



Privacy Notice

How We Use Pupil Information

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	Name	Signature	Date
Chair of Governors	Mr Alun Llewelyn		January 2021
Head Teacher	Mrs Laurel Davies		January 2021

Ysgol Gymraeg Ystalyfera Bro Dur

Privacy Notice

How We Use Pupil Information

In order to effectively support your child's wellbeing and progress at Ysgol Gymraeg Ystalyfera Bro Dur (referred to as "The School" throughout the rest of this document) we will be required to gather a range of personal data. This Privacy Notice outlines to you the data we collect and how it is processed by the school in line with the General Data Protection Regulations (GDPR). As a parent, you have the right to make decisions about your child's personal data until they are 16 years of age.

Please could you read the document and keep for your information. If you wish to withdraw consent for use of this information please contact The Data Protection Team, YG Ystalyfera Bro Dur, Heol Ynysydarren, SA92DY.

For the purposes of this information the School will be classed as a Data Controller in line with the General Data Protection Regulations 2018 and any subsequent data protection legislation.

The categories of pupil information that we collect, hold and share include:

- Personal information (such as name, unique pupil number and address, photographs)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment information (such as tests, national literacy and numeracy tests, end of key stage levels and reports)
- Relevant medical information (provided on medical cards)
- Behaviour information (such as incidents in class or around the school and the action taken)
- Exclusions (all fixed term exclusions are noted)
- Additional Learning Needs (such as IEPs, educational psychology reports and information used to support a pupil in their education)
- Safeguarding information (such as information on welfare, child protection and information on those pupils who are looked after, CCTV footage)

Why we collect and use this information

We use the 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

The lawful basis on which we use this information

We ensure that the basis on which we collect and process personal and sensitive data is lawful under Article 6 and Article 9 of the GDPR from 25 May 2018.

Article 6, GDPR

Contract: the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.

Legal obligation: the processing is necessary for you to comply with the law (not including contractual obligations).

Vital interests: the processing is necessary to protect someone's life.

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.

Article 9, GDPR

As special category data is more sensitive so it needs more protection. For example, information about an individual's:

- race;
- ethnic origin;
- politics;
- religion;
- trade union membership;
- genetics;
- biometrics (where used for ID purposes);
- health;
- sex life; or
- sexual orientation.

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 and any subsequent Data Protection legislation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

Storing pupil data

We will hold pupil data for as long as necessary in line with Data Retention Guidelines.

This will vary depending on the type of data we hold.

Who we share pupil information with

We routinely share pupil information with:

- Welsh Government
- our local authority
- Estyn
- Capita Sims (Management Information System)
- Consortium (ERW)
- Careers Wales
- NHS
- schools / colleges that the pupil's attend after leaving us

We also share data with third parties to support your child whilst at school:

- Data for attainment (Alps, FFT Aspire, GL Assessment, Examination Boards, INCERTS)
- Data for teaching and learning (HWB, ClassDojo, Language Link)
- Data for access to HWB (including Google and Microsoft)
- Data for access to cloud based resources (Apple)
- Data for cashless payment system (ParentPay, Pebble Fund Manager)
- Data for catering system (Nationwide)
- Data for text service (Schoolcomms)
- Data for Safeguarding (MyConcern, Children's Services and the Police)
- Data for Additional Learning Needs (ALN) (local authority support services inc. Educational Psychologist)
- Data for medical support (Medical Cards, Risk Assessments, Health Care Plans and Accident Reports)

There may be other occasions where we will share data with a third party:

- School Educational Visits (for example Travel Companies / Flights)
- External Competitions (for example URDD)

Please note that some of these third parties are only applicable to your child where appropriate. We will ensure Data Processing Agreements are in place for all third parties. We will also inform you of any additional third parties as and when they occur.

All the personal data we process is processed by our staff in the United Kingdom. For the purposes of IT hosting and maintenance this information is located on servers within the European Union.

Why we share pupil information

We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so. We share pupils' data with the Welsh Government on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring. We

are required to share information about our pupils with our local authority (LA) and the Welsh Government under The Education (Information About Individual Pupils) (Wales) Regulations 2013.

Data collection requirements:

To find out more about the data collection requirements placed upon us by the Welsh Government (for example; via; Pupil Level Annual School Census (PLASC)) go to www.gov.wales/School Data

The National Pupil Database (NPD)

The development of a National Pupil Database for Wales was a central objective of the Welsh Assembly's Information Management Strategy (IMS) for schools, Local Education Authorities, and Post 16 providers. The National Pupil Database is owned and managed by the Welsh Government and contains information about pupils in schools in Wales. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the Welsh Government. 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 pupils to the Welsh Government as part of statutory data collections such as the Pupil Level Annual School Census (PLASC) linked to the pupil's attainment data relating to both statutory key stage assessments and external examinations such as GCSEs. Some of this information is then stored in the NPD. The law that allows this is The Education (Information About Individual Pupils) (Wales) Regulations 2013.

To find out more about the NPD, go to The Education (Information About Individual Pupils) (Wales) Regulations 2013: <http://www.legislation.gov.uk/uksi/2013/2094/made>

The Welsh Government may share information about our pupils from the NPD with third parties who promote the education or well-being of children in Wales by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The NPD is a secure website, with access restricted to authorised users only. Access to the database is strictly controlled via allocated User IDs and passwords. Individuals wishing to apply for access to the NPD will be required to complete an application form to determine their level of permissions. Welsh Government will only provide data for a specific purpose and for a limited time period, after which the organisation must confirm that it has been destroyed. Any analysis produced must follow Welsh Government disclosure rules to ensure that individual pupils cannot be identified.

Further information can be found by accessing the IMS web pages at: www.wales.gov.uk/ims

For research purposes wider than education, Welsh Government will use techniques that ensure the data are anonymised before any research takes place. Sharing of anonymised data is outside of the GDPR.

Further information can be found on the website at: www.gov.wales/School Data

Requesting access to your personal data

Under data protection legislation, 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 be given access to your child's educational record, contact:

The Data Protection Team, YG Ystalyfera Bro Dur, Ynysydarren Road, Ystalyfera, SA92DY

Email: DPT5@Hwbcymru.net

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

In the event you wish to withdraw your consent to use of this information or amend any information you may notify the School at any time who will consider any request.

There is some information to which we must hold by virtue of our legal requirements and any failure to give this information or to provide accurate information could render you liable to legal proceedings.

If at any point you believe the information we process on you is incorrect you request to see this information and even have it corrected or deleted. If you wish to raise a complaint on how we have handled your personal data, you can contact the **The Data Protection Team, YG Ystalyfera Bro Dur, Ynysydarren Road, Ystalyfera, SA92DY** who will investigate the matter.

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Contact

If you would like to discuss anything in this privacy notice, please contact:

The Data Protection Team, YG Ystalyfera Bro Dur, Ynysydarren Road, Ystalyfera, SA92DY

Email: DPT5@Hwbcymru.net

Privacy Notice

- In providing us with your personal information you hereby acknowledge that the School is the Data Controller for all the personal information you provide to us or have previously provided to us (for the purpose of the General Data Protection Regulation 2016 (GDPR) and the Data Protection Act 2018 (DPA)).
- The personal data which we collect from you will be used by the school (pursuant to it carrying out its various statutory and non-statutory functions) to allow us
 - 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
- As a Data Controller the school is required under GDPR to inform you which of the Article 6 GDPR “Data Processing Conditions” it is relying upon to lawfully process your personal data. In this respect please be advised that in regards to the data provided by you on this form we are relying on the following two Article 6 conditions;
 - “The data processing is necessary for compliance with a legal obligation to which the controller is subject”. (Article 6(c) GDPR).
 - “The data processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.” (Article 6(e) GDPR).
- We may share your personal data securely with the following third parties (i.e. persons/bodies/entities outside the school) in accordance with data sharing arrangements which we have in place with those third parties:-
 - Capita Sims (Management Information System)
 - ParentPay
 - Civica
 - Teachers2parents
 - INCERTS
 - MyConcern
- The personal information collected from you will be held by the school in accordance with the school’s retention policy (which is available from the school and/or via the school’s website).
- Please note that we are required to collect certain personal data under statutory requirements and in such cases a failure by you to provide that information to us may result

in the school being unable to provide you with a service and/or could render you liable to legal proceedings.

- We would inform you that under Article 21 GDPR you have the right at any time to object to the school about the fact that we are processing your personal data for the purposes of carrying out a public task or exercising our official authority.
- The school will not transfer any of your personal data outside of the European Union. All processing of your personal data by us will be carried out in the United Kingdom or other European Union countries.
- The school will not use your personal data for the purposes of automated decision making.
- Please be advised that under GDPR individuals are given the following rights in regards to their personal data:
 - i. The right of access to their personal data held by a data controller.
 - ii. The right to have inaccurate data corrected by a data controller.
 - iii. The right to have their data erased (in certain limited circumstances).
 - iv. The right to restrict the processing of their data by a data controller (in certain limited circumstances).
 - v. The right to object to their data being used for direct marketing.
 - vi. The right to data portability (i.e. electronic transfer of data to another data controller).

Further information on all the above rights may be obtained from the Information Commissioner's website: www.ico.org.uk.

- In the event that you have any queries regarding our use of your personal data, you wish to have access to the same or you wish to make any complaint regarding the processing of your personal data please contact the School's Data Protection Officer at: **Data Protection Team, Ysgol Gymraeg Ystalyfera Bro Dur, Heol Ynysydarren, Ystalyfera, SA92DY Email: dpt5@hwbcymru.net**
- Please be advised that in the event that you make a request or a complaint to the School's Data Protection Officer and you are dissatisfied with the school's response you are entitled to complain directly to the Information Commissioner's Office. Details of the Commissioner's Office contact details and further information on your rights may be obtained from the Commissioner's website – www.ico.org.uk.