

# Salendine Nook High School Academy Privacy Notice

## 1. Who are we?

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Salendine Nook High School Academy (SNHS) is a school, with the registered address of New Hey Road, Huddersfield, HD3 4GN.

SNHS must process personal data (this may at times also include sensitive personal data) so that it can provide their services, in doing so, SNHS act as a data controller.

SNHS will process your personal information in accordance with all applicable laws, including the UK and EU General Data Protection Regulations (GDPR) and the Data Protection Act 2018 (DPA 2018).

## 2. Introduction

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Under data protection law, individuals have a right to be informed about how our school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store, and use personal data about students, parents, and carers of students at our school.

Our data protection officer is the Data Privacy Advisory Service (see 'Contact us' below)

## 3. The personal data we hold

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Personal data that we may collect, use, store, and share (when appropriate) about you includes, but is not restricted to:

- Contact details and contact preferences (such as your name, address, email address and telephone numbers, unique pupil number).
- For students enrolling for post-14 qualifications, the Learning Records Service will give us the unique learner number (ULN) and may also give us details about your learning or qualifications
- Details of your family circumstances.
- Details of attendance records (such as sessions attended, number of absences, absence reasons and any previous schools attended).
- Educational records (exam results and performance).
- Details of student behaviour (such as exclusions and any other disciplinary information).
- Records of your correspondence and contact with us.
- Details of any complaints you have made.

We may also collect, use, store and share (when appropriate) information about you that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to, information about:

- Characteristics (such as ethnicity, language, and free school meal eligibility).
- Photographs and CCTV images captured in school.
- Details around students' educational needs (including needs and rankings).
- Details around students' medical history or needs (such as doctors' information, child health, dental health, allergies, medication, and dietary requirements).
- Details of any safeguarding information including court orders or professional involvement.

## 4. Why we use this data?

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The personal data collected is essential, for the school to fulfil their official functions and meet legal requirements.

We use the data listed above to:

- Monitor and report to you on your child's attainment and progress.
- To support students' learning.
- Keep you informed about the running of the school (such as emergency closures) and events.
- Process payments for school services and clubs.
- Provide appropriate pastoral care.
- Student safeguarding / to protect student welfare and keep students safe (food allergies, or emergency contact details).
- Administer admissions waiting lists.
- Assess the quality of our services.
- Comply with our legal and statutory obligations, including to meet the statutory duties placed upon us for the Department for Education (DfE) data collections.
- To support students via careers guidance services (see the Youth Support Services section).

\* Daily attendance information is **NOT** collected as part of the Census for the Department for Education for the following students / children - a) in Nursery schools; b) aged under 4 years in Maintained schools; c) in Alternative Provision; and d) in Early Education and Childcare Provision. However, attendance is recorded and monitored within the individual Schools / Settings and may be sent to the Local Authority.

### **Biometric recognition systems**

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Where we use students' biometric data as part of an automated biometric recognition system for example, students use finger prints to receive school dinners instead of paying with cash, we will comply with the requirements of the Protection of Freedoms Act 2012.

The Academy will obtain written consent from at least one Parent/Carer and student before we collect or process any biometric data.

Parents/Carers and students have the right to choose not to use the school's biometric system(s). We will provide alternative means of accessing the relevant services for those students. For example, students can pay using a PIN number.

Parents/Carers and students can object to participation in the school's biometric recognition system(s), or withdraw consent, at any time, and we will make sure that any relevant data already captured is deleted.

As required by law, if a student refuses to participate in, or continue to participate in, the processing of their biometric data, we will not process that data irrespective of any consent given by the student's parent(s)/carer(s).

### **Photographs and Videos**

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As part of our school activities, we may take photographs and record images of individuals within our Academy. We will obtain written consent from Parents/Carers for photographs and videos to be taken of their child for communication, marketing, and promotional materials. We will clearly explain how the photograph and/or video will be used to both the Parent/Carer and student.

Uses may include:

- In reports of trips and productions on the school website, social media, newsletters, or similar.
- In school material on internal displays, prospectus, website, or similar.

Consent can be refused or withdrawn at any time. If consent is withdrawn, we will delete the photograph or video and not distribute it further. When using photographs and videos in this way we will not accompany them with any other personal information about the child, to reduce the risk of identification.

### **Telephone Recording**

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All incoming telephone calls to the school will be recorded for the purpose of investigating and resolving complaints. When this is done we collect a recording of the conversation and your telephone number.

The basis for doing this is to protect the interests of you, our staff or both. It is also in our legitimate interests unless those interests are overridden by you by asking for your call not to be recorded.

You may request that your call isn't recorded. In this situation, you'll normally be advised to contact us either in writing or by email.

In exceptional circumstances you may be transferred to a non-recorded phone. This decision will be made by a member of the Senior Leadership Team, for example, when he or she determines that not doing so could cause harm or distress to the caller. In these exceptional circumstances, we will ensure that the caller is transferred to a phone which isn't registered for call recording.

Recordings are kept securely and confidentially and will be deleted after 90 days.

## 5. Our lawful basis for processing your data

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Salendine Nook High School must only process personal data if it has a lawful basis to do so. If the school processes your information for different purposes, there may be different lawful bases for each purpose. Typically, the lawful basis for processing your personal data is explained below:

**Article 6(1)(c) – Legal obligation:** In certain circumstances the school may be legally required to share personal information with law enforcement and other agencies. The school will only share the information which it is obliged to by law. The school keeps this data safe until it is passed into the control of the relevant agency, at which point the safe keeping of the information becomes the responsibility of the third-party.

**Article 6(1)(e) – Public task:** The school is a public body which has the public task to deliver education. To deliver education the processing of personal data is required for a range of tasks:

In carrying out its public task, the school may process special categories information, including health information, to enable the assessment of a learner's need for social protection, to ensure they can take full advantage and benefit from their education. The school will collect and process health and related information for the purposes of health assessment and advice. Where this happens, more privacy information will be offered at the point where this data is collected.

### Special Category Personal Data

For 'special category' data, we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in data protection law:

**Article 9(2)(a)** – where you have provided explicit consent.

**Article 9(2)(b)** – where we need to perform or exercise an obligation or right in relation to employment, social security, or social protection law.

**Article 9(2)(c)** – where we need to protect an individual's vital interests (i.e., protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent.

**Article 9(2)(e)** – where the data concerned has already been made manifestly public by you.

**Article 9(2)(f)** – where we need to process it for the establishment, exercise or defence of legal claims.

**Article 9(2)(g)** – where we need to process it for reasons of substantial public interest as defined in legislation.

**Article 9(2)(h)** – where processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional.

**Article 9(2)(i)** – where 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 health care and of medicinal products or medical devices, on the basis of Union or Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject, in particular professional secrecy.

**Article 9(2)(j)** – where processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on 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.

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in data protection law.

The Education (Information about Individual Pupils) (England) Regulations 2013 - Regulation 5 'Provision of information by non-maintained special schools and Academies to the Secretary of State' states 'Within fourteen days of receiving a request from the Secretary of State, the proprietor of a non-maintained special school or an Academy shall provide to the Secretary of State such of the information referred to in Schedule 1 and (where the request stipulates) in respect of such categories of pupils, or former pupils, as is so requested.'

The Education Act 1996 – Section 537A – states that we provide individual pupil information to the relevant body such as the Department for Education.

Children's Act 1989 – Section 83 – places a duty on the Secretary of State or others to conduct re-search.

## 6. Collecting this data

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We collect pupil information via a variety of means, such as through the use of forms, online, face-to-face or over the telephone.

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it is requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this.

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

Most of the data we hold about you will come from you, but we may also hold data about you from:

- Local authorities
- Government departments or agencies
- Your children
- Police forces, courts, tribunals

## 7. Marketing

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Where you have given us consent to do so, we may send you marketing information by e-mail or text promoting school events, campaigns, charitable causes or services that may be of interest to you.

You can withdraw consent or 'opt out' of receiving these emails and/or texts at any time by clicking on the

'Unsubscribe' link at the bottom of any such communication, or by contacting us (see 'Contact us' below).

## **8. Automated decision making and profiling**

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We do not currently process any personal data through automated decision making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

## **9. How we store this data**

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We only keep information for as long as we need to or for as long as the law requires us to. Most of the information we have about your child will be in our student file. We usually keep these until their 25<sup>th</sup> birthday unless they move to another school in which case we send the file to the new school. We have a policy which explains how long we keep information. It is called a Data Retention Policy and you can find it on the school's website or ask for a copy at reception.

We have put in place appropriate security measures to prevent your personal information being accidentally lost, used, or accessed in an unauthorised way, altered, or disclosed.

We will dispose of your personal data securely when we no longer need it.

## **10. Who we share data with?**

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We do not share information about you with any third party, without consent, unless the law and our policies allow us to do so.

Where it is legally required or necessary (and it complies with data protection law), we may share personal information about you with:

- Our local authority, Kirklees – to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about exclusions.
- Government departments or agencies.
- Our regulator, Ofsted.
- Suppliers and service providers:
  - Nationwide Retail Systems Limited.
  - SIMs.
  - Working with Schools.
- Schools that the students attend after leaving us.
- Financial organisations.
- Our auditors.
- Survey and research organisations.
- Health authorities.
- Health and social welfare organisations.
- Professional advisers and consultants.
- Charities and voluntary organisations.
- Youth support services (pupils aged 13+).
- Police forces, courts, tribunals.
- Online learning providers – e.g., GCSE.

We do not share information about our students with anyone without consent unless the law and our policies allow 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.

## **11. Youth Support Services - What is different about students aged 13+?**

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Once our students reach the age of 13, the law requires us to pass on certain information to C and K Careers acting on behalf of Kirklees Council in providing Youth Support Services. This is the local authority support service for young people aged 13 to 19 in England. We must provide the names and addresses of our students and their parents and any further information relevant to the support services' role. This enables them to provide youth support services and careers advisers.

The information shared is limited to the child's name, address, and date of birth. However, where a parent or guardian provides their consent, other information relevant to the provision of youth support services will be shared. This right is transferred to the child once they reach the age 16.

Data is securely transferred to the Youth Support Service via Anycomms+, the LA's secure transfer system, and is stored securely by the LA and held for 7 years.

We may also share certain personal data relating to children aged 16 and over with post-16 education and training providers to secure appropriate services for them.

We are required by law (under regulation 5 of the Education (Information about Individual Students)) England Regulations 2013, to pass some information about our students to the Department for Education (DfE). This is the part of the Government which is responsible for schools. This information may, in turn, then be made available for use by the Local Authority.

The DfE may also share information about students that we give to them, with other people or organisations. This will only take place where the law, including the law about data protection, allows it.

For more information about Kirklees Council's youth support services please go to C&K Careers service page at: <http://ckcareersonline.org.uk/>.

For additional information go to the National Careers Service page at: <https://nationalcareersservice.direct.gov.uk/aboutus/Pages/default.aspx>.

## **12. The National Pupil Database (NPD)**

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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 and early years' 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 [National student database: user guide and supporting information - GOV.UK](#).

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 Department 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>

For information about which organisations the department has provided student information to (and for which project), please visit the following website: <https://www.gov.uk/government/publications/national-student-database-requests-received>

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

We will also normally give information about you to your parents or your main carer. Where appropriate, we will listen to your views first. We will also take family circumstances into account, in particular where a Court has decided what information a parent is allowed to have.

## 13. Your rights

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### How to access personal information that we hold about you

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Your rights in connection with personal information are set out below:

**Subject Access Request** - You have a right to receive a copy of all the Personal Data we hold about you.

**Rectification** - If any of the Personal Data we hold about you is incomplete or inaccurate, you have a right to have it corrected.

**Erasure** - This is also known as the "right to be forgotten". You have a right to ask us to delete your Personal Data where there is no good reason for us continuing to process it. However, certain criteria apply and if we have a legitimate reason to continue processing your personal data, we will not be legally required to delete it.

**Objection** - You have a right to object where we are relying on legitimate interests as our legal basis for processing your Personal Data but, in certain circumstances we may be able to continue with the processing. For example, if we have compelling legitimate grounds which override your interests, rights and freedoms or your personal information is needed for the establishment, exercise, or defence of legal claims. However, you have an absolute right to object to us processing your Personal Data for direct marketing purposes.

**Restriction** - You have a right to ask us to restrict the processing of your Personal Data in certain circumstances. For example, you may require us to suspend processing information about you whilst checks are made to ensure it is accurate.

**Portability** - You have the right to ask us to transfer any Personal Data you have provided to us to another party, subject to certain criteria being satisfied. We will provide this Personal Data in a structured, commonly used and machine-readable format.

**Right to withdraw consent** - If you have given us your consent for the processing of your Personal Data, you can withdraw this at any time. Please note, the withdrawal has no effect on the legality of the data processing carried out in the past on the basis of your consent. To exercise your right to withdraw consent contact us at [business.manager@snhs.kirklees.sch.uk](mailto:business.manager@snhs.kirklees.sch.uk).

**Right to complain** - If you are unhappy with the way in which your personal information has been or is being processed, you have the right to make a complaint about it to the Information Commissioner's Office (ICO). They can be contacted at:

Information Commissioner's Office  
 Wycliffe House  
 Water Lane  
 Wilmslow

Cheshire  
SK9 5AF

[www.ico.org.uk](http://www.ico.org.uk)

There is more information in our Data Protection Policy, or you can ask the Data Protection Officer. The policy can be found on the school's website or you can ask for a copy at reception.

## 14. Complaints

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We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/make-a-complaint/>
- Call 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

## 15. Contact Us

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If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please email our Data Protection Officer - **Data Privacy Advisory Service** at [dpo@dataprivacyadvisory.com](mailto:dpo@dataprivacyadvisory.com).

Our Data Protection Lead – Director of Finance and Resources at [business.manager@snhs.kirklees.sch.uk](mailto:business.manager@snhs.kirklees.sch.uk) has day-to-day responsibility for data protection issues in our school.

This privacy notice was last updated in September 2023.