



You have a legal right to be informed about how our school uses any personal information that we hold about you. To comply with this, we provide a 'privacy notice' to you where we are processing your personal data.

This notice explains how we collect, store and use personal data about pupils at our school, like you.

We, Cardinal Newman Catholic High School (Bridgewater Avenue Warrington, WA4 1RX), are the 'data controller' for the purposes of data protection law.

Our data protection officer is GDPR for schools (see 'Contact us' below).

### **The personal data we hold**

We hold some personal information about you to make sure we can help you learn and look after you at school.

For the same reasons, we get information about you from some other places too – like other schools, Warrington Borough Council and the government (Department of Education).

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

- Your contact details
- Your test results
- Your attendance records and reasons for absence
- Details of any behaviour issues or exclusions and also rewards or praise

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 your characteristics, like your ethnic background, language, any special educational needs or eligibility for free school meals
- Any medical conditions or allergies you have and the contact details of your GP surgery
- Safeguarding information which includes the details of any court order relating to the adults who care for you and any other professionals who are involved with your care such as social services
- Biometric data (your fingerprint)
- Photographs and CCTV images

### **Why we collect and use this data**

We use this data to:

- Identify you
- Get in touch with you and your parents when we need to
- Provide you with an education
- Check how you're doing in school and work out whether you or your teachers need any extra help
- Track how well the school as a whole is performing
- Look after your wellbeing, to keep you safe and to and to provide appropriate pastoral care
- Enable you to pay in the canteen using cashless catering
- Enable you to stay safe in school and on trips

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## **Use of your personal data in automated decision making and profiling**

We don't currently put your personal information through any automated decision making or profiling process. This means we don't make decisions about you using only computers without any human involvement.

If this changes in the future, we will update this notice in order to explain the processing to you, including your right to object to it.

## **Our lawful basis for using this data**

We will only collect and use your information when the law allows us to.

Under the following laws we are asked to share your information with the Department of Education (DfE)

- Section 537A Education Act 1996
- The Education Act 1996 s29(3)
- The Education (School Performance Information((England) Regulations 2007
- Regulations 5 and 8 School Information (England) Regulations 2008
- The Education (Pupil Registration) (England) (Amendment) Regulations 2013

Most often, we will use your information where:

- We need to comply with the law (legal obligation)
- We need to use it to carry out a task in the public interest i.e.in order to provide you with an education (Public task)
- Fulfill a contract with a one of our suppliers or agents (contract)

Sometimes, we may also use your personal information where:

- You, or your parents/carers have given us permission to use it in a certain way (consent)
- We need to protect your or someone else's interests (Vital Interest)
- We feel there is a legitimate interest -where there is a minimal privacy impact and we have a compelling reason to do so (legitimate interest)

Where you have provided consent to use your data, you may take back this consent at any time. We will make this clear when requesting your consent, and explain how to go about withdrawing consent if you wish.

Some of the reasons listed above for collecting and using your information overlap, and there may be several grounds which mean we can use your data.

## **Our basis for using special category data**

For 'special category' data (more sensitive personal information), 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:

- We have obtained your explicit consent to use your information in a certain way
- We need to use your information under employment, social security or social protection law
- 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
- The information has already been made obviously public by you
- We need to use it to make or defend against legal claims

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- We need to use it for reasons of substantial public interest as defined in legislation
- We need to use it for health or social care purposes, and it's used by, or under the direction of, a professional obliged to confidentiality under law
- We need to use it for public health reasons, and it's used by, or under the direction of, a professional obliged to confidentiality under law
- We need to use it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the use is in the public interest

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. Conditions include:

- We have obtained your consent to use it in a specific way
- 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
- The data concerned has already been made obviously public by you
- We need to use it as part of legal proceedings, to obtain legal advice, or to make or defend against legal claims
- We need to use it for reasons of substantial public interest as defined in legislation

## **Collecting this information**

Whilst most of the information we collect about you is mandatory, there is some information that can be provided voluntarily. Whenever we want to collect information from you, we make it clear, if you have to give us this information (and if so, what the possible consequences are of not doing that), or if you have a choice.

We may receive information about you from

- Warrington Borough Council
- Government departments or agencies
- Your parents or carers when they apply for a place at our school for you and subsequent data collection sheets
- Electronic Common Transfer Files (CTFs) from your previous schools who identify you by your unique pupil number (UPN)
- Child protection plans / Healthcare plans
- Police forces, courts, tribunals

## **How we store this data**

We will keep personal information about you whilst you are a pupil at our school. We may also keep it beyond your attendance at our school if this is necessary.

Our records retention schedule sets out how long we keep information and can be found on the school website or by contacting our data protection officer.

We have security measures in place to prevent your personal information from 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.

## **Who we share data with**

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We do not share personal information about you with any third party without your 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 (Warrington Borough Council) – for example to meet our legal duties to share certain information with it, such as safeguarding concerns and information about exclusions
- Any educational establishment that you may attend after leaving us
- Government departments and as you attend a faith school the Catholic Education Service
- The Learning Records Service (LRS) – a copy of their privacy notice which explains why we do this (to generate your Unique Learner Number) and what they do can be found on the school website
- Your family and representatives
- Educators and examining bodies
- Our youth services /careers provider
- Our regulator - Ofsted
- Suppliers and other carefully screened service providers – so that they can provide the services we have contracted them for and /or in order to provide you with an education, for example Show My Homework, subject specific educational software/internet sites, Cunninghams (Biometric software),
- Our auditors
- Health and social welfare organisations for example, the school nurse
- Police forces, courts, tribunals and any other organisation if we are legally required to do so

## **National Pupil Database**

We are required to provide information about you to the Department for Education (a government department) as part of data collections such as the school census under section 3 of the Education (Information About Individual Pupils) (England) Regulations 2013.

Some of this information is then stored in the National Pupil Database, which is managed by the Department for Education and provides evidence on how schools are performing. This, in turn, supports research.

The database is held electronically so it can easily be turned into statistics. The information it holds is collected securely from schools, local authorities, exam boards and others.

The Department for Education may share information from the database with other organisations, such as organisations that promote children's education or wellbeing in England. These organisations must agree to strict terms and conditions about how they use your data.

You can find more information about this on the Department for Education's webpage on how it collects and shares research data.

You can also contact the Department for Education if you have any questions about the database.

## **Transferring data internationally**

We may through our contracts with third party providers transfer your data outside of the United Kingdom. Where we transfer your personal data to a country or territory outside the UK we will do so in accordance with UK data protection law. In cases where we have to set up safeguarding arrangements to complete the transfer, expert advice is sought.

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## **Your rights**

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

You can find out if we hold any personal information about you, and how we use it, by making a **'subject access request'**, as long as we judge that you can properly understand your rights and what they mean.

You may wish to complete [this form](#) to make such a request. 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 the data.

If we do hold information about you, we will:

- Give you a description of it
- Tell you why we are holding and using it, and how long we will keep it for
- Explain where we got it from, if not from you or your parents
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data (decisions being taken by a computer or machine, rather than by a person), and any consequences of this
- Give you a copy of the information in an understandable form

You may also have the right for your personal information to be shared with another organisation in certain circumstances.

If you want to make a request please contact our data protection officer.

### **Your other rights over your data**

You have other rights over how your personal data is used and kept safe, including the right to:

- Say that you don't want your personal information to be used
- Stop it being used to send you marketing materials
- Say that you don't want it used to make automated decisions (decisions made by a computer or machine, rather than by a person)
- In some cases, have it corrected if it is inaccurate
- In some cases, have it deleted or destroyed, or restrict its use
- In certain circumstances, be notified of a data breach
- Make a complaint to the Information Commissioner's Office
- Claim compensation if the data protection rules are broken and this harms you in some way

To exercise any of these rights please contact our data protection officer.

## **Complaints**

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 concerns about our data processing, please let us know first.

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You can also complain to the Information Commissioner's Office in one of the following ways:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

**We may need to update this privacy notice in the future so we would recommend that you revisit this information from time to time. This version was last updated October 2021**

## **Contact us**

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our data protection officer:

- GDPR for schools, Education Data Hub, Children's Services, County Hall, Derbyshire County Council, Matlock, Derbyshire DE4 3AG contactable via email [gdprforschools@derbyshire.gov.uk](mailto:gdprforschools@derbyshire.gov.uk) or telephone 01629 532888