

Privacy notice (how we use student information)

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.

At The Serendipity School we collect and hold personal information relating to our students and their parents/carers. We may also receive information about them from parents, previous schools, local authorities, and/or the Department for Education (DfE). Our school aims to ensure that all data collected about students is collected, stored and processed in accordance with the General Data Protection Act (GDPR).

This privacy notice explains how we collect, store and use personal data about **students**.

We, The Serendipity School, as part of The Serendipity Centre Ltd (TSCL), are the 'data controller' for the purposes of data protection law.

Our Privacy Notice and Data Protection Policy apply to all data, regardless of whether it is in paper or electronic format.

Our data protection officer is Sue Tinson (see 'Contact us' below).

The categories of student information that we process include:

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

- Personal identifiers and contacts (such as name, unique pupil number contact details and address)
- Characteristics (such as gender, ethnicity, language, nationality, country of birth)
- Special educational needs and disability
- Assessment and attainment (such as internal progress assessments and externally set tests)
- Student and curricular records
- Behavioural information (such as exclusion and any relevant alternative provision put in place)
- Medical and administration (such as doctors information, child health, physical and mental health, dental health, allergies, medication and dietary requirements)
- Attendance information (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs and videos (such as displays or school newspaper articles)
- CCTV images

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

Additionally, for parents/carers/guardians, we collect personal information (name, address, contact details) to allow us to communicate with you about your child.

Why we collect and use student information

We collect and use student information, for the following purposes:

- To support student learning
- To monitor and report on student progress
- To provide appropriate pastoral care
- To keep the students safe (safeguarding, welfare and medical support)
- To assess the quality of our services
- To support admissions and administer waiting lists
- To comply with the law regarding data sharing
- To maintain our own finances, accounts and records
- To monitor attendance and special educational needs
- To meet the statutory duties placed upon us for DfE data collections

Our legal basis for processing this information under the General Data Protection Regulation (GDPR)

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

Under Article 6

- We need to comply with a legal obligation
 - (General Data Protection Regulation (EU) 2016/679 (from 25th May 2018) - In accordance with the legal basis GDPR Article 6 (1) c) "processing is necessary for compliance with a legal obligation to which the controller is subject"
- We need it to perform an official task in the public interest
 - In accordance with the legal basis GDPR Article 6 (1) e) "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"

However special category data also applies:

Under Article 9

1. "Processing of personal data 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 shall be prohibited".

2. "Paragraph 1 shall not apply if one of the following applies -

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- In accordance with the legal basis GDPR Article 9 (2) a) “the data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject”
- We need to protect the individual’s vital interests (or someone else’s interests) – In accordance with the legal basis GDPR Article 9 (2) c) “processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent”
- In accordance with the legal basis GDPR Article 9 (2) g) “the processing is necessary for reasons of substantial public interest”

Where we have obtained consent to use a student’s 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 easily be withdrawn through provision of clear contact details.

Some of the reasons listed above for collecting and using students’ personal data overlap and there may be several grounds which justify why we process this data.

How we collect student information

Student data is essential for the schools’ operational use. We collect most of our student information when they are transitioning to The Serendipity School through the referral process using secure email.

Whilst the majority of student information we collect from you 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 at the point of collection, whether you are required to provide certain student information to us or if you have a choice in this. For example, student photography consent will be requested.

How we store student data

We keep personal information about students 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.

Data student sharing

We routinely share student information with:

- Local authorities – to meet our legal obligations to share certain information such as safeguarding concerns and exclusions
- The Department for Education (DfE)
- The student’s family and representatives
- Schools, colleges, work placements, examining bodies and placements the students attend after leaving us
- Our regulators e.g. Ofsted
- Suppliers and service providers – to enable them to provide the service we have contracted them to do

- Our auditors
- Health authorities
- Health and social welfare organisations
- Professional advisers and consultants
- Police forces, courts, tribunals
- Professional bodies
- Residential trip providers
- Formative assessment providers and assessment data management e.g. Lexia
- Youth support services and careers advisors

This list is not exhaustive, to access more information about the data that we process please contact the data protection officer.

Why we regularly share student information

We do not share information about students with any third party without consent unless the law and our policies allow us to do so.

We share student data with the DfE on a statutory basis, 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, academies, 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.

Parents and students' 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:

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- 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.

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**:

The Serendipity School

Emma Shaw – smarter.es@outlook.com Telephone: 07596 546914

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.