

## Privacy notice for students attending JCoSS

JCoSS collects data and information about our students so that we can run effectively as a school. This privacy notice explains how and why we collect students' data, what we do with it and what rights parents and students have.

Privacy Notice (How we use student information)

**JCoSS is a voluntary aided secondary school in the London Borough of Barnet.**

**The Data Protection Officer can be contacted [dpo@jcross.barnet.sch.uk](mailto:dpo@jcross.barnet.sch.uk)**

### Why do we collect and use student information?

We collect and use student information under the following lawful bases:

- where applicable, we have explicit consent
- where it is necessary for compliance with a legal obligation
- where processing is necessary to protect the vital interests of the data subject or another person
- where it 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
- where processing is necessary for the purposes of the legitimate interests pursued by the controller in providing information about school events or activities, news, campaigns, appeals, other fundraising activities

Where the personal data we collect about students is special category personal data, we will only process it where:

- we have explicit consent were applicable
- processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent; and / or
- processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

Please see our Data Protection Policy for a definition of sensitive personal data.

We use the student data to support our statutory functions of running a school, in particular:

- to decide who to admit to the school
- to maintain a waiting list
- to support student learning
- to monitor and report on student progress
- to provide appropriate pastoral care
- to meet SEND requirements
- to assess the quality of our services
- to comply with the law regarding data sharing;
- for the protection and welfare of students and others in the school , including our safeguarding / child protection obligations
- for the safe and orderly running of the school

- j. to promote the school
- k. to communicate with parents / carers
- l. to send you communications that may be of interest to you which may include information about school events or activities, news, campaigns, appeals, other fundraising activities

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

- a. Personal information (such as name, unique student number and address)
- b. Characteristics (such as ethnicity, language, medical conditions, nationality, country of birth and free school meal eligibility)
- c. Attendance information (such as sessions attended, number of absences and absence reasons)
- d. Other information includes: Assessment information, medical, child protection, safeguarding information, SEND information, exclusions, behavioural information, and information about criminal proceedings. Some of this is classed as Special Category data.

From time to time and in certain circumstances, we might also process further personal data about students, some of which might be Special Category data, including information about criminal proceedings / convictions, information about sex life and sexual orientation, child protection / safeguarding. This information is not routinely collected about students and is only likely to be processed by the school in specific circumstances relating to particular students, for example, if a child protection issue arises or if a student is involved in a criminal matter. Where appropriate, such information may be shared with external agencies such as the child protection team at the Local Authority, the Local Authority Designated Officer and / or the Police. Such information will only be processed to the extent that it is lawful to do so and appropriate measures will be taken to keep the data secure.

We collect information about students when they join the school and update it during their time on roll as and when new information is acquired.

**Collecting student information**

Whilst the majority of student information you provide to us is mandatory, occasionally it may be provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, where appropriate, we will ask parents/students for consent to process personal data where there is no other lawful basis for processing it, for example where we wish to use photos or images of students externally, on our website or on social media to promote school activities or if we want to ask your permission to use your information for marketing purposes.

Parents / students may withdraw consent at any time.

When students are deemed to be old enough to make their own decisions in relation to their personal data, we will also ask the student for their consent in these circumstances. This will usually be at age 13. Although parental consent is unlikely to be needed, we wish to take a collaborative approach so we will keep parents informed when we are approaching students for consent up to the age of 18. Students with the maturity to make their own decisions about their personal data may withdraw consent if consent has previously been given.

In addition, the School also uses CCTV cameras around the school site for security purposes and for the protection of staff and students. CCTV footage may be referred to during the course of disciplinary procedures (for staff or students) or investigate other issues. CCTV footage involving students will only be processed to the extent that it is lawful to do so. Please see our Data Security Policy for more details.

**Storing student data**

In terms of how long we hold data, please refer to our data retention schedule.

A significant amount of personal data is stored electronically, for example, on our MIS database. Some information may also be stored in hard copy format.

Data stored electronically may be saved on a cloud based system which may be hosted in a different country.

Personal data may be transferred to other countries if, for example, we are arranging a school trip to a different country.

### **Who do we share student information with?**

We share student information with:

- schools that students attend after leaving us
- our local authority London Borough of Barnet
- a student's home local authority (if different)
- the Department for Education (DfE)
- school governors
- exam boards
- UCAS: sixth form university applications
- performance / assessment tracker provider
- learning platform providers
- MIS provider
- VLE provider
- curriculum resource providers
- library software provider
- cashless payment provider
- parent/student portal provider
- Online homework provider
- print management system provider
- internet / mail provider
- online parental communication provider
- the Police and law enforcement agencies
- NHS and other health professionals including the school nurse, educational psychologists, therapists
- Education Welfare Officers
- Courts, if ordered to do so
- the Joint Council for Qualifications
- Prevent teams in accordance with the Prevent Duty on schools
- Transport provider
- Catering provider
- Insurers, for example to process a claim
- other schools, for example, if we are negotiating a managed move
- our HR providers, for example, if we are seeking HR advice and a student is involved in an issue

Our technical support providers have access to our systems where necessary.

Some of the above organisations may also be Data Controllers in their own right in which case we will be jointly controllers of your personal data. This means we are all responsible to you for how we process your data.

In the event that we share personal data about students with third parties, we will provide the minimum amount of personal data necessary to fulfil the purpose for which we are required to share the data.

### **Why we share student information**

We do not share information about our students with anyone without consent unless the law allows us to do so.

We share students' 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 students with the (DfE) under regulation 5 of The Education (Information About Individual Students) (England) Regulations 2013.

### **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 students in schools 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 students 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 Students) (England) Regulations 2013.

To find out more about the student information we share with the department, for the purpose of data collections, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-student-database-user-guide-and-supporting-information>.

The department may share information about our students 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 DfE 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 student 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>

To contact DfE: <https://www.gov.uk/contact-dfe>

### **Requesting access to your personal data**

Under data protection legislation, students, and in some circumstances, parents, have the right to request access to information about them that we hold (Subject Access Request, SAR). From the age of 13, we generally regard students as having the capacity to exercise their own rights in relation to their personal data. This means that where we consider a student to have sufficient maturity to understand their own rights, we will require a Subject Access Request to be made by the student and not their parent(s) on their behalf. This does not affect any separate statutory right parents might have to access information about their child.

Subject to the section below, the legal timescales for the School to respond to a Subject Access Request is one calendar month. As the School has limited staff resources outside of term time, we encourage parents / students to submit Subject Access Requests during term time and to avoid sending a request during periods when the School is closed or is about to close for the holidays where possible. This will assist us in responding to your request as promptly as possible.

For further information about how we handle Subject Access Requests, please see our Data Protection Policy.

The term “parent” is widely defined in education law to include the natural or adoptive parents (regardless of whether parents are or were married, whether a father is named on a birth certificate or has parental responsibility for the student, with whom the student lives or whether the student has contact with that parent), and also includes non-parents who have parental responsibility for the student, or with whom the student lives. It is therefore possible for a student to have several “parents” for the purposes of education law.

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
- data being transferred eg to a new school
- in certain circumstances, have inaccurate personal data restricted, rectified, or erased

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner’s Office at <https://ico.org.uk/concerns/>

### **Contact:**

If you would like to discuss anything in this privacy notice, please contact:  
dpo@jcross.barnet.sch.uk