



# Privacy Notices

May 2018

## TABLE OF CONTENTS

1. Privacy notice for parents/carers .....	3
The personal data we hold .....	3
Why we use this data.....	3
Our legal basis for using this data.....	3
Collecting this information .....	4
How we store this data.....	4
Data sharing.....	4
National Pupil Database .....	5
Youth support services .....	5
Transferring data internationally.....	5
Parents and pupils’ rights regarding personal data .....	5
Other rights.....	6
Complaints .....	6
Contact us .....	6
2. Privacy notice for pupils.....	7
The personal data we hold .....	7
Why we use this data.....	7
Our legal basis for using this data .....	7
Collecting this information .....	8
How we store this data.....	8
Data sharing.....	8
National Pupil Database .....	8
Youth support services .....	9
Transferring data internationally.....	9
Your rights.....	9
How to access personal information we hold about you .....	9
Your other rights over your data .....	9
Complaints.....	10
Contact us .....	10
3. Privacy notice for staff.....	11
The personal data we hold .....	11
Why we use this data.....	11
Our lawful basis for using this data .....	12
Collecting this information .....	12
How we store this data.....	12

Data sharing .....	12
Transferring data internationally .....	13
Your rights.....	13
How to access personal information we hold about you .....	13
Your other rights regarding your data .....	13
Complaints .....	14
Contact us .....	14

# 1. PRIVACY NOTICE FOR PARENTS/CARERS

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, Tytherington School (of Manchester Road, Macclesfield, Cheshire, SK10 2EE), are the 'data controller' for the purposes of data protection law.

Our Data Protection Officer is Mr A Pilbury (see 'Contact us' below).

## 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, such as ethnic background, eligibility for free school meals, or special educational needs
- 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
- Administer admissions waiting lists
- Carry out research
- Promote the school
- 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. Our 'Records Management Schedule' (within our Data Protection Policy that is available through our school website) sets out how long we keep information about pupils.

## 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:

- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- The Department for Education – we are required to share information about our pupils with the (DfE) under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013. This data sharing underpins school funding and educational attainment policy and monitoring
- The pupil's family and representatives – to enable them to best support the pupil in their learning and progress
- Educators and examining bodies – to provide our pupils with opportunity to complete formal assessment that is in line with age and key stage related expectations
- Our regulator (OFSTED) – to meet our legal obligations under the School Inspections Act 1996
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- Financial organisations – to support the data sharing that underpins school funding
- Central and local government – to meet our legal obligations to share certain information with them and provide services for our pupils
- Our auditors – to support the data sharing that underpins school funding
- Survey and research organisations – to support learning that develops the provision that we make for our pupils
- Health authorities – to support pupils' health and welfare
- Security organisations – to enable them to provide the service we have contracted them for and in the interests of crime prevention or investigation
- Health and social welfare organisations – to support pupils' health and welfare
- Professional advisers and consultants – to support learning that develops the provision that we make for our pupils
- Charities and voluntary organisations – to enable them to provide the service we have engaged with them for
- Police forces, courts, tribunals – to support pupils' welfare and in the interests of crime prevention or investigation

- Professional bodies – to enable them to provide the service we have contracted them for

## 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 Cheshire East Council, 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 Cheshire East Council.

## 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.

## 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 our Data Protection Officer – [apilbury@tytheringtonschool.co.uk](mailto:apilbury@tytheringtonschool.co.uk)

Tytherington School offers parents/carers 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 our Data Protection Officer – [apilbury@tytheringtonschool.co.uk](mailto:apilbury@tytheringtonschool.co.uk)

A minimum administration charge of £10 will be payable for any reproducing of records that is requested. The final charge will be dependent on the volume of reproduced material. The parent/carer making the request will be provided with an estimate of the charge once the request is clarified with them, with the final charge payable on receipt of the records.

## 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 – [apilbury@tytheringtonschool.co.uk](mailto:apilbury@tytheringtonschool.co.uk)

## 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 – [apilbury@tytheringtonschool.co.uk](mailto:apilbury@tytheringtonschool.co.uk)

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 – [apilbury@tytheringtonschool.co.uk](mailto:apilbury@tytheringtonschool.co.uk)

*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.*

## 2. PRIVACY NOTICE FOR PUPILS

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 privacy notice explains how we collect, store and use personal data about you.

We, Tytherington School (of Manchester Road, Macclesfield, Cheshire, SK10 2EE), are the 'data controller' for the purposes of data protection law.

Our Data Protection Officer is Mr A Pilbury (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, the local council and the government.

This information includes:

- Your contact details
- Your test results
- Your attendance records
- Your characteristics, like your ethnic background or any special educational needs
- Any medical conditions you have
- Details of any behaviour issues or exclusions
- Photographs
- CCTV images

### WHY WE USE THIS DATA

We use this data to help run the school, including to:

- Get in touch with you and your parents when we need to
- Check how you're doing in exams 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

### OUR LEGAL BASIS FOR USING THIS DATA

We will only collect and use your information when the law allows us to. Most often, we will use your information where:

- We need to comply with the law
- We need to use it to carry out a task in the public interest (in order to provide you with an education)

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
- We need to protect your interests (or someone else's interest)

Where we have got permission to use your data, you or your parents/carers may withdraw this at any time. We will make this clear when we ask for permission, and explain how to go about withdrawing consent.

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.

## COLLECTING THIS INFORMATION

While in most cases you, or your parents/carers, must provide the personal information we need to collect, there are some occasions when you can choose whether or not to provide the data.

We will always tell you if it's optional. If you must provide the data, we will explain what might happen if you don't.

## HOW WE STORE THIS DATA

We will keep personal information about you while you are a pupil at our school. We may also keep it after you have left the school, where we are required to by law.

We have a 'Record Management Schedule' which sets out how long we must keep information about pupils. Please view the policies page within our school website to see our 'Data Protection Policy' that contains the 'Record Management Schedule'.

## DATA SHARING

We do not share personal information about you with anyone outside the school without permission from you or your parents/carers, unless the law and our policies allow us to do so.

Where it is legally required, or necessary for another reason allowed under data protection law, we may share personal information about you with:

- Our local authority – to meet our legal duties to share certain information with it, such as concerns about pupils' safety and exclusions
- The Department for Education (a government department) – to meet our legal duties under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013
- Your family and representatives – to enable them to best support you in your learning and progress
- Educators and examining bodies – to provide you with the opportunity to take your exams and other formal assessments
- Our regulator (the organisation or "watchdog" that supervises us, i.e. OFSTED) – to meet our legal duties under the School Inspections Act 1996
- Suppliers and service providers – so that they can provide the services we have contracted them for
- Financial organisations – to support the data sharing that underpins school funding
- Central and local government – to meet our legal obligations to share certain information with them and provide services for you
- Our auditors – to support the data sharing that underpins school funding
- Survey and research organisations – to support learning that develops the provision that we make for you
- Health authorities – to support your health and welfare
- Security organisations – to enable them to provide the service we have contracted them for and in the interests of crime prevention or investigation
- Health and social welfare organisations – to support your health and welfare
- Professional advisers and consultants – to support learning that develops the provision that we make for you
- Charities and voluntary organisations – to enable them to provide the service we have engaged with them for
- Police forces, courts, tribunals – to support your welfare and in the interests of crime prevention or investigation
- Professional bodies – to enable them to provide the service we have contracted them for

## 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.

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 which promote children's education or wellbeing in England. These organisations must agree to strict terms and conditions about how they will 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.

## YOUTH SUPPORT SERVICES

Once you reach the age of 13, we are legally required to pass on certain information about you to Cheshire East Council, 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.

Your parents/carers, or you once you're 16, can contact our Data Protection Officer to ask us to only pass your name, address and date of birth to Cheshire East Council.

## TRANSFERRING DATA INTERNATIONALLY

Where we share data with an organisation that is based outside the European Economic Area, we will protect your data by following data protection law.

## 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.

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 if we are using your data to make any automated decisions (decisions being taken by a computer or machine, rather than by a person)
- Give you a copy of the information

You may also ask us to send your personal information to another organisation electronically in certain circumstances.

If you want to make a request please contact our Data Protection Officer – [apilbury@tytheringtonschool.co.uk](mailto:apilbury@tytheringtonschool.co.uk)

### 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 it to be used if this would cause, or is causing, harm or distress
- 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)
- Have it corrected, deleted or destroyed if it is wrong, or restrict our use of it
- Claim compensation if the data protection rules are broken and this harms you in some way

## COMPLAINTS

We take any complaints about how we collect and use your personal data very seriously, so please let us know if you think we've done something wrong.

You can make a complaint at any time by contacting our Data Protection Officer – [apilbury@tytheringtonschool.co.uk](mailto:apilbury@tytheringtonschool.co.uk)

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

## 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 – [apilbury@tytheringtonschool.co.uk](mailto:apilbury@tytheringtonschool.co.uk)

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

### 3. PRIVACY NOTICE FOR STAFF

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 individuals we employ, or otherwise engage, to work at our school.

We, Tytherington School (of Manchester Road, Macclesfield, Cheshire, SK10 2EE), are the 'data controller' for the purposes of data protection law.

Our Data Protection Officer is Mr A Pilbury (see 'Contact us' below).

#### THE PERSONAL DATA WE HOLD

We process data relating to those we employ, or otherwise engage, to work at our school. Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Contact details
- Date of birth, marital status and gender
- Next of kin and emergency contact numbers
- Salary, annual leave, pension and benefits information
- Bank account details, payroll records, National Insurance number and tax status information
- 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
- Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships
- Performance information
- Outcomes of any disciplinary and/or grievance procedures
- Absence data
- Copy of driving licence
- Photographs – internal use only
- CCTV footage
- Data about your use of the school's information and communications system

We may also collect, store and use information about you that falls into "special categories" of more sensitive personal data. This includes information about (where applicable):

- Race, ethnicity, religious beliefs, sexual orientation and political opinions
- Trade union membership
- Health, including any medical conditions, and sickness records

#### WHY WE USE THIS DATA

The purpose of processing this data is to help us run the school, including to:

- Enable you to be paid
- Facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- Support effective performance management
- Inform our recruitment and retention policies
- Allow better financial modelling and planning
- Enable ethnicity and disability monitoring
- Improve the management of workforce data across the sector
- Support the work of the School Teachers' Review Body

- Promote the school

## OUR LAWFUL BASIS FOR USING THIS DATA

We only collect and use personal information about you when the law allows us to. Most commonly, we use it where we need to:

- Fulfil a contract we have entered into with you
- Comply with a legal obligation
- Carry out a task in the public interest

Less commonly, we may also use personal information about you, where:

- You have given us consent to use it in a certain way
- We need to protect your vital interests (or someone else's interests)

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

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the school's use of your data.

## COLLECTING THIS INFORMATION

While the majority of information we collect from you is mandatory, there is some information that you can choose whether or not to provide to us.

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.

## HOW WE STORE THIS DATA

We create and maintain an employment file for each staff member. The information contained in this file is kept secure and is only used for purposes directly relevant to your employment.

Once your employment with us has ended, we will retain this file and delete the information in it in accordance with our 'Records Retention Policy' (referred to in our Data Protection Policy that is available through our school website).

## DATA SHARING

We do not share 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 – to meet our legal obligations to share certain information with it, such as safeguarding concerns
- The Department for Education - this data sharing underpins school funding and educational attainment policy and monitoring
- Your family or representatives – as required, to support you
- Educators and examining bodies – to support your delivery of courses related to the formal assessment of our pupils that is in line with age and key stage related expectations
- Our regulator (OFSTED) – to meet our legal obligations under the School Inspections Act 1996
- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as payroll
- Financial organisations – to support the data sharing that underpins school funding and payroll

- Central and local government – to meet our legal obligations to share certain information with them and provide services
- Our auditors – to support the data sharing that underpins school funding
- Survey and research organisations – to support learning that develops our provision
- Trade unions and associations – as required, to support you
- Health authorities – to support health and welfare
- Security organisations – to enable them to provide the service we have contracted them for and in the interests of crime prevention or investigation
- Health and social welfare organisations – to support health and welfare
- Professional advisers and consultants – to support learning that develops our provision and in the interests of staff welfare and development
- Charities and voluntary organisations – to enable them to provide the service we have engaged with them for
- Police forces, courts, tribunals – to support equality, employment, welfare and in the interests of crime prevention or investigation
- Professional bodies – as required, to support you
- Employment and recruitment agencies – as required, to support you

## 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.

## YOUR RIGHTS

### HOW TO ACCESS PERSONAL INFORMATION WE HOLD ABOUT YOU

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

If you make a subject access request, and if we do hold information about you, 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
- 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

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

If you would like to make a request, please contact our Data Protection Officer – [apilbury@tytheringtonschool.co.uk](mailto:apilbury@tytheringtonschool.co.uk)

### YOUR OTHER RIGHTS REGARDING YOUR DATA

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

- Object to the use of your personal data if it would cause, or is causing, damage or distress
- Prevent your data being used to send direct marketing
- Object to the use of your personal data for 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 – [apilbury@tytheringtonschool.co.uk](mailto:apilbury@tytheringtonschool.co.uk)

## 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 – [apilbury@tytheringtonschool.co.uk](mailto:apilbury@tytheringtonschool.co.uk)

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 – [apilbury@tytheringtonschool.co.uk](mailto:apilbury@tytheringtonschool.co.uk)

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