



Privacy Policy / Fair Processing Notice - How We Use Pupil Information

Owner:NA/WAA/KLF6AA

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May 2018	May 2019	May 2019	2	May 2020
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1) Pupil Information

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

- Personal information (such as name, unique pupil number contact details and address)
- Characteristics (such as ethnicity, language, nationality, country of birth)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Other categories (such as assessment information, relevant medical information, (including COVID 19 test consent and vaccination record) and special educational needs information, exclusions / behavioural information, post 16 learning information, pupil premium recipient, care status, background information)
- Images for website, newsletters, reports, marketing materials, social media platforms.

CCTV

- CCTV is operated throughout The Swan premises in the interests for public/ employee safety. All Sixth Form and Wings Project pupils are based in The School House and Technical Suite at The Swan and all Green Room pupils may at some time be involved in activities held at The Swan and their images will be processed by the CCTV. Please note CCTV is NOT installed in the School House and Technical Suite, only public spaces, and the Duty Manager has a monitor in the school office to check the CCTV footage during school hours while pupils are in the public space. The Green Room also has access to historical footage and further information is available in The Swan CIC Data Protection Policy and CCTV policy.

COVID-19 testing

- **Ownership of the Personal Data**
To enable the Covid-19 testing to be completed at The Green Room Schools, we need to process personal data for pupils taking part, including sharing of

personal data where we have a legal obligation.

The Green Room Foundation is the Data Controller for the data required for processing the tests and undertaking any actions which are needed by the schools to ensure we meet our public health and safeguarding legal obligations. Please see Appendix A for details.

2) Rights of Data Subject

The Data Subject (The Pupil) has the following rights:

- the right to be informed
- the right of access
- the right to rectification
- the right to erasure (some of these rights are not going to apply due to other conditions set out in the Lawful Basis Section)
- the right to restrict processing
- the right to data portability
- the right to object
- rights in relation to automated decision making and profiling.

3) Purpose - Why we collect and use this information

Whilst the majority of pupil information provided 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, we will inform pupils whether they are required to provide certain information to us or if they have a choice in this.

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

4) Lawful Basis

The lawful basis on which we collect and use pupil information uses **Article 6 1a and Article 9** from the new GDPR laws as guidelines. **The Green Room obtains consent from pupils who are over 18 and parents to process their data for the specific purposes of: providing education to the pupil and safeguarding.**

5) Sharing - Who we share pupil information with and why

We routinely share pupil information with HM Government agencies including:

- Local authorities -admissions, invoicing, transport, social care, annual review meetings
- The Department for Education (DfE) - OFSTED inspections, census
- Work experience placements - possible employees
- School / College pupils attend after The Green Room - possible college placements, attendance reporting when dual register.
- NHS - immunisation, CAMHS, speech and language therapists
- Exam boards - exam entries, and results
- Specialist practitioners - experts on pedagogical and therapeutic care
- Other government agencies required to assist in pupil care - eg CYPDS, YOT, DART, FSP EWO, YISP

We do not share information about our pupils with anyone without consent unless the law requires us to do so.

6) Storing pupil data

Pupil data is stored in Arbor Education and our website/email/curriculum/photos are stored in our Google G Suite For Education. Both of these systems are GDPR compliant. Data that is not yet entered into either of our systems eg pupils not yet on our roll, are kept in a locked cupboard behind a locked door in the school office.

Length of time The Green Room will hold pupil data - DOB of the pupil 3 - 40 years (Guidelines from [The information and Records Management Society](#)). Please refer to [data retention policy](#).

7) Requesting access to your personal data - Subject Access Request

(SAR). 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 personal information, or be given access to a pupils' educational record, contact Jane Nicholls jane@thegreenroomschool.com The Green Room will then endeavour to help pupils and parents/carers access their data.

8) Other Rights

Pupils, Parents and Carers 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; (NOTE: the right to erasure - whilst the pupil attends The Green Room, there may be data that we would not erase if requested if it would hamper our ability to perform our public task).
- claim compensation for damages caused by a breach of the Data Protection regulations

9) Contact

If you would like to discuss anything in this privacy notice, please contact info@thegreenroomschool.com

To read our full Privacy Notice please visit our website www.thegreenroomschool.com/policies

This policy is approved by the Co-CEO of The Green Room Foundation

Date: _____

Co-CE: _____

Appendix A

COVID-19 Testing at The Green Room Schools

Lawful Basis

Personal data relating to tests for pupils and staff is processed under the legitimate interest of the data controller (set out in Article 6(f) of the UK GDPR) to ensure we can minimise the spread of COVID in a timely manner and enable us to continue to deliver education services safely and securely.

Special Category Data

The processing of special category personal data is processed under Section 9.2(i) of GDPR, where it is in the public interest on Public Health Grounds.

Data Controllorship is then passed to the Department for Health and Social Care (DHSC) for all data that we transfer about pupils/staff and your test results to them. For more information about what they do with your data please see the Test and Trace Privacy Notice.

Data We Use to Process The Tests

The Green Room remains the Data Controller for the data we retain about pupils/ personal data involved in the process. We use the following information to help us manage and process the tests:

- Name
- Date of birth
- Gender
- Ethnicity
- Home postcode
- Email address
- Mobile number
- Unique barcode assigned to each individual test and which will become the primary reference number for the tests
- Test result
- Parent/guardians contact details

We will only use information that is collected directly from you specifically for the purpose of the tests, even if you have previously provided us with this information.

We will only use information where pupils have elected to take a test on site, rather than at home.

How We Store Personal Information

The information will only be stored in Arbor Education whilst it is needed and the Health and Safety Google Drive. It will also be entered directly onto DHSC digital services for the NHS Test and Trace purposes. We will not have access to the information on the digital service once it has been entered.

Positive Test Result

The member of staff, pupil, or parent (depending on contact details provided) will be informed of the result by the school and advised to follow current government guidelines regarding testing and self-isolation.

We will use this information to enact our own COVID isolation processes. The information will be transferred to DHSC, who will share this with the NHS, GPs. PHE and the Local Government will use this information for wider test and trace activities as well as statistical and research purposes. This information will be kept by the Green Room School for up to 1-3 years and by the NHS for 8 years.

Negative Test Results

We will record a negative result and the information transferred to DHSC, NHS. PHE and the Local Government who will use the information for statistical and research

purposes. This information will be kept by the school/college for up to 1-3 years and by the NHS for 8 years.

Data Sharing Partners

The personal data associated with test results will be shared with:

- DHSC, NHS, PHE – to ensure that they can undertake the necessary Test and Trace activities and to conduct research and compile statistics about Coronavirus.
- GPs – to maintain medical records and to offer support and guidance as necessary
- Local Government to undertake local public health duties and to record and analyse local spreads.

Pupil / Staff Rights Under Data Protection Law:

Please see our GDPR policy for further information and a link to all relevant forms

How to Complain

Please see our Complaints Policy

You can also complain to the ICO if you are unhappy with how we have used your data. The ICO's address: Information Commissioner's Office Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF Helpline number: 0303 123 1113