



RUTLISH SCHOOL

PRIVACY NOTICE – Students

HOW WE USE YOUR INFORMATION

Introduction

This notice is to help you understand how and why we collect your personal information and what we do with that information. It also explains the decisions that you can make about your own information.

We are giving you this notice because you are mature enough to make decisions about your personal information.

We, Rutlish School, Watery Lane, SW20 9AD, 020 8542 1212 are the 'data controller' for the purposes of data protection law.

Our Data Protection Officer/Lead is the School Business Manager (see 'Contact us' below).

If you have any questions about this notice, please talk to your Head of Year.

The personal data we hold

What is "personal information"?

Personal information is information that the school holds about you and which identifies you. This includes information such as your name, date of birth and address as well as things like exam results, medical details and behaviour records. The school may also record your religion or ethnic group. CCTV, biometric data, photos and video recordings of you are also personal information.

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

- Your contact details
- Your test/exams results
- Your attendance records
- Details of any behaviour issues or exclusions
- Online identifier, such as a username

We may also collect, use, store and share (when appropriate) information about you that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to:

- Information about your characteristics, like your ethnic background or any special educational needs, nationality and religion
- Information about any medical conditions you have
- Photographs and CCTV images
- Biometrics (fingerprints), used for identification purpose
- Medical
- Health – Physical or mental
- Educational needs

Why we use this data

We use the data listed above to:

- a) Get in touch with you and your parents when we need to
- b) Support student learning
- c) monitor your progress in lessons and exams, and work out whether you need additional support
- d) Track how well the school as a whole is performing
- e) Look after your wellbeing

- f) To pay for school meals
- g) To monitor your use of email, internet and mobile devices
- h) Admissions waiting lists (RR6)
- i) Carry out research

Use of your personal data for marketing purposes

Where you have given us consent to do so, we may send you messages by email or text promoting school events, campaigns, charitable causes or services that you might be interested in.

You can take back this consent or 'opt out' of receiving these emails and/or texts at any time by clicking on the 'Unsubscribe' link at the bottom of any such communication, or by contacting us (see 'Contact us' below).

Use of your personal data in automated decision making and profiling

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

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

Our lawful basis for using this data

We will only collect and use your information when the law allows us to. We need to establish a 'lawful basis' to do this.

Our lawful bases for processing your personal information for the reasons listed in section 3 above are:

Public interests

This means that the processing of your data is necessary for public interests. The School relies on public interests for most of the ways in which it uses your data.

Specifically, the school has a public interest in:

- Providing you with an education.
- Safeguarding and promoting your welfare and the welfare of other young people.
- Promoting the objectives and interests of the school.
- Facilitating the efficient operation of the school.
- Ensuring that all relevant legal obligations of the school are complied with.

Legal obligation

Where the School needs to use your information in order to comply with a legal obligation, for example under the Education Act, Keeping Young people Safe in Education should the school need to report a concern about your wellbeing to Young people's Services.

Consent

The school may request your consent and must be freely given and actively opt in for the use of photographs, videos and biometrics.

Legitimate interest

Personal data may be processed on the basis that the school has a legitimate interest in processing that data, provided that such legitimate interest is not overridden by your rights or freedoms.

The school must also comply with an additional condition where it processes special categories of personal information. These special categories include: personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, genetic information, biometric information, health information, and information about sex life or orientation.

Vital interests

To protect the vital interests of any person where that person cannot give consent, for example, if they are seriously hurt and are unconscious.

Legal claims

The processing is necessary for the establishment, exercise or defence of legal claims. This allows us to share information with our legal advisors and insurers.

Where you have provided us with consent to use your information, you may take back this consent at any time. We will make this clear when requesting your consent, and explain how you'd go about withdrawing consent if you want to.

Our basis for using special category data

For 'special category' data (more sensitive personal information), we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in data protection law:

- We have obtained your explicit consent to use your information in a certain way.
- We need to use your information under employment, social security or social protection law.
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent.
- The information has already been made obviously public by you.
- We need to use it to make or defend against legal claims.
- We need to use it for reasons of substantial public interest as defined in legislation.
- We need to use it for health or social care purposes, and it's used by, or under the direction of, a professional obliged to confidentiality under law.
- We need to use it for public health reasons, and it's used by, or under the direction of, a professional obliged to confidentiality under law.
- We need to use it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the use is in the public interest.

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in data protection law. Conditions include:

- We have obtained your consent to use it in a specific way.
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent.
- The data concerned has already been made obviously public by you.
- We need to use it as part of legal proceedings, to obtain legal advice, or to make or defend against legal claims.
- We need to use it for reasons of substantial public interest as defined in legislation.

Collecting Personal Information

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

Whenever we want to collect information from you, we make it clear if you have to give us this information (and if so, what the possible consequences are of not doing that), or if you have a choice.

Some of the data we hold about you will come from you, but we may also hold data about you from:

- Your parents/carers
- Local councils
- Government departments or agencies
- Police forces, courts, tribunals

How we Store this data

We keep personal information about you while you're attending our school. We may also keep it beyond your attendance at our school if this is necessary. Our record retention schedule sets out how long we keep information about students.

To request a copy of your record retention schedule, please contact us (see 'Contact us' below).

We have security measures in place to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We will dispose of your personal data securely when we no longer need it.

Who we share data with

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 London Borough of Merton – to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about exclusions.
- Government departments or agencies – to meet our legal obligations to collect data e.g. census.
- Other schools if students leave .
- Our regulator, Ofsted.
 - Suppliers and service providers: to be able to provide a service to the students eg. exam centres, catering services, trip and residential companies this is not limited to.
- Financial organisations to fund services that are not provided by the school.
- Health authorities to meet our legal obligations, e.g. if you had an accident at school.
- Security organisations to use the biometrics system or access to the school gates.
- Health and social welfare organisations to ensure your wellbeing.
- Professional advisers and consultants to seek advice to support you in your education.
- Charities and voluntary organisations to be part of the PTA.
- Police forces, courts, the school may need to share information to these service.

National Pupil Database

We have 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, such as organisations that promote young people'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.

Transferring data internationally

We may share personal information about you with the following international third parties outside of the European Economic Area, where different data protection law applies:

- To universities and schools, the school will transfer data on the basis of an adequacy decision by the European Commission.
- Where we transfer your personal data to a country or territory outside the European Economic Area, we will follow data protection law.
- In cases where we have safeguarding arrangements in place, you can get a copy of these arrangements by contacting us.

Your rights

How to access personal information that we hold about you

You have a right to make a 'subject access request' to gain access to personal information that we hold about you.

If you make a subject access request, and if we do hold information about you, we will (unless there's a really good reason why we shouldn't):

- 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
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data (decisions made by a computer or machine, rather than by a person), and any consequences of this
- Give you a copy of the information in an understandable form

You may also have the right for your personal information to be shared with another organisation in certain circumstances. If you would like to make a request, please contact us (see 'Contact us' below).

Your other rights regarding your data

Under data protection law, you have certain rights regarding how your personal information is used and kept safe. For example, you have the right to:

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

To exercise any of these rights, please contact us (see 'Contact us' below).

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.

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

- Report a concern online at <https://ico.org.uk/make-a-complaint/>
- 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:

Our Data Protection Officer is: schoolsDPO@merton.gov.uk

However, our Data Protection Lead has day-to-day responsibility for data protection issues in our school.

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact them: School Business Manager email administration@rutlish.merton.sch.uk