



PRIVACY NOTICE

JUNE 2019

Little Ilford School, Rectory Rd, London E12 6JB is a Data Controller under the EU General Data Protection Regulation and the Data Protection Act 2018. Little Ilford School has the responsibility of upholding the law in relation to both the Data Protection Act and the General Data Protection Regulation.

Our Data Protection Support Officer is Krystal Kani-Boateng,

Email: kkaniboateng.316@littleilford.org

In order for the school to carry out daily tasks for pupils, staff and parents, personal data about individual's needs to be processed. The school collects many types of data but Special Category Data is personal information on data subjects that are especially sensitive, including:

- Race and ethnic origin
- Religious
- Trade union memberships
- Biometric data used to identify an individual
- Health data
- Sexual orientation

We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so.

Legal basis for processing information

Under Article 6 of the GDPR law in order for the school to collect information, it must apply to at least one of the following legal lawful basis:

1. **Consent:** clear consent has been given by you to process the personal data
2. **Contract :** the processing of the information is necessary for a contract , or specific steps has been asked to be made before entering into a contract,

3. **Legal obligation:** the processing of information is necessary to comply with the law.
4. **Vital interest :** the information is processed to protect someone's life.
5. **Public task:** the processing is necessary for you to perform a task in the public interest, or for your official functions, and the task or function has a clear basis in law.
6. **Legitimate interests:** the processing is necessary for your legitimate interest or the legitimate interest of a third party. However, there may be some circumstances in which there is a good reason to protect the individual's personal data which overrides those legitimate interests.

Data	Purpose	Legal basis
Name	To collect information on the students in order to build a portfolio of the child.	Legal /Legitmate interest
Address		Legal / Legitmate interest
Telephone / mobile number		Legal / Legitmate interest
Medical information		Vital initial interest
Date of birth		Legal/ Legitimate interest
Place/city/country of birth		Legal/ Legitmate interest
Sex/ Gender		Legal/ Legitmate interest
Race/Ethnicity		Legal/ Legitmate interest
Language		To find out what language the child speaks and potentially put into place measures for the student
Biometric data	To get the child's fingerprint done for school meals, library and photocopying	Legal/ Legitmate interest
Previous school history	To collect personal details form	Legal/ Legitmate interest

Who has access to personal data and whom the school shares it with?

Little Ilford School, government authorities (e.g. HMRC, DfE, police or the local authority) and appropriate regulatory bodies

Rights to subject access request

A subject access request gives the right to retrieve a copy of your personal data as well as other supplementary information. You can make a subject request in several ways. This can be done verbally, in writing or through social media (twitter: @LittlellfordSch). In order for the school to keep a record you will have to fill out a subject access request form before the process commences.

As a parent, you have a right to see the educational records of your child where there is a legal basis to do so, however parents are only entitled to access the personal details held about their child if the child is unable to act on their own behalf, or if consent has been given by the child. There may be circumstances in which the school can refuse to provide this information.

It is very important for us as a school to ensure that the information being requested is sent to the right person. We will ask for any party requesting information to provide us with evidence of their identity. This can be done by providing a copy of your:

- Passport
- Utility bill with your current address
- Driving licence
- Credit Card or Mortgage statement

This list is not exhaustive.

If you would like a third party to act on your behalf to obtain a subject access request, it is the responsibility of the third party to provide evidence of this entitlement. This could be through written authority to make the request.

To obtain an educational record a cost may be imposed.

As a school, we would like you to fill out a subject access request form after the initial request has been made in order to gain as much information as possible so that we can provide you with all the information that has been requested. The form will be sent out along with a confirmation letter.

Responding to subject requests

In accordance with the ICO's standard policy a subject access request will be dealt with one month from the day after in which the request was made.

- In most circumstances a charge for a subject access request cannot be made however, a reasonable fee can be made in cases where the request is manifestly unfounded or excessive.
- If the request is deemed as complex, we as the school have the right to ask for an additional two months to fulfil the request made.
- If any of the information requested is in the educational record, then the school should respond within 1 month, with a potential extension of two months if required by the school.
- The DPA says we do not have to comply with a subject access request if it would mean disclosing information about another individual who can be identified from the information, except if the other individual has consented to the disclosure or it is reasonable to comply without the individual's consent.

- You are entitled to submit subject access requests all year round, but please bear in mind that it may be necessary for us to extend the response period when requests are submitted over the summer holidays. This is in accordance with article 12(3) of the GDPR, and will be the case where the request is complex – for example, where we need multiple staff to collect data.

Rights of rectification and erasure

As a data subject, you have the right to have your personal data rectified. If you feel any of the personal data held by the school is inaccurate you can make a request verbally or in writing for the information to be amended. We will confirm whether your request has been approved and ask for proof of identity before the information is amended. If your request is rejected for any reason, we will notify you in writing why the amendments cannot be made.

Erasure

As a data subject you, have a right for your personal data erased if:

- the personal data is no longer necessary for the purpose for which it was originally collected or processed;
- you are relying on consent as your lawful basis for holding the data, and the individual withdraws their consent;
- you are relying on legitimate interests as your basis for processing, the individual objects to the processing of their data, and there is no overriding legitimate interest to continue this processing;
- you are processing the personal data for direct marketing purposes and the individual objects to that processing;
- you have processed the personal data unlawfully (i.e. in breach of the lawfulness requirement of the 1st principle);
- you have to do it to comply with a legal obligation; or
- you have processed the personal data to offer information society services to a child.

The right of erasure does not apply if processing is necessary for one of the following reasons

- to exercise the right of freedom of expression and information;
- to comply with a legal obligation;
- for the performance of a task carried out in the public interest or in the exercise of official authority;
- for archiving purposes in the public interest, scientific research historical research or statistical purposes where erasure is likely to render impossible or seriously impair the achievement of that processing; or
- for the establishment, exercise or defence of legal claims.

Security

Little Ilford School works to ensure appropriate security is in place to include routine risk assessment of how we use data, store, share and access. Staff training and audits ensure we manage our risk. IT security is managed, as is our operational security, under regular advice from our Data Protection Officer (DPO)

Department for education

Data Protection Act 2018: How we use pupil information

We collect and hold personal information relating to our pupils and may also receive information about them from their previous school, local authority and/or the Department for Education (DfE). We use this personal data to:

- Support our pupils' learning
- Monitor and report on their progress
- Provide appropriate pastoral care; and
- Assess the quality of our services.
- Provide the child with an education
- Allocate the correct teaching resource
- To ensure safety of pupils whilst in your care

This information will include their contact details, national curriculum assessment results, attendance information, any exclusion information, where they go after they leave us and personal characteristics such as their ethnic group, any special educational needs they may have as well as relevant medical information. For pupils enrolling for post 14 qualifications, the Learning Records Service will give us the unique learner number (ULN) and may also give us details about our pupils' learning or qualifications.

Once our pupils reach the age of 13, the law requires us to pass on certain information to The London Borough of Newham & youth support service provider '15billion-ebp' who have responsibilities in relation to the education or training of 13-19 year olds. We may also share certain personal data relating to children aged 16 and over with post-16 education and training providers in order to secure appropriate services for them. A parent/guardian can request that **only** their child's name, address and date of birth be passed to The London Borough of Newham and youth support service provider '15 billion ebp' by informing The Student Data Administrator at Little Ilford School. This right is transferred to the child once he/she reaches the age of 16. For more information about services for young people, please go to the 15billionebp website at <http://www.15billionebp.org/>.

We will not give information about our pupils to anyone without your consent unless the law and our policies allow us to do so. Law requires us, to pass certain information about our pupils to our local authority (LA) and the Department for Education (DfE)

DfE may also share pupil level personal data that we supply to them, with third parties. This will only take place where legislation allows it to do so and it is in compliance with the Data Protection Act 1998.

Decisions on whether DfE releases this personal data to third parties are subject to a robust approval process and are based on a detailed assessment of who is requesting the data, the purpose for which it is required, the level and sensitivity of the data requested and the arrangements in place to store and handle the data. To be granted access to pupil level data, requestors must comply with strict terms and

conditions covering the confidentiality and handling of data, security arrangements and retention and use of the data

For more information on how this sharing process works, please visit:

<https://www.gov.uk/guidance/national-pupil--database-apply-for-a-data-extract>.

For information on which third party organisations (and for which project) pupil level data has been provided to, please visit:

<https://www.gov.uk/government/publications/dfе-external-data-shares>

If you need more information about how our local authority and/or DfE collect and use your information, please visit:

Our local authority at

<https://www.newham.gov.uk/Pages/Services/Processing-personal-data.aspx> or the DfE website at

<https://www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data>

If you do not wish your child's details to be shared with colleges and organisations arranging work experience, you need to inform the Student Data administrator in writing. If we do not hear from you, we will assume you are happy for your child's details to be shared.

Retention

Any personal data collected from the school that is no longer needed will be disposed of in accordance to the school's disposable schedule.

All information that is no longer necessary to retain will be disposed of securely.

Queries and complaints

Any comments or queries should be directed to Our Data Protection Support Officer Krystal Kani-Boateng, Email: kkaniboateng.316@littleilford.org