



**Pontypridd High School**

# **Data Protection Policy**

*'Learning and achieving together'*  
*'Dysgu a chyflawni gyda'n gilydd'*

## **Data Protection Policy**

Date of policy:	June 2023
Adopted:	Full Governing Body Meeting, 22 <sup>nd</sup> May 2018 Reviewed : Premises Committee Meeting, 15 <sup>th</sup> June 2023
To be reviewed:	Summer 2026
Member of staff responsible:	Headteacher, Data Protection Officer
Committee Responsible:	Premises

Pontypridd High School collects and uses certain types of personal information about staff, pupils, parents and other individuals who come into contact with the school in order to provide education and associated functions. In addition, it may be required by law to collect and use certain types of information to comply with statutory obligations of Local Education Authorities (LEAs), government agencies and other bodies.

This policy, which has been drafted having regard to codes of practice and guidance documents issued by the ICO (International Commissioner's Office) is intended to ensure that personal information must be dealt with properly and securely and in accordance with the General Data Protection Regulations coming into existence on 25<sup>th</sup> May 2018. These Regulations replace the Data Protection Act. The Regulations will apply to information regardless of the way it is used, recorded and stored and whether it is held in paper files or electronically. The Data Protection Registration documents for the school are available for inspection, by appointment through the school office. This Policy must be made available to all parents, carers and pupils over 12 years of age. The Local Authority has indicated that schools can achieve this by publishing the policy on the school's website.

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

- Personal information (such as name, unique pupil number and address)
- Special Category (such as ethnicity, health, language, nationality, country of birth, sexual orientation and free school meal eligibility)
- Biometric Information such as finger print recognition for school meals
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment information (such as the statutory national assessments in years 7, 8 and 9 and on-going teacher assessment)
- Relevant medical information given to us by parents and other third parties such as NHS Trusts, GPs and allied medical professionals (such as physiotherapists, sight and hearing impaired professionals)
- Special Educational Needs and Disability information
- Behaviour and exclusions – both internal and external

## **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
- to assess the quality of our services
- to comply with the law regarding data sharing
- to safeguard pupils

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

- Personal information (such as name and address)
- Contact Details including telephone numbers, place of work and email addresses
- Contact details of relatives that may include names, addresses, telephone numbers and relationship with child
- Legal access to the child and any court orders indicating access rights
- Social Service involvement with families.
- Information relating to whether a parent is a member of the armed forces.

## **Why we collect and use this information**

We use the parent data:

- To be able to contact you in relation to the pupil's educational provision, and also in the case of urgency.
- In order to engage services from other organisations, such as the Local Authority.

## **The lawful basis on which we use this information**

On the 25th May 2018 the Data Protection Act 1998 will be replaced by the General Data Protection Regulation (GDPR). The condition for processing under the GDPR will be:

Processing pupil, parental and carer information is necessary for the school to undertake its statutory responsibilities. This is called in the 'Public Interest' and is where the school is exercising official authority which is laid down by law.

Where the school does not have a statutory basis for collecting and processing the data, eg information for a school trip, the school will request your explicit consent to gather and process the information and you will always have the opportunity to opt out of this process. However, in these circumstances, opting out will often prevent the activity taking place.

## **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.

### **Storing pupil data**

We hold pupil data in line with the guidance set out in the **Retention Schedule contained within the IRMS Toolkit for Schools**.

- The education record of all pupils will be processed and retained until the pupil leaves the school.
- For the purposes of inspection by ESTYN, some records are retained.
- On some occasions, the school has a legal responsibility to retain information for future access. Eg safeguarding and wellbeing.

Following the retention period expiry, information will be destroyed securely and permanently.

### **Who we share pupil information with**

We share pupil information with:

- The Welsh Government \*
- Supporting Local Authority \*
- Other Local Authorities \*
- The Central South Consortia \*
- Schools that the pupils attend
- Safeguarding Boards
- Examination Boards where appropriate \*
- Companies that undertake analysis of performance data
- Children and Family Wellbeing Services
- Hospital Trusts
- IT Services such as the Welsh HWB Learning platform (requires consent)
- School to Parent Communication Services
- Employment and career advice organisations
- Police or other law enforcement agencies
- Health and Safety Executive
- Private sector and voluntary organisations where they provide services for the school.

For Privacy Notice information relating to the identified \* organisations, we refer you to their websites

### **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 Welsh Government and the Local Authority through the Central South Consortium 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 Welsh Government under the Education Wales Act 2014 and associated regulations for testing, assessment and other statutory duties.

### **Vital Interest Information**

In circumstances of the wellbeing and safeguarding of the child, it may be necessary to share information without your consent or knowledge.

### **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, please make your request in writing to the school, including your contact details and we will contact you.

### **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 us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

The General Data Protection Regulation (GDPR) gives you important rights:-

1. The right to be informed
2. How you can access your information
3. Ensuring your information is accurate
4. Making sure your information is deleted in an appropriate timeframe
5. Ensuring that your information is only used for the purposes for which it was gathered
6. Ensuring that your information is transferred in an agreed and secure format when your child move educational establishment
7. In certain circumstances the right to object

## **Rights in relation to automated decision making and profiling**

The school uses a wide range of data regarding pupils in order to provide support and guidance pertinent to their needs. This process is not solely automated and the parent will always have the opportunity to provide additional information; eg. during open evenings or IEP reviews

## **CCTV and photography**

The School understands that recording images of identifiable individuals constitutes as processing personal information, so it is done in line with data protection principles.

We will notify all students, staff and visitors of the purpose for collecting CCTV images via notice boards, letters and email.

Cameras are only placed where they do not intrude on anyone's privacy and are necessary to fulfil their purpose.

All CCTV footage will be kept for six months for security purposes; the Data Protection Officer is responsible for keeping the records secure and allowing access.

We will always indicate its intentions for taking photographs of students and will retrieve permission before publishing them.

If the School wishes to use images/video footage of students in a publication, such as the school website, prospectus, or recordings of school plays, written permission will be sought for the particular usage from the parent/carer of the student.

Images captured by individuals for recreational/personal purposes, and videos made by parents/carers for family use, are exempt from the GDPR.

## **Data retention**

Data will not be kept for longer than is necessary.

Unrequired data will be deleted as soon as practicable.

Some educational records relating to former students or employees of the school may be kept for an extended period for legal reasons, but also to enable the provision of references or academic transcripts.

Paper documents will be shredded or pulped, and electronic memories scrubbed clean or destroyed, once the data should no longer be retained.

## **DBS data**

All data provided by the DBS will be handled in line with data protection legislation; this includes electronic communication.

Data provided by the DBS will never be duplicated.

Any third parties who access DBS information will be made aware of the data protection legislation, as well as their responsibilities as a data handler.

## **Complaints**

Complaints under this policy should be made to the Chairperson of the Governing Body who will decide if it is appropriate for the complaint to be dealt with under the complaints procedure.

Complaints which are not dealt with under the school's complaint procedure should be forwarded in writing to the Information Commissioner. It is likely that complaints about procedural issues, due process and timeliness will be dealt with by the Governing Body.

Complaints that involve consideration of personal data or sensitive personal data should be referred to the Information Commissioner.

## **Contacts – Data Protection Officer**

If you have any concerns or questions to this policy please contact the School Data Protection Officer, Nicki Pickens.

The DPO will;

- Inform and advise the school and its employees about their obligations to comply with the GDPR and other data protection laws.
- Monitor the school's compliance with the GDPR and other laws, including managing internal data protection activities, advising on data protection impact assessments, conducting internal audits, and providing the required training to staff members.

Further advice and information, including a full list of exemptions, is available from the Information Commission.

**Approved by the Governing Body : 22<sup>nd</sup> May 2018**

**Review date : Autumn Term, 2018**

Signed : ..... Bill Davies, Chair of Governors

Signed : ..... Huw Cripps, Headteacher

