

## PUPIL PRIVACY POLICY

### Legal Status:

- Prepared with regard to the Equality Act 2010, Race Relations Act 1976, Race Relations Amendment Act 2000, Sex Discrimination Act 1986, Children's Act 1989 and Special Educational Needs and Disability Act 2001

### Applies to:

- Whole school

### Related Documents:

- Employment Manual
- Data Retention Policy
- Equality and Diversity Policy and Procedures
- Safeguarding Children - Child protection
- E Safety
- First Aid
- Health, Safety and Welfare Policy and Procedures
- Risk Assessment
- Prudence Policy
- Staff Manual
- Safer Recruitment

### Available from:

- The school office

### Monitoring and Review:

- To be continuously monitored and reviewed by no later than September 2021.

Signed:



Date: September 2020

Proprietor and Principal

## **Introduction**

This notice is to help you understand how and why we collect your personal information and what we do with that information. It also explains the decisions that you can make about your own information.

We are giving you this notice because you are mature enough to make decisions about your personal information. If you have any questions about this notice, please talk to your The Data Protection Officer (DPO) who is also the Principal.

## **What is "personal information"?**

Personal information is information that the school holds about you and which identifies you.

This includes information such as your name, date of birth and address as well as things like exam results, medical details and behaviour records. The School may also record your religion or ethnic group. CCTV, photos and video recordings of you are also personal information.

## **How and why does the school collect and use personal information?**

We set out below examples of the different ways in which we use personal information and where this personal information comes from. Sinclair House School's primary reason for using your personal information is to provide you with an education.

Admissions forms give us lots of personal information. We get information from you, your parents, your teachers and other pupils. Your old school also gives us information about you so that we can teach and care for you.

Sometimes we get information from your doctors and other professionals where we need this to look after you.

We collect this information to help the school run properly, safely and to let others know what we do here. Here are some examples:

- We need to tell the appropriate teachers if you are allergic to something or might need extra help with some tasks.
- We use CCTV to make sure the school site is safe. (CCTV is not used in private areas such as toilet cubicles or changing rooms).
- We may need to report some of your information to the government. For example, we may need to tell the local authority that you attend the school or let them know if we have any concerns about your welfare.
- We may need information about any court orders or criminal matters which relate to you. This is so that we can safeguard your welfare and wellbeing and the other pupils at the school.
- If you are from another country, then we have to make sure that you have the right to study in the UK. We might have to provide information to UK Visas and Immigration who are part of the government.
- Depending on where you will go when you leave us we may need to provide your information to other schools, colleges and universities or potential employers. For example, if you go on to Sixth Form College we may share information about your exam results and provide references. We may need to pass on information which they need to look after you.
- When you take public examinations (e.g. GCSEs) we will need to share information about you with examination boards. For example, if you require extra time in your exams.
- We may need to share information with the police or our legal advisers if something goes wrong or to help with an inquiry. For example, if one of your classmates is injured at school or if there is a burglary.
- Occasionally we may use consultants, experts and other advisors to assist the school in fulfilling its obligations and to help run the school properly. We might need to share your information with them if this is relevant to their work.
- If you have misbehaved in a serious way, and the police have become involved, we may need to use information about the action taken by the police.
- We may share some information with the Local Education Authority to make sure that we have the insurance cover that we need.
- We may share your academic and your behaviour records with your parents or carer so they can support your schooling.
- We will only share your information with other people and organisations when we have a good reason to do so. In exceptional circumstances we may need to share it more widely than we would normally.
- We will monitor your use of email, the internet and mobile electronic devices e.g. iPhones whilst you are in school. This is to check that you are not misbehaving when using this technology or putting yourself at risk of harm. If you would like more information about this you can read the IT Rules and Code of Conduct or speak to your Class Teacher.

*Sinclair House School is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. It is our aim that all students fulfil their potential.*

- Where we have previously received permission we may use photographs or videos of you for the school's website or prospectus to show prospective pupils what we do here and to advertise the school.
- Sometimes we use photographs and videos for teaching purposes, for example, to record a Drama or PE lesson.
- If you have concerns about us using photographs or videos of you, please speak to your Class Teacher.
- We publish our public exam results, sports fixtures and other news on the website and put articles and photographs in the local news to tell people about what we have been doing.

## **Our legal grounds for using your information**

This section contains information about the legal basis that we are relying on when handling your information.

### **1. “Legitimate interests”**

This means that the processing is necessary for to meet its legitimate interests in providing you with an education. The school relies on legitimate interests for most of the ways in which it uses your information.

Specifically, the school has a legitimate interest in:

- Providing you with an education.
- Safeguarding and promoting your welfare and the welfare of other children.
- Promoting the objects and interests of the school. This includes fundraising e.g. if we want to raise money to fund special projects.
- Facilitating the efficient operation of the school.
- Ensuring that all relevant legal obligations of the school are complied with.

In addition, your personal information may be processed for the legitimate interests of others. For example, we may use information about you when investigating a complaint made by one of your fellow pupils.

### **2. “Legal obligation”**

Where the School needs to use your information in order to comply with a legal obligation, for example to report a concern about your wellbeing to Children's Services. We may also have to disclose your information to third parties such as the courts, the local authority or the police where legally obliged to do so.

### **3. “Vital interests”**

For example, to prevent someone from being seriously harmed or killed or to protect the vital interests of any person where that person cannot give consent, for example, if they are seriously hurt and are unconscious.

### **4. “Public interest”**

Sinclair House School considers that it is acting in the public interest when providing education and must also comply with an additional condition where it processes special categories of personal information. These special categories include: personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, genetic information, biometric information, health information, and information about sex life or orientation.

### **5. “Substantial public interest”**

The processing is necessary for reasons of substantial public interest.

### **6. “Legal claims”**

The processing is necessary for the establishment, exercise or defence of legal claims. This allows us to share information with our Local Education Authority, legal advisors and insurers.

### **7. “Medical purposes”**

This includes medical treatment and the management of healthcare services.

We may ask for your consent to use your information in certain ways. If we ask for your consent to use your personal information you can take back this consent at any time. Any use of your information before you withdraw your consent remains valid.

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### **Sending information to other countries**

We may send your information to other countries where:

- we store information on computer servers based overseas; or
- we communicate with you or your parents when you are overseas (for example, during the summer holidays if you holiday in a different country).

### **For how long do we keep your information?**

We keep your information for as long as we need to in order to educate and look after you and until you are at least 22 years old in order to comply with our legal obligations.

### **What decisions can you make about your information?**

Your rights are as follows:

- if information is incorrect you can ask us to correct it;
- you can also ask what information we hold about you and be provided with a copy. We can also give you extra information, such as why we use this information about you, where it came from and what types of people we have sent it to;
- you can ask us to delete the information that we hold about you in certain circumstances. For example, where we no longer need the information;
- you can ask us to send you, or another organisation, certain types of information about you in a format that can be read by computer;

Our use of information about you may be restricted in some cases. For example, if you tell us that the information is inaccurate we can only use it for limited purposes while we check its accuracy.

### **Further information and guidance**

This notice is to explain how we look after your personal information. Your Class Teacher can answer any questions which you might have:

- you object to us using your information for marketing purposes e.g. to send you information about school events. We will stop using your information for marketing purposes if you tell us not to; or
- you would like us to update the information we hold about you; or
- you would prefer that certain information is kept confidential.

The Principal is the Data Protection Officer and is the person responsible at our school for managing how we look after personal information and deciding how it is shared.

If you consider that we have not acted properly when using your personal information, you can contact the Information Commissioner's Office: [www.ico.org.uk](http://www.ico.org.uk).