



Privacy Notice General Data Protection Regulation (GDPR)

Dear recipient,

This Privacy Notice has been written to inform parents and pupils of Malton School about what we do with your personal information. This Notice may be subject to change as the Data Protection Bill progresses.

Malton School is a 'Data Controller' as defined by Article 4 (7) of GDPR. This means that we determine the purposes for which, and the manner in which, your personal data is processed. We have a responsibility to you and your personal data and will only collect and use this in ways which are compliant with data protection legislation.

The school has appointed Veritau Ltd to be its Data Protection Officer (DPO). The role of the DPO is to ensure that the school is compliant with GDPR and to oversee data protection procedures. Veritau's contact details are:

Information Governance
Veritau Ltd
County Hall
Racecourse Lane
Northallerton

DL7 8AL

schoolsDPO@veritau.co.uk

01609 53 2526

What information do we collect?

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

- Personal information of pupils and their family members e.g. name, pupil number, DOB and address
- Educational attainment
- Free school meal eligibility
- Attendance information
- Assessment information
- Behavioural information
- Safeguarding information

We will also process certain 'special category' data about our pupils including:

- Relevant medical information- please note that where the pupil has a severe allergy or is thought to be at risk of needing emergency care for a medical issue then this will be shared with all the staff. We may do this in the form of photo identification in the staff room or other rooms used by staff but not normally accessible to the general public, to ensure that all staff are aware of the issues should an emergency situation arise
- Special Educational Needs and Disabilities information

- Race, ethnicity and religion
- Biometric data e.g. data generated via a digital algorithm based on a reading taken from a finger print but not an image of the fingerprint itself.

Why do we collect your personal data?

We use the information we collect:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our services

Any personal data that we process about our pupils and parents is done so in accordance with Article 6 and Article 9 of GDPR:

Our legal basis for processing your personal data, in line with Article 6(1)(c) include:

- Education Act 1944, 1996, 2002
- Education and Adoption Act 2016
- Education (Information About Individual Pupils)(England) Regulations 2013
- Education (Pupil Information) (England) Regulations 2005
- Education and Skills Act 2008
- Children Act 1989, 2004
- Children and Families Act 2014
- Equality Act 2010
- Education (Special Educational Needs) Regulations 2001

We also process information in accordance with Article 6(e) and Article 9(2)(g) as part of the official authority vested in us as Data Controller and for reasons of substantial public interest. Such processing, which is not mandatory but is considered to be in our pupils' interests, include:

- School trips
- Extra-curricular activities

Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. When we do process this additional information we will ensure that we ask for your consent to process this.

Additional COVID-19 Requirements

During the COVID-19 pandemic we are obliged to share attendance data with the Department for Education during this time. The following information will be shared:

1. The names of all children who are in attendance on each day
2. If the child is not enrolled at your school, the name of the school where the child is enrolled
3. Whether the child is present on each day
4. Whether the child has parents who are critical workers
5. If the child is vulnerable e.g. they have on an education health and care plan (EHCP), have a social worker (CiN), or are looked after children

6. If the child is on an EHCP
7. If the child has a social worker
8. The time the child signed into the school
9. The time the child signed out of the school
10. The number of children or staff members that are ill, isolating, shielding and whether there is a suspected or confirmed case of COVID-19.
11. The number of children or staff members who have been asked to self-isolate by the NHS Test and Trace system.
12. The number of children or staff members living with a clinically extremely vulnerable person.

We may also be required to share information with neighbouring Local Education Authorities if your child is attending our school as a result of the COVID-19 pandemic response and your child's previous school was in a neighbouring LEA.

We will only retain your data for as long as it is necessary to do so. In respect of parents, we will not retain a copy of the evidence that you provide to us to prove that you are a critical worker.

NHS Test and Trace

All UK schools have an obligation to respond appropriately to the Government's advice regarding coronavirus. In order to aid the Government in fighting COVID-19 (coronavirus) and to help keep everyone safe as children return to school, the school will take part in the NHS "Test and Trace" service.

If there is a suspected or confirmed case of COVID-19 then we may be required to share staff, students, parents and visitor's personal data with NHS Test and Trace, who act as a Data Controller in their own right. We may also share this information with the Local Authority, who will use it for the purposes of COVID-19 prevention and detection only. This information may include:

- Your full name
- Your date of birth
- Your contact details
- Relevant medical information

We will keep a record of any information shared.

If the NHS Test and Trace service contacts you, the service will use text messages, email or phone.

All information which we share through this service is shared in accordance with Article 6 and 9 of the GDPR:

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'

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'

For more information about the service please see the Government guidance and Public Health England's privacy notice:

<https://www.gov.uk/guidance/nhs-test-and-trace-how-it-works>
<https://contact-tracing.phe.gov.uk/help/privacy-notice>

Who do we obtain your information from?

Much of the information we process will be obtained directly from you (pupils and parents). We will also process information received from:

- Department for Education (DfE)
- Local Education Authority. If your child is attending Malton School as a result of the COVID-19 pandemic response and your child's previous school was in a neighbouring LEA, then we may need to obtain information from this LEA.
- Previous schools attended

Who do we share your personal data with?

We routinely share pupil information with:

- Other schools or educational facilities that pupils attend either while they are with us or in the case that they should leave us
- our Local Education Authority (North Yorkshire County Council)
- the Department for Education (DfE)
- National Health Service bodies

For more information on information sharing with the DfE (including the National Pupil Database and Census) please go to: <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

We will not share any information about you outside the school without your consent unless we have a lawful basis for doing so.

Once our pupils reach the age of 13, we also pass information to our Local Authority and / or provider of youth support services as stipulated under section 507B of the Education Act 1996. The information provided includes addresses, DOB of pupil/parents, and any other information necessary for the provision of the service including gender or ethnicity.

A parent or guardian 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 the age 16.

For more information regarding services for young people please visit our Local Authority's website: <https://www.northyorks.gov.uk/>

How long do we keep your personal data for?

Malton School will keep your data in line with our Information Policy. Most of the information we process about you will be retained as determined by statutory obligations. Any personal

information which we are not required by law to retain will only be kept for as long as is necessary to fulfil our organisational needs.

What rights do you have over your data?

Under GDPR parents and pupils have the following rights in relation to the processing of their personal data:

- To be informed about how we process your personal data. This notice fulfils this obligation
- to request access to your personal data that we hold, and be provided with a copy of it
- to request that your personal data is amended if inaccurate or incomplete
- to request that your personal data is erased where there is no compelling reason for its continued processing
- to request that the processing of your personal data is restricted
- to object to your personal data being processed

If you have any concerns about the way we have handled your personal data or would like any further information, then please contact our DPO on the address provided above.

If we cannot resolve your concerns you may also complain to the Information Commissioner's Office (the Data Protection Regulator) about the way in which the school has handled your personal data. You can do so by contacting:

First Contact Team
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow Cheshire
SK9 5AF
casework@ico.gsi.gov.uk // 03031 231113

Mr R Williams
Headteacher