



## **Privacy Notice for Parents/Carers and Pupils How we use your information**

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### **Who are we?**

Rigby Hall School is the 'data controller'. This means we are responsible for how your personal information is processed and for what purposes.

Rigby Hall School is registered as the Data Controller with the Information Commissioner's Office (ICO); Registration Number: Z5367075

You can contact the school as the Data Controller in writing at:

Rigby Hall School, Rigby Lane, Aston Fields, Bromsgrove B60 2EP or [office@rigbyhall.worcs.sch.uk](mailto:office@rigbyhall.worcs.sch.uk).

### **What is a Privacy Notice?**

A Privacy Notice sets out to individuals how we use any personal information that we hold about them. We are required to publish this information by data protection legislation. This Privacy Notice explains how we process (collect, store, use and share) personal information about our pupils and parents.

### **What is Personal Information?**

Personal information relates to a living individual who can be identified from that information. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession.

'Special category' personal information relates to personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

### **What personal information do we process about pupils, parents and carers?**

The information that we collect, hold and share includes:

- Personal information including a pupil's name, date of birth, unique pupil number and home address.
- Characteristics such as ethnicity, language and free school meal eligibility.
- Attendance information such as sessions attended, number of absences and absence reasons.
- Educational information including records of work, assessment results, relevant medical information, details of pupils' special educational needs, exclusions/behavioural information, post-16 learning information.
- Contact information for parents, carers and other relatives, including telephone numbers, home addresses and e-mail addresses.
- Information about a child's home life, where required as part of necessary safeguarding and welfare processes.

- CCTV images

## **Why do we use personal information?**

We use pupil data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing
- to safeguard pupils
- to share medical information with public health agencies

## **Collecting pupil information**

Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

## **What are the legal reasons for us to process your personal information?**

We are required to process personal information in accordance with data protection legislation and only do so when the law allows us to. The lawful reasons we have for processing personal information are as follows:

### **1) To comply with the law**

We collect and use general purpose pupil information in order to meet certain legal requirements and legal obligations placed upon the school by law. We therefore are required to process personal information for such purposes even if you have not consented to us doing so.

Details of the type of processing that we must undertake, the personal data that is processed, the legislation which requires us to do so and who we may share this information with is set out in Table 1.

If you would like a copy of or further information regarding the statutory authorities that underpin our legal obligations, you should contact the school in writing.

### **2) To protect someone's vital interests**

We are able to process personal information when there is an emergency and/or where a person's life is in danger.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 2.

### **3) With the consent of the individual to whom that information 'belongs'**

Whilst much of the personal information processed is in accordance with a legal requirement, there is some personal information that we can only process when we have your consent to do so. In these circumstances, we will provide you with specific and explicit information regarding the reasons the data is being collected and how the data will be used.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 3.

#### **4) To perform a public task**

It is a day-to-day function of the school to ensure that children receive the education and support they require. Much of this work is not set out directly in any legislation but it is deemed to be necessary in order to ensure that pupils are properly educated and supported.

Details of the type of processing that we may undertake on this basis and who we may share that information is set out in Table 4.

Please be aware that an individual has the right to object to any processing where it is likely to cause or is causing harm or distress. To exercise this right, individuals should do so by contacting the school to inform them of their reasons for the objection. These reasons should relate to your specific circumstances. Upon receipt of an objection, the school will consider the reasons for the objection and balance this against the legitimate grounds to process data.

#### Special category personal information

In order to process 'special category' data, we must be able to demonstrate how the law allows us to do so. In addition to the lawful reasons above, we must also be satisfied that ONE of the following additional lawful reasons applies:

- 1) Explicit consent of the data subject
- 2) Processing relates to personal data which is manifestly made public by the data subject
- 3) Necessary for establishing, exercising or defending legal claims
- 4) Necessary for reasons of substantial public interest
- 5) Necessary for preventive or occupational medicine, or for reasons of public interest in the area of public health
- 6) Necessary for archiving, historical research or statistical purposes in the public interest

#### **Who might we share your information with?**

We routinely share pupil information with:

- Schools that the pupils attend after leaving us
- Local Authorities as appropriate to the pupil
- the Department for Education (DfE)
- Multi Agency Safeguarding Hub(MASH)
- Virtual Schools
- Social Services
- Foster Care Agencies
- Institute of School leaders (ISL)
- Social Care
- Supply Teachers
- Emergency Services
- NHS
- Therapeutic Services
- Speech and Language Service
- Occupational Therapy Service
- College/Further Education Establishments
- Work Experience Providers
- Educational Psychologists
- Alternative off site provision

- My Concern Software
- Education Welfare Officer
- School Governors
- Careers Advisor
- Music Therapist
- Arbor
- Solar Assessment Packages
- Chestnut Infrastructure
- Examination and accreditation boards
- OFSTED
- Local Public Health team
- NHS Test and Trace

We do not share information about our pupils or parents unless the law and our policies allow us to do so.

#### **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>.

#### **NHS Test and Trace/Public Health Agencies:**

It may be necessary for us to share limited information with the above agencies in the event that an individual tests positive for Coronavirus, or if there is a Coronavirus outbreak. This will enable the named agencies to liaise with families to provide advice and support, and to take appropriate steps in responding to an outbreak. You have the right to object to the sharing of information with such agencies. This is not an absolute right and will be assessed on a case by case basis.

#### **What do we do with your information?**

All personal information is held in a manner which is compliant with data protection legislation. Personal information is only processed for the purpose it was collected. The school monitors the personal information it processes and will only share personal information with a third party if it has a legal basis to do so (as set out above).

#### **How long do we keep your information for?**

In retaining personal information, the school complies with the Retention Schedules provided by the Information Record Management Society. The schedules set out the Statutory Provisions under which the school are required to retain the information.

A copy of those schedules can be located using the following link:

<http://irms.org.uk/page/SchoolsToolkit>

#### **Transferring data internationally**

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

#### **What are your rights with respect of your personal information?**

Under data protection law, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or to have access to your child's educational record, contact the School Data Protection Officer at Warwickshire Legal Services via email at [schooldpo@warwickshire.gov.uk](mailto:schooldpo@warwickshire.gov.uk) or alternatively;

School Data Protection Officer  
Warwickshire Legal Services  
Warwickshire County Council  
Shire Hall  
Market Square  
Warwick  
CV34 4RL

**Please ensure you specify that your request relates to Rigby Hall school.**

Where the school process data for the purposes of legitimate interests or to fulfil their public task, individuals have a right to object to the processing where it is likely to cause, or is causing, harm or distress. When exercising this right, individuals should contact the school to inform them of their reasons for their objection. The school will consider the reasons for any objection and assess the risk to the individual against the purposes for the processing. In the event the school is unable to comply with an objection, we will ensure we can demonstrate compelling legitimate grounds to continue with the processing.

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;
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

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/>

## **Review**

The content of this privacy notice was reviewed in July 2023 and will be reviewed annually.

**Table 1** – Personal information we are required to process to comply with the law:

<b>Information Type</b>	<b>Relevant legislation</b>	<b>Special Category – additional lawful reason</b>	<b>Third Parties with whom we share the information</b>	<b>Lawful reason for sharing</b>
Pupil full name	Education Regulations 2013	n/a	Local Authority Department of Education Childs New School/College MASH D of E	Legal obligation
Pupil Gender	Education Regulations 2013	n/a	Local Authority Department of Education Childs New School/College MASH D of E	Legal obligation
Pupil Date of Birth	Education Regulations 2013	n/a	Local Authority Department of Education Childs New School/College MASH D of E	Legal obligation
Pupil Home address(es)	Education Regulations 2013	n/a	Local Authority Department of Education Childs New School/College MASH	Legal obligation
Parents/Carers Priority Contact Details Name, Telephone Numbers and Email Addresses	Education Regulations 2013	n/a	Local Authority Department of Education Childs New School/College MASH	Legal obligation
Pupil First Language	Education Regulations 2013	n/a	Local Authority Department of Education Childs New School/College MASH	Legal obligation
Previous School Records	Education Regulations 2013	n/a	Local Authority Department of Education Childs New School/College	Legal obligation
Unique pupil number	Education Regulations 2013	n/a	Local Authority Department of Education Childs New School/College	Legal obligation
Unique learner number	Education Regulations 2013	n/a	Local Authority Department of Education	Legal obligation

(Year 9 and above only)			Childs New School/College	
Eligibility for Free School Meals	Education Regulations 2013	n/a	Local Authority Department of Education Childs New School/College	Legal obligation
Pupil year group	Education Regulations 2013	n/a	Local Authority Department of Education Childs New School/College Virtual Schools	Legal obligation
Attendance records including whether absence was authorised/unauthorised and reason for absence	Education Regulations 2013	n/a	Local Authority Department of Education Childs New School/College Virtual Schools	Legal obligation
Ethnicity	Education Regulations 2013	Consent	Local Authority Department of Education MASH	Legal obligation
Details of exclusions: start and end dates, number of sessions, fixed length/permanent, reason for exclusion	Education Regulations 2013	n/a	Local Authority Department of Education Childs New School/College Virtual Schools	Legal obligation
Special Educational Needs status, start date, details of needs and provision	Education Regulations 2013	n/a	Local Authority Department of Education Childs New School/College MASH	Legal obligation
Pupil assessment data (Curricular record)	Education Regulations 2013		Local Authority Department of Education Childs New School/College	Legal obligation
Child Looked After Status	Education Regulations 2013	n/a	Local Authority Department of Education Childs New School/College Virtual Schools Social Services Foster Care Agencies ISL	Legal obligation
Service Children Status	Education Regulations 2013	n/a	Local Authority Department of Education Childs New School/College	Legal obligation
Court Order	Children Act 2004		Childs New School/College MASH	Legal obligation
Date of admission to school	The Education Regulations 2013	n/a	Local Authority Department of Education Childs New School/College Virtual Schools	Legal obligation
Mode of Travel to School	Education Regulations 2013	n/a	Local Authority Department of Education Social Care	Legal obligation

Pupil Annual Reports	Education Regulations 2013	n/a	Childs New School/College	Legal obligation
Parents' names and addresses	Education Regulations 2013	n/a	Local Authority Department of Education	Legal obligation
Parents' telephone number (if pupil usually resides with them)	Education Regulations 2013	n/a	Local Authority Department of Education	Legal obligation

**Table 2** – Personal information we are required to process as it is necessary to protect someone's vital interests

<b>Information Type</b>	<b>Special Category - additional lawful reason</b>	<b>Third Parties with whom we share the information</b>	<b>Lawful reason for sharing</b>
Medical information including allergies	Necessary to protect vital interests of the data subject or another person where the data subject is physically or legally incapable of giving consent	Supply Teachers Emergency services NHS Therapeutic services SALT Occupational Therapy College (Post 16 only)	Protection of vital interests
Dietary Needs	Necessary to protect vital interests of the data subject or another person where the data subject is physically or legally incapable of giving consent	Supply Teachers Emergency services NHS Therapeutic services Occupational Therapy College (Post 16 only)	Protection of vital interests
Pupil Name UPN Date of Birth Class	Necessary to assess the social, emotional and difficulties	Boxall Assessment Tool	Protection of vital interests



**Table 3** - Personal information we are required to process with the consent of the individual to whom that information ‘belongs’

<b>Information Type</b>	<b>Special Category - additional lawful reason</b>	<b>Third Parties with whom we share the information</b>	<b>Lawful reason for sharing</b>
Pupil Name Gender Date of birth	n/a	Tapestry online learning journal Educational Psychologist Work Experience	Consent of the individual to whom that information ‘belongs’
Pupil Name		School Photographer	
Gender	n/a	Tapestry online learning journal Educational Psychologist Work Experience	Consent of the individual to whom that information ‘belongs’
Date of Birth	n/a	Tapestry online learning journal Educational Psychologist Work Experience	Consent of the individual to whom that information ‘belongs’
Parent mobile telephone number	n/a	Educational Psychologist	Consent of the individual to whom that information ‘belongs’
Parent email address	n/a	Educational Psychologist Tapestry online resource (early years classes only)	Consent of the individual to whom that information ‘belongs’
Pupil Year Group	n/a	Alternative Offsite Provisions School Photographer	Consent of the individual to whom that information ‘belongs’
Pupil images	n/a	Tapestry online learning journal Website Twitter Media School Photographer	Consent of the individual to whom that information ‘belongs’

**Table 4** - Personal information we are required to process because it is necessary to do so in order to perform a public task

Information Type	Special Category - additional lawful reason	Third Parties with whom we share the information	Lawful reason for sharing
Pupil Name	n/a	NHS All relevant Professional Agencies Speech and Language My Concern Educational Welfare Officer Occupational Therapist School Governors Careers Advisor Music Therapists Arbor Solar Assessment Packages Chestnut Infrastructure Examination & Accreditation boards Emergency services College Education City Conquer Maths Discovery Education First News Active Learn, TimeTables Rockstars Numbots SumDog Agile ICT Public Health Microsoft Teams (on-line learning platform)	Performance of a public task
Gender		NHS All relevant Professional Agencies Speech and Language My Concern Educational Welfare Officer Occupational Therapist School Governors Careers Advisor Music Therapists Arbor Solar Assessment Packages Chestnut Infrastructure Examination & Accreditation boards Emergency services College Education City Discovery Education TimesTables Rockstars	Performance of a public task

		Numbots START Careers Programme	
Date of Birth		NHS All relevant Professional Agencies Speech and Language My Concern Educational Welfare Officer Occupational Therapist School Governors Careers Advisor Music Therapists Arbor Solar Assessment Packages Chestnut Infrastructure Examination & Accreditation boards Emergency services (Vital interest) College (Post 16 only) Education City START Careers Programme Public Health	Performance of a public task
Names, telephone numbers and addresses of emergency contacts other than parent(s) with whom pupil resides	n/a	Social Care Emergency Services Public Health	Performance of a public task
Special Educational Needs status, start date, details of needs and provision	n/a	NHS Educations Psychologist Careers Advisor Arbor Work Experience Provider Solar Assessment Package	Performance of a public task
Eligibility for Free School Meals	n/a	Arbor School Governors Solar Assessment Package	Performance of a public task
Registration group	n/a	Arbor School Photographer Solar Assessment Package Education City Conquer Maths TimesTables Rockstars Numbots SumDog START Careers Programme Agile ICT Microsoft Teams (on-line learning platform)	Performance of a public
Unique Pupil	n/a	Further Education Establishments	Performance of

Number Unique Learner Number (Year 9 and above only)		Arbor Careers Advisor Examination Boards Social Care Solar Assessment Package	a public task
Pupil Year Group	n/a	Solar Assessment Packages Arbor Examination & Accreditation Boards Education City Conquer Maths TimesTables Rockstars Numbots SumDog START Careers Programme Public Health NHS Test and Trace	Performance of a public task
Results of COVID-19 testing	Necessary for reasons of public health	Public Health NHS Test and Trace	Public task
Child Protection and Safeguarding documentation including concern forms and case documentation	n/a	Emergency Services Social Services Early Help Social Care Foster Agencies Arbor	Performance of a public task
Ethnicity	Consent	Arbor Solar Assessment Package	Performance of a public task
Special Educational Needs documentation including SEND provision maps, Personal Learning Plans, Education, Health and Care Plans, reports from external agencies	n/a	Local Authority Educational Psychologist Careers Advisor NHS Arbor Further education provisions	Performance of a public task
Medical information including allergies	Necessary for preventative or occupational medicine	Emergency Services NHS	Performance of a public task
Attendance records including whether absence was authorised/ unauthorised and reason for absence	n/a	Social Care Foster Care Agencies ISL Ofsted Education Welfare Officer	Performance of a public task

Details of exclusions: start and end dates, number of sessions, fixed length/permanent, reason for exclusion	n/a	School Governors Police Social Care Education Welfare Officer Alternative Provisions	Performance of a public task
Pupil assessment data (Curricular record)	n/a	Solar Assessment Arbor School Governors	Performance of a public task
Permission to take pupil home	n/a	Arbor	Performance of a public task
Date of admission to school	n/a	Arbor NHS Solar Assessment Package	Performance of a public task
Key Stage	n/a	Solar Assessment Package	Performance of a public task
Child Looked After Status	n/a	Solar Assessment Package	Performance of a public task
Child Pupil Premium Entitlement	n/a	Solar Assessment Package	Performance of a public task
Free School Meals	n/a	Wonde	Performance of a public task