



B4L GDPR POLICY (GENERAL DATA PROTECTION REGULATION)

Weston Point College

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1. Introduction

- 1.1 The College is required to process personal data regarding staff, students and their parents/carers and friends of the College relevant to its operation and shall take all reasonable steps to do so in accordance with this Policy. Processing may include obtaining, recording, holding, handling, disclosing, transportation, destroying or otherwise using data. In this Policy any reference to students, parents/carers, friends, or staff include current, past, and prospective students, parents/carers, friends, and staff.
- 1.2 All staff are responsible for complying with this Policy

2. Scope

- 2.1 This Policy covers the College's acquisition, handling, and disposal of the personal and sensitive personal data it holds on all Staff, including temporary staff, agency workers, volunteers, parents, and students. It also applies to Directors and contractors. It explains the College's general approach to data protection which is to ensure that individual's personal data and information is protected and appropriately processed and provides practical guidance which will help to ensure that the College complies with the Data Protection Act 1998 (the Act) and anticipates the General Data Protection Regulations 2018 (GDPR) which became law on 25th May 2018. Scope

3. Definitions

Personal Data

- Any information relating to an identifiable person who can be directly or indirectly identified in particular by reference to an identifier.
- This definition provides for a wide range of personal identifiers to constitute personal data, including name, identification number, location data or online identifier, reflecting changes in technology and the way organisations collect information about people.
- The GDPR applies to both automated personal data and to manual filing systems where personal data are accessible according to specific criteria. This could include chronologically ordered sets of manual records containing personal data.
- Personal data that has been pseudonymised – eg key-coded – can fall within the scope of the GDPR depending on how difficult it is to attribute the pseudonym to a particular individual.

Sensitive personal data is:

- Any information about a person's mental or physical health or condition, their political or religious beliefs, race, ethnicity, sexual life or orientation, trade union membership, criminal offences or alleged offences and any proceedings. The GDPR refers to sensitive personal data as "special categories of personal data". The special categories specifically include genetic data, and biometric data where processed to uniquely identify an individual
- The College has additional obligations in connection with the use of sensitive personal data, namely at least one of the following conditions must be satisfied:
- Explicit consent of the data subject must be obtained
- Necessary for carrying out the obligations under employment, social security or social protection law or a collective agreement
- Used in connection with alumni relations provided it relates solely to this and there is no disclosure to a third party without consent
- Data manifestly made public by the data subject
- Various public interest situations as outlined in the General Data Protection Regulations 2018

The data subject is:

- The person the information relates to. There may be more than one data subject, such as when a record concerns an incident involving two pupils.

The Data Controller:

- The College is the Data Controller and is responsible for determining the purposes of its use of data - what data it gathers and how this information is used. As the Data Controller the College is responsible for complying with the Act.

The Data Protection Officer:

- The Head Teacher, Katie Anderson is the Data Protection Officer, responsible for day to day compliance with this Policy. She can be contacted at the College via telephone or email:
- COLLEGE TELEPHONE: 01928 574667
- MOBILE: 07850 573968
- EMAIL: katie.anderson@bridge4learning.org
- COLLEGE EMAIL: info@bridge4Learning.org

4. Policy Review

This policy is reviewed every year by the Head Teacher

Issue Date 01/11/2020

The next review date for this Policy is October 2021

5. Appendix 1 – Privacy Notice Students

6. Appendix 2 – Privacy Notice Staff



Weston Point College, Picow Farm Road, Runcorn, WA7 4UN - 01928 574667
Headteacher: Katie Anderson Educational Psychologist: Mike Searle

Dear Parent/Carer

Re: Privacy Notice

Under data protection law, individuals have a right to be informed about how the 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 pupils. We, Weston Point College, are the 'data controller' for the purposes of data protection law.

Our data protection officer is Mr Christopher Brannan.

The personal data we hold

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

- Contact details, contact preferences, date of birth, identification documents
- Results of internal assessments and externally set tests
- Pupil and curricular records
- Characteristics, special educational needs and eligibility for free school meals
- Exclusion information
- Details of any medical conditions, including physical and mental health
- Attendance information

- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV images captured in school

We may also hold data about pupils that we have received from other organisations, including other schools, local authorities and the Department for Education.

Why we use this data

We use this data to:

- Support pupil learning
- Monitor and report on pupil progress
- Provide appropriate pastoral care
- Protect pupil welfare
- Assess the quality of our services
- Comply with the law regarding data sharing

Our legal basis for using this data

We only collect and use pupils' personal data when the law allows us to. Most commonly, we process it where:

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest

Less commonly, we may also process pupils' personal data in situations where:

- We have obtained consent to use it in a certain way
- We need to protect the individual's vital interests (or someone else's interests)

Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent and explain how consent can be withdrawn. Some of the reasons listed above for collecting and using pupils' personal data overlap, and there may be several grounds which justify our use of this data.

Collecting this information

While the majority of information we collect about pupils is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you or your child, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

How we store this data

We keep personal information about pupils while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations. We keep records on students as recommended by the Information and Records Management Society's Toolkit for schools. They are then disposed of securely.

Data sharing

We do not share information about pupils 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 pupils with:

- *Your local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions*
- The Department for Education (a government department)
- Your family and representatives
- Educators and examining bodies – to meet our responsibility to provide you with an education
- Our regulator – Ofsted, to ensure we are meeting our legal duties as a school
- Suppliers and service providers – to enable them to provide the service we have contracted them for:-
 - Prince's Trust – 14-19 Achievement Awards Programme
 - Duke of Edinburgh Award Programme
 - Young Adaction – Resilience Programme and Substance Misuse Advice
 - Fix It – Skills Training Provider
 - Power In Partnership – Skills Training Provider
 - Community Recycle Cycles – Skills Training Provider
 - Tracs (UK) – Skills Training Provider
 - Central and local government – We need to use it to carry out a task in the public interest (in order to provide you with an education)
 - Health Authorities – such as school health for immunisations – We need to use it to carry out a task in the public interest
 - Health and social welfare organisations - – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
 - Police forces, courts, tribunals – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
 - Professional bodies - We need to use it to carry out a task in the public interest, in order to provide you with an education.

National Pupil Database

We are required to provide information about pupils to the Department for Education as part of statutory data collections such as the school census.

Some of this information is then stored in the [National Pupil Database](#) (NPD), which is owned and managed by the Department and provides evidence on school performance to inform research.

The database is held electronically so it can easily be turned into statistics. The information is securely collected from a range of sources including schools, local authorities and exam boards.

The Department for Education may share information from the NPD with other organisations which promote children's education or wellbeing in England. Such organisations must agree to strict terms and conditions about how they will use the data.

For more information, see the Department's webpage on [how it collects and shares research data](#). You can also [contact the Department for Education](#) with any further questions about the NPD.

Youth support services

Once our pupils reach the age of 13, we are legally required to pass on certain information about them to your Local Authority, as it has legal responsibilities regarding the education or training of 13-19 year-olds. This information enables it to provide youth support services, post-16 education and training services, and careers advisers.

Parents/carers, or pupils once aged 16 or over, can contact our data protection officer to request that we only pass the individual's name, address and date of birth to your Local Authority.

Parents and pupils' rights regarding personal data

Individuals have a right to make a '**subject access request**' to gain access to personal information that the school holds about them.

Parents/carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child has provided consent.

Parents also have the right to make a subject access request with respect to any personal data the school holds about them.

If you make a subject access request, and if we do hold information about you or your child, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you or your child
- 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, and any consequences of this
- Give you a copy of the information in an intelligible form

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request please contact Katie Anderson, Headteacher.

Other rights

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used to send direct marketing
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

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 concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our data protection officer.

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

- 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

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**:

Katie Anderson, Data Protection Officer.

This notice is based on the [Department for Education's model privacy notice](#) for pupils, amended for parents and to reflect the way we use data in this school.

Yours faithfully



Katie Anderson
Data Protection Officer
Head Teacher – Weston Point Col

November 2020

Dear Colleague

About this Notice

We ask that you read this privacy notice carefully as it contains important information on who we are, how and why we collect, store, use and share personal data, your rights in relation to your personal data and who to contact in the event that you have a query or complaint.

Bridge4Learning Education Services Limited is committed to protecting the privacy and security of personal data. The purpose of this notice is to promote transparency in the use of personal data, and to outline how Bridge4Learning Education Services Limited collects and uses personal data during and after your working or visiting relationship with us, in accordance with the [General Data Protection Regulation 2016](#) (“GDPR”) and the Data Protection Act 2018 (“DPA 2018”).

Bridge4Learning Education Services Limited collects, uses and is responsible for certain personal data about you. This is known as “processing”. When we do so we are regulated under the GDPR and DPA 2018 and we are responsible as ‘data controller’ of that personal data for the purposes of those laws.

The purpose of this notice is to explain how Bridge4Learning Education Services Limited will collect and use (process) your personal data, what rights you have in relation to that data and to provide transparency about the data collected about you.

Bridge4Learning Education Services Limited is the data controller under the GDPR and DPA 2018 and we will process your personal data in accordance with the GDPR and DPA 2018 at all times. You, as a ‘data subject’, therefore have specific rights to the data that we hold, collect and process.

Throughout this notice, “we”, “our”, and “us” refer to Bridge4Learning Education Services Limited; “you” and “your” refer to job applicants, employees, (current and former), workers (including agency), work experience and volunteers.

The following are examples of personal data which may be collected, stored and used:

- Personal contact details such as name, date of birth, title, addresses, telephone numbers, and personal email addresses.
- Marital status
- Gender.
- Next of kin and nominated emergency contact information.
- National Insurance number, bank account details, payroll records and tax status information
- Salary, annual leave, pension and benefits information.
- Copy of driving licence
- Recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process).
- Employment records (including job titles, work history, working hours, training records and professional memberships).
- Personal development information
- Disciplinary, grievance and performance management information.
- Information relating to maternity, paternity, shared parental or adoption leave.
- Photographs.

We may also collect, store and use the following types of special category personal data:

- Information about your health, including any medical condition, health and sickness records, and disability information.
- Information about criminal convictions and offences.

How Bridge4Learning obtains your personal data

Personal data of employees, workers (including agency), volunteers and work experience and contractors is typically collected through the application and recruitment process, either directly from the data subjects or sometimes from an employment agency or background check provider. Additional information may be collected from third parties such as former employers, and other referees. Bridge4Learning Education Services Limited will also collect additional personal data in the course of work related activities throughout the period of you working for Bridge4Learning Education Services Limited.

Purpose and associated lawful basis

Purpose

Making a decision about your recruitment, continued engagement or termination.
 Checking you are legally entitled to work in the UK.
 Paying you and making the relevant tax and National Insurance deductions, as appropriate and required.
 Liaising with your pension provider.

Lawful Basis

Performance of a contract and/or compliance with a legal obligation.
 Compliance with a legal obligation
 Performance of a contract and/or complying with a legal obligation.
 Compliance with a legal obligation and/or performance of a contract.

| | |
|---|--|
| Conducting performance reviews, managing performance and determining performance requirement. | Performance of a contract. |
| Gathering evidence for conducting investigations for possible grievance or disciplinary hearings. | Performance of a contract. |
| Education, training and development requirements | Compliance with a legal obligation and legitimate interest of ensuring staff have access to training and development where required. |
| Ascertaining your fitness to work and managing sickness absence. | Compliance with a legal obligation and legitimate interest of ensuring the efficient running of the College |
| To prevent fraud. | Compliance with a legal obligation. |
| Issuing identity cards to staff. | Legitimate interest of maintaining security whilst allowing staff access to the College |
| Carrying out DBS checks. | Compliance with a legal obligation. |

Lawful bases for processing your personal data under the GDPR and DPA 2018

Personal data will only be processed when the law permits this to happen. Most commonly personal data will be processed in the following circumstances:

- Where you have given us your consent
- In order to fulfil Bridge4Learning Education Services Limited obligations to you as part of your contract of employment.
- Where Bridge4Learning Education Services Limited needs to comply with a legal obligation (for example, the detection or prevention of crime and financial regulations)
- Where it is necessary for Bridge4Learning Education Services Limited legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- To protect the vital interests of the data subject or of another person (for example, in the case of a medical emergency)
- In order to perform a task carried out in the public interest

Bridge4Learning Education Services will only use personal data for the purposes for which it was collected unless it is considered reasonable that it is needed for another purpose and the reason is compatible with the original purpose. If Bridge4Learning Education Services Limited needs to use your personal data for an unrelated purpose, it will notify you and will explain the legal basis that permits it to do so. Bridge4Learning Education Services Limited may process your personal data without your knowledge or consent, in compliance with this policy and procedure, where this is permitted by law.

Data Sharing

Bridge4Learning Education Services Limited may share your personal data with third parties where required by law, where it is necessary to administer the working relationship with you or where there is another legitimate interest in so doing including, but not limited to, other external organisations. Third parties with whom we may share your data include:

| | |
|--|--|
| Disclosure and Barring Service (DBS) checking organisation (GB Group). | Compliance with a legal obligation and/or legitimate interest. |
| HMRC. | Compliance with a legal obligation. |
| DfE. | Compliance with legal obligation. |

The respective pension scheme applicable to your contract

Compliance with a legal obligation and/or performance of a contract.

Retention of your personal data

The GDPR and DPA 2018 require that personal data should be kept for no longer than is necessary for the purposes for which the personal data are processed (except in certain specific and limited instances).

Data subject rights

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used to send direct marketing
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
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Complaints

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

- 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

Contact us

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Katie Anderson.

Yours faithfully



Katie Anderson
Headteacher