection
- Pupil Level Annual School Census (PLASC)
- Educated other than at school (EOTAS) pupil level collection
- National data collection (NDC)
- Attendance collection
- Welsh National Tests (WNT) data collection

In addition to the data collected as part of PLASC, the Welsh Government and Local Authorities also receive information regarding National Curriculum assessments, public examination results, and attendance data at individual pupil level which comes from Schools and /or Awarding Bodies (e.g. WJEC).

2. What information is held by the School and Powys County Council?

The sort of personal information that will be held includes:

- personal details such as name, address, date of birth, child/young person identifiers and contact details for parents and guardians; photographs
- characteristics (such as ethnicity, language, and free school meal eligibility)
- details about children's and young people's immigration status (this is used only to prepare summary statistical analyses);
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)
- medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- assessment and attainment (such as key stage and results, post 16 courses enrolled for and any relevant results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)
- information about the involvement of social services with individual children and young people where this is needed for the care of the child/young person
- We may also hold data about pupils that we have received from other organisations, including other schools, local authorities and the Welsh Government.

3. Who does the School and Powys County Council share your information with?

Information held by the **School** and Powys County Council on children and young people, their parents or legal guardians may also be shared with other organisations when the law allows and providing all appropriate steps are taken to keep the information secure, for example:

- other education and training bodies, including schools, when children and young people are applying for courses or training, transferring schools or seeking guidance on opportunities;
- bodies doing research for the Welsh Government, LA and schools as long as steps are taken to keep the information secure;
- central and local government for the planning and provision of educational services;
- social services and other health and welfare organisations where there is a need to share information to protect and support individual children and young people; including Police Forces, Courts and Tribunals and security organisations.
- Management Information System (MIS) providers in order to ensure that system functionality and accuracy is maintained;
- The Council's approved suppliers of the schools 'cashless' system to ensure all pupils, parents & guardians with parental responsibility and school staff are able to use it as appropriate;
- Powys Teaching Health Board to support the provision of an effective School Nurse Service and other related health services for young people and their families;
- FFT Education Research Trust (<https://fft.org.uk/about-fft/>) for the maintenance of the secure on-line FFT Aspire resource for schools enabling thorough self-evaluation using extensive progress measures and effective target-setting for pupil achievement;
- GL Assessment (<https://www.gl-assessment.co.uk/about-us/>) for the administration of annual cognitive ability tests (CATs) and other similar diagnostic tools to support individual learning;
- The South West and Mid-Wales Education Consortium (ERW) to support regional statistical analysis as required by Welsh Government;
- various regulatory bodies, such as ombudsmen and inspection authorities, where the law requires that information be passed on so that they can do their work;
- The Office of National Statistics (ONS) in order to improve the quality of migration and population statistics.

Information is also shared with Careers Wales in accordance with the provisions laid down in The Education Act 1997 (Section 43 & 44) and The Learning & Skills Act 2000 (Sections 123 & 138).

Sharing personal information with curriculum-based software suppliers

The **School** may provide limited personal (but not sensitive) information to external companies providing a curriculum-based resource (which may be on-line) which is deemed to have educational value. In these circumstances the **School** will ensure that all reasonable precautions are taken to preserve the security of the data in line with current legislation and that the external supplier meets all legal requirements regarding the handling of this data as specified in a formal written agreement between the **School** and the supplier.

The **School** will endeavour to ensure that information is kept accurate at all times. Personal information will not be sent outside the United Kingdom unless it is

protected by the enhanced security arrangements associated with the Welsh Government's digital learning platform – 'Hwb'. Details are available at: <https://hwb.gov.wales/privacy>

Companies and their applications currently used by the School in this way are:

- a) *Google – Emails, Google drive, Google classroom. Allows for collaborative working inside and outside school as well as Archiving and small factor databases.*
- b) *Capita SIMS.net – The school's core Information Management System – holds all core student data including contact information and results.*
- c) *CCTV – Provides building security and evidence if damage occurs – Inhouse solution with onsite monitoring*
- d) *Examination Bodies – WJEC, OCR, Pearsons, AQA – Provides GCSE/GCE based awards/courses.*
- e) *Capita – FMS – Core School Financial System – holds payment and salary information*
- f) *ParentPay – PCC Provided online payment system for school meals and trips. Contains student information, year group, age, dietary requirements*
- g) *NRS software – PCC provided Canteen till system – includes student information, picture age, dietary needs, balance on ParentPay account, meals chosen by students and fingerprints for procuring meals.*
- h) *GCSEPod – Teachercentric – Provides revision podcasts for GCSE students – we share student names with this service – students then sign up.*
- i) *Schoop – Provides notification system to parents*
- j) *EduKey ProvisionMap – Provisioning tools for staff – holds student details and photographs*
- k) *Mathswatch - Students have their own logins and passwords. Student names and their marks for homework are held.*
- l) *HWB – Welsh Government education portal holding data and providing additional services to pupils and staff*
- m) *Tassomai - Students have their own logins and passwords. Student names and their marks for homework are held*

4. How long will this data be kept?

Your **School**, Powys County Council and Welsh Government will keep this data until the pupil's 25th birthday or for the duration of the criteria which underpin the statutory regulation. After this point the data will be anonymised in line with best practices and used only for statistical and research purposes.

5. Your rights under the GDPR

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold, through a Subject Access Request (SAR). 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 also have the right to make a subject access request with respect to any personal data the school holds about them.

If you make a subject access request, and we 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 or your child
- 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

You also have the right to:

- ✓ Require the School or Powys County Council to rectify any inaccuracies in that data;
- ✓ The right (in some circumstances) to object to processing on grounds relating to your particular situation;
- ✓ The right to restrict processing (in some circumstances)
- ✓ Lodge a complaint with the Information Commissioner who is the independent regulator for data protection.

For further information about the information which your school and Powys County Council holds and its use, or if you wish to exercise your rights under the GDPR, please see contact details below:

Your School: Ysgol Maesydderwen

Phone: 01639 842115

Email Address: office@maesydderwen-hs.powys.sch.uk

Powys County
Council:

Data Protection for Schools
Information Compliance Team
County Hall
Llandrindod Wells
Powys LD1 5LG

To contact the Information Commissioner's Office, please see details below:

Information
Commissioner's
Office:

Wycliffe House
Water Lane
Wilmslow, Cheshire
SK9 5AF

Telephone - Helpline: 029 2067 8400 (Wales helpline) or 0303 123 1113
(UK helpline)

Website: www.ico.org.uk

School Data Privacy Notice (Covid-19) – issued by the Welsh Government – to be read in conjunction with School Privacy Notice

Collecting attendance and personal characteristics data from schools from September 2020

Welsh Government collect a wide range of data about pupils on an annual basis, and this is explained in more detail in this privacy notice.

Due to the Covid-19 pandemic and schools having to adapt to new ways of working, we need to be able to collect attendance data more frequently than once a year. Collecting up to date information will support Welsh Government and provide the evidence we need to understand the impact of the Covid-19 pandemic on attendance and how we can support schools.

How frequently are we collecting this data?

Welsh Government will keep the frequency of collection under regular review. Initially the data will be collected every week but we may need to collect the data more regularly.

For which pupils are we collecting data?

Welsh Government are collecting data for every pupil in a maintained school from September 2020.

What information are we collecting?

Welsh Government are collecting the following information about you every week:

- UPN
- Forename
- Middle name(s)
- Surname
- Gender
- DOB
- Home postcode
- Ethnic background
- Eligibility for free school meals
- Additional learning needs
- English as an additional language
- Attendance code for each half day session in that week

Why are we collecting this information?

This information is needed as a key part of our response and planning during the ongoing Covid-19 pandemic. The data will be collected every week to ensure that the latest data is available to inform our response. The data will be used for statistical and research purposes only and no decisions will be made about you using this data.

How will we use this information?

Welsh Government will use the data in the same ways that we have listed in our main privacy notice

Will we be sharing the data?

Welsh Government may share this information with those organisations listed in the main privacy notice.

How long will we keep the information about you?

Welsh Government will keep the data that identifies you until you are 25 years old.

What is the legal basis for collecting this data?

Section 538 of the Education Act 1996 provides the legal basis for collecting this data. This requires schools to make such reports and returns, and give such information, to Welsh Ministers as they may require for their functions in relation to education.

Your rights under the GDPR

Your rights are explained in full in the main privacy notice.

Privacy Notice (How we use School Workforce information)

This notice explains what personal data (information) Ysgol Maesydderwen hold about you, how we collect, how we use and may share information about you.

In the course of employing staff in our school we collect the following personal information:

- Personal information (such as name, address, employee or teacher number, national insurance number, staff photographs & role in school)
- Payroll information
- Characteristics information (such as gender, age, ethnic group – some of which is classed as special category data)
- Contract information (such as start date, hours worked, post, roles and salary information)
- Work absence information, including medical information (such as number of absences and reasons)
- Qualifications (and, where relevant, subjects taught)
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Why we collect and use workforce information

We use this data to:

- Pay salaries and pension contributions
- Enable sickness monitoring
- Enable leave payments such as maternity leave and sick pay
- Develop a comprehensive picture of the workforce and how it is deployed
- Enable review of performance & capability
- Informing the development of recruitment and retention policies
- Allowing better financial modelling and planning
- Enabling ethnicity and disability monitoring
- Comply with statutory requirements and guidance such as health & safety and safeguarding obligations
- Administer appropriate first aid and medication if required

Under the General Data Protection Regulation (GDPR), the legal basis / bases we rely on for processing personal information for general purposes are:

- for the purposes of **the performance of a contract to which the data subject is party** in accordance with **Article 6 (1)(b)**
- for the purpose of **compliance with a legal obligation which the data controller is subject** in accordance with **Article 6 (1) (c)**

In addition, concerning any special category data, we rely on having a legitimate reason as your employer to collect and use your personal information, and to comply with our statutory obligations, and to carry out tasks in the public interest. If we need to collect special category (sensitive) personal information, we rely upon reasons of substantial public interest

(equality of opportunity or treatment) in accordance with Article 9 paragraph 2 (b) & (g).

- **The processing is necessary for the purpose of carrying out the obligations and specific rights of the data controller or of the data subject in the field of employment and social security and social protection law or :**
- **The processing is necessary for reasons of substantial public interest**

Collecting workforce information

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

Storing workforce information

We hold data securely for the time shown in our data retention schedule which in the case of individuals working with children is termination date plus 25 years.

Who we share workforce information with

We routinely share this information with:

- Our local authority (Powys County Council)
- Welsh Government
- Pembrokeshire County Council

We will share personal information with law enforcement or other authorities if required by applicable law.

Why we share school workforce information

Local authority

We are required to share information about our workforce members with Powys County Council under The Education (Supply of Information about the School Workforce) (Wales) Regulations 2017

Welsh Government

We share personal data with the Welsh Government on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the assessment educational attainment.

Pembrokeshire County Council

We share personal data with Pembrokeshire County Council for the provision of teacher insurance where the school has entered into the contract.

Keeping your personal information secure

We have appropriate security measures in place to prevent personal information from being accidentally lost, or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

Requesting access to your personal data

Under GDPR you have the right to request access to information about you that we hold. To make a request for your personal information, contact the Headteacher.

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
- a right to seek redress, either through the ICO, or through the courts

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance. Alternatively, you can contact the Data Protection Officer (Schools)

County Hall
Llandrindod Wells
Powys
LD1 5LG

Alternatively you may make a complaint to the Information Commissioner's Office at <https://ico.org.uk/concerns/>