

Chetham's

# Privacy Notice Students and Parents (Data Protection)

10/11/26

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Created: JAR-C 14/3/21
Version: 10/11/26
Review: 10/11/27

# Privacy Notice: Students (12+) and Parents (Data Protection)

## Introduction

You have a legal right to be informed about how Chetham's controls, and uses (processes) any personal information (data) that we hold about you. This Privacy Notice explains how we collect, store and use your personal data at our school. It is a more focused version of our full *Data Protection Policy* which is also available on our website.

We do our best to look after (protect) your personal information. Our Data Protection Officer is Mr. Runswick-Cole. He ensures that the data at Chetham's is handled safely and that we follow data protection laws. You can contact him at dpo@chethams.com if you need support regarding your data.

## 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. Some of this information might come from other places too, like other schools, the local council or the government. Personal information that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Your contact details
- Your assessments and reports
- Your attendance records
- Details of any behaviour issues, consequences and rewards
- Where you go after you leave the School.

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 or disabilities you may have
- Information about any medical conditions you have
- Photographs and CCTV images
- Digital network usage
- Audio and video recordings.

## **Why We Use This Data** (Purposes)

We use the data listed above 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 you and promote your personal wellbeing
- Ensure we are providing a safe and secure environment
- Safeguard and promote your interests
- Protect and promote our interests and objectives: this includes fundraising and marketing activities. You can ask us not to use personal data for direct marketing purposes.

## 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 Chetham's events, 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 at dpo@chethams.com.

## Use Of Your Personal Data In Automated Decision Making And Profiling

We don't currently put your personal information through any automated decision-making or profiling process. This means we don't 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.

## Lawful Bases For Processing Your Personal Information

We will only collect and use your information when the law allows us to. This is known as a 'lawful basis'. Our lawful bases for processing your personal information are:

- **Public Task basis**: tracking school and individual student performance. This is known as a 'public task' because we have to process this data as part of our duties as a school.
- **Legal Obligation basis**: checking how you are doing in exams and school work; looking after your wellbeing. As a school the law requires us to do this.
- **Consent basis**: when contacting you and your parents and for marketing we need you to opt in or 'consent' to us using your personal data
- **Vital Interests basis**: ensuring your wellbeing and safety means we may have to use your personal data in a life-or-death situation and to comply with our safeguarding duties
- **Contract basis:** monitoring your progress to fulfil an agreement (contract) with you or to help you enter into a contract with us
- **Legitimate Interests basis**: contacting you or your parents as part of our work as a school, including:

    - Keeping you safe and well
    - Keeping others safe and well
    - To carry out our business as an education provider

- To communicate with your parents about your academic, musical and pastoral progress
- To carry out the terms of our contract with your parents.

Where you've provided us with consent to use your information, you may take back this consent at any time. We'll make this clear when requesting your consent, and explain how you'd go about withdrawing consent if you want to. You can also ask for your personal data to be erased unless we have to keep it to fulfil our legal duties.
You can read more about our lawful bases here:

https://www.legislation.gov.uk/uksi/2014/3283
https://www.gov.uk/government/publications/keeping-children-safe-in-education--2

## 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, and one of the following conditions for processing:

- 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 person who has a legal duty to be confidential
- We need to use it for public health reasons, and it's used by, or under the direction of, a professional legally obliged to be confidential
- 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, and a condition for processing as set out in data protection law. Likely 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 This Data

While most of the information we collect about you is mandatory, there is some information that can be provided voluntarily. 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. Most of the data we hold about you will come from you, but we may also hold data about you from:

- Local councils
- Government departments or agencies e.g. the NHS, DfE
- 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. Chetham's data storage systems are designed to minimise the amount of data collected, used and stored. The systems are also designed to keep your data as safe as possible. Any data you submit in digital or physical form including video or audio recordings will be retained, secured and disposed of in accordance with the terms of our *Data Protection Policy* which has regard to the General Data Protection Regulation (GDPR) (2016) and the UK Data Protection Act (2018).

Our record retention schedule sets out how long we would normally keep information about students:

| **Data Retention Schedule** | |
|---|---|
| **Type of data** | **Retention: Academic year + X years** |
| Child Sexual Abuse | |
| Records and allegations on staff and student files | • 75 years minimum. (Recommendation 7 from the IICSA). |
| STUDENTS | |
| Overall student record, inc.: registration info, internal assessment, reports, medical | • Student's DoB + 25 years<br>• or on transfer to another school (but retain ifstudent moves to HE)<br>• Registration and Admission records: 6 yrs from data input. |
| SEND | • Student's DoB + 31 years |
| Educational visit information | • 2 years if no incidents<br>• Student's DOB + 25 years if an incident has occurred |
| Classroom work | • 1 year – return to student or delete / centralise |
| Exam and competition entries | • 6 years |
| Census returns | • 5 years |
| Address lists | • Delete and access via SIMS |
| Auditions | • 1 year since an unsuccessful application or lastpoint of contact<br>• 10 years anonymised |

| | |
|---|---|
| Biographies | Student leaving school |
| Discipline & support | • Minor – delete / centralise<br>• Major – student's DOB + 25 years |
| External exam results | • 6 years (school copy)<br>• Student's DOB + 25 years (student copy, if uncollected) |
| PARENTS | |
| Educational visit consents | • Conclusion of trip<br>• 7 years if payment details included |
| Extra charges | • Financial year + 6 years |
| Correspondence | • Minor issues – 1 year<br>• Major issues - Student's DOB + 25 years |

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'll delete or dispose of your personal data securely when we no longer need it.

## With Whom Do We Share Data?

We don't share information about you with any third party without your consent unless the law and our policies allow us to do so. Where it's legally required, or necessary (and it complies with data protection law), we may share personal information about you with:

- Our local authority Greater Manchester: to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about exclusions
- Government departments or agencies such as the DfE, NHS, Local Authority
- Our youth support services provider, Manchester Safeguarding Partnership
- Our school inspectors, ISI
- Our caterers, Sodexo
- Financial organisations
- Our auditors
- Your family / carer / guardian
- Survey and research organisations
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals.

## National Pupil Database

We have to provide information about you to the Department for Education (part of the government) when they collect data such as for a national 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.

The Department for Education may share information from the database with other organisations, such as organisations that promote children's education or wellbeing in England. These organisations must agree to the department's strict rules 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 their database.

## Transferring Data Internationally

If we have to send your data somewhere outside the UK we will follow European Commission and UK GDPR data safeguarding guidelines. 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:

- Microsoft OneDrive
- Overseas Schools to which you might apply
- Overseas Colleges and Universities to which you might apply.

If you are going to apply to a school or Higher Education institution overseas then we will ask for your explicit permission to transfer your data to them for the purposes of providing a reference and helping you to secure a place there.

We may also seek their reassurances that their data protection policies and practice follow ICO guidelines and data protection law. If we undertake such safeguarding arrangements, we will keep a copy which you can request by contacting us.

## How To Access Personal Information That We Hold About You

You have a right to ask to see, (known as a 'subject access request' or SAR), any personal information that we hold about you.

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

- 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, but we would need your authorisation.

If you would like to make a request, please contact us at dpo@chethams.com.

Please note that Chetham's is not a public body and is, therefore, not subject to the Freedom of Information Act 2000. Parents can request copies of reports and tutor cards, but only students who are considered capable of understanding the implications of a SAR can request access to their data. Usually students over the age of 12 are considered competent, but younger students may also be competent. Students can give consent for parents to see their data, but we will need proof that students are happy for this to happen. See the *Data Protection Policy*.

## Your Other Rights Regarding Your Data

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

- Say that you don't want your personal information to be used
- Stop it being used to send you marketing materials
- Say that you don't 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 at dpo@chethams.com.

## 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 concerns about our data processing, please let us know first at dpo@chethams.com. We will do our best to resolve your complaint informally. We will follow our *Concerns and Complaints Policy* and *Student Concerns and Complaints Procedure*.

Alternatively, you can make a complaint to the Information Commissioner's Office after you have completed the School's complaints procedures:

- 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**:

- Mr J Runswick-Cole: dpo@chethams.com; 01618387200 extn 123.