

# Fair Processing / Privacy Notice – HAUTES CAPELLES PRIMARY SCHOOL

## 1. About this notice

This Fair Processing Notice explains how Hautes Capelles Primary School uses the personal data of parents and pupils. Please read it carefully and if you have any questions regarding your personal data, or its use, please contact the school directly or speak to our Data Protection Officer.

### **What do we mean by personal data?**

‘Personal data’ has a very broad legal definition, it is: *‘any information relating to an identified or identifiable [living] individual’*.

The scope of what ‘personal data’ is expands even further when you consider that it includes both factual information about people as well as opinions expressed about people. It also includes anonymised data that could identify people if it was combined with other information.

### **What is processing?**

Throughout this notice, we refer to the term ‘processing’. In terms of personal data, this means any action that is performed on the data; examples of processing include:

- Collection
- Recording
- Organisation
- Structuring
- Storage
- Alteration
- Retrieval
- Consultation
- Use
- Disclosure
- Dissemination
- Restriction
- Erasure
- Destruction

## 2. The Data Protection Law

Hautes Capelles Primary School processes your personal data in line with its core mandate. The registered data controller for all activities summarised within this notice is the Committee for Education, Sport & Culture (‘ESC’) and Hautes Capelles Primary School is acting on behalf of ESC. The controller acknowledges its obligations as per the Data Protection (Bailiwick of Guernsey) Law, 2017 (‘the Law’), which provides a number of requirements in terms of processing activities involving personal data.

Hautes Capelles Primary acknowledges the general principles of processing, which require that personal data shall:

1. Be processed fairly, lawfully and transparently
2. Be processed for a specified and lawful purpose(s) and must not be further processed in any incompatible manner (Purpose Limitation)
3. Be adequate, relevant and not excessive for those purposes (Minimisation).
4. Be accurate and, where necessary, kept up to date (Accurate)
5. Not be retained for longer than is necessary for the purpose for which it is processed (Storage Limitation)
6. Be processed in a manner that ensures its security appropriately, including protecting against unauthorised or unlawful processing, loss, destruction or damage (Integrity and Confidentiality)

In addition to this, the controller is responsible for ensuring that data is processed in accordance with the rights of individuals and must be able to demonstrate compliance with the data protection principles (Accountability).

As well as the general principles of processing, the controller acknowledges the rights of the data subject and more information in relation to these can be found by visiting [www.gov.gg/DP](http://www.gov.gg/DP)

### 3. Contact details

The contact details of the data controller are as follows:

The Committee for Education, Sport & Culture

Tel: 01481 227000

Email: [educationsportandculture@gov.gg](mailto:educationsportandculture@gov.gg)

The contact details for the representative of the controller are as follows:

Hautes Capelles Primary School

Tel: 01481 2526070

Email: [office@capelles.sch.gg](mailto:office@capelles.sch.gg)

The contact details for the Data Protection Officer for Education, Sport and Culture are as follows:

Data Protection Officer for ESC

Email: [data.protection@gov.gg](mailto:data.protection@gov.gg)

Tel: 01481 220012

## 4. The types of personal data we collect and use

Hautes Capelles Primary School collects and processes personal data about prospective, current and past pupils and their parents and siblings; staff, suppliers and contractors, volunteers and other individuals connected to or visiting the school.

The personal data we collect takes different forms; it may be factual information, expressions of opinion, images or other recorded information which relates to a living individual.

Hautes Capelles Primary School collects the following personal data:

- Basic personal data relating to parents, appointed guardians, pupils and their families, such as full name, address, date of birth, email address and contact information;
- Language and nationality of pupils;
- Safeguarding information (such as court orders and professional involvement);
- Attendance information (such as sessions attended, number of absences, absence reasons and any previous schools attended);
- Academic assessment and attainment data (including examination results);
- Behavioural information (such as exclusions and any relevant alternative provision put in place);
- Images including photos and CCTV; and
- General information regarding pupils' educational activities such as behavioral records, test and examination results and academic reports.

In terms of special category data (the most sensitive type of personal data), Hautes Capelles Primary School may collect information revealing:

- Health and medical information of pupils and staff (such as doctor's information, dental health, allergies, medication, dietary requirements and any special educational needs information);
- Racial or ethnic origin;
- Religious or philosophical belief; and
- Genetic data.

These lists are not exhaustive.

## 5. Why we collect use personal data

Hautes Capelles Primary School uses the information that it collects for multiple purposes which are linked to its core mandated responsibilities in administering education to its pupils as per the Education (Guernsey) Law, 1970 and in line with the Bailiwick of Guernsey Curriculum.

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with the Law, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this and we will tell you what you need to do if you do not want to share this information with us.

Hautes Capelles Primary School will process your personal data for the following purposes:

- For the provision of education to pupils including, but not limited to, the administration of the school curriculum and timetable, monitoring of pupil progress and educational needs, reporting on these needs to parents, administration of pupils' entries to public examinations and providing references for children who are applying for further study;
- For the safeguarding of pupils' welfare and the provision of pastoral care, welfare and health care services by the school;
- For the provision of educational support and related services to pupils (and parents) including, but not limited to, the maintenance of discipline, provision of careers and library services, administration of sports fixtures and teams, school trips, provision of the school's IT and communications systems and virtual learning environment (in accordance with our IT policies);
- To assess the quality of our services;
- To keep children safe;
- For compliance with legislation and regulation conferred on us by the following laws:
  - The Education (Guernsey) Law, 1970
  - The Children (Guernsey and Alderney) Law, 2008
  - The Data Protection (Bailiwick of Guernsey) Law, 2017
- For the operational management of the school, including, but not limited to, the administration of invoices, the management of school property, the management of security and safety arrangements (including the use of CCTV and the monitoring of the school's IT and communications systems in accordance with our Acceptable Use Policy), management planning and forecasting, research and statistical analysis and the implementation of the school's rules and policies for pupils, staff and volunteers; and
- For the promotion of the school through its website and social media communications.

## 6. Our Lawful Basis for Processing

The lawful basis for collecting and processing each category of personal data and special category data is dependent upon the specific processing activity in question.

However, under the Law, the lawful bases we rely on for the majority of processing (including pupil learning and pastoral care) are:

- The processing is necessary for the exercise of a right, power or duty imposed by law;

- The processing is necessary for the exercise or performance of a public function or task carried out in the public interest by a public authority;
- The processing is necessary for a health or social care purpose;
- The processing is necessary to protect the vital interests of the data subject or other individual;
- Consent (e.g. use of images on social media, use of specific applications); and
- The processing is necessary for the purposes of equal opportunity.

For a full list of the school's data processing activities, please contact the school office, who will be happy to provide you with a list of all data processing undertaken by the school and the lawful basis used for each specific processing activity.

## 7. How we collect pupil and parent data

We collect most of the personal data we process directly from the parents of pupils and the pupils themselves.

In some cases, we collect data from third parties, such as;

- Health professionals;
- Previous schools;
- Third party service providers who support the school (e.g. Dyslexia Day Centre, Autism Guernsey, Youth Commission, Arts Commission)
- Other areas of the States of Guernsey who may be working with the pupil or family.

No personal data is collected from any publicly available source.

## 8. Sharing of personal data

In some circumstances, personal data held by the school may be transferred to another controller within the States of Guernsey or another associated third party.

Hautes Capelles Primary School **will only share data when there is a lawful basis to do so.** We do not transfer data outside of the European Economic Area unless we are satisfied that personal data will be afforded an equivalent level of protection.

Examples of regular data sharing activities are detailed below:

### Sharing within the States of Guernsey

- The Committee for Health & Social Care: medical professionals such as school nurses, physiotherapy, occupational health, speech therapy, social services etc.;
- The Committee for Education Sport & Culture: education support and inclusion services such as the Schools Attendance Service, Schools Admissions, The

Communication, Interaction and Autism Service, Education Psychology Service, the Sensory Support Service Hearing & Vision;

- States of Guernsey Housing Control;
- Employment & Social Services;
- The Multi-Agency Safeguarding Hub;
- Scrutiny Management Committee; and
- Register of Contact Details.

### Sharing with external third parties

- The Medical Specialist Group and other healthcare providers on and off-island, as necessary;
- OFSTED;
- Education support services, such as Dyslexia Day Centre, Youth Commission, Sports Commission, Guernsey Arts Commission, Autism Guernsey etc.
- Third party system providers and applications: some of our systems are provided by third parties e.g. hosted databases, school website, school communications platforms and cloud storage providers, IT support service.

For a full list of the school's data sharing activities, please contact the school office, who will be happy to provide you with a list of all instances where your data is shared by the school and the lawful basis for doing so.

## 9. Storage and retention of personal data

Personal data and special category data will be retained in accordance with the States of Guernsey Records Management Policy and the Schools' Retention and Disposal Schedule.

In general, pupils' individual education files will be held until the student is 25 years old. After this time, only their name, dates of attendance and public examination results will be held. Safeguarding information may be held for up to 50 years.

For more information in relation to the retention of your personal data, please contact the Data Protection Officer for Education, Sport & Culture.

## 10. How we keep your data safe

All personal data held by Hautes Capelles Primary School is protected and securely stored and, in order to prevent unauthorised or unlawful processing, the controller has put in place suitable physical, digital and managerial procedures to safeguard and secure the information that is collected. Access to electronic or paper records is tightly controlled and all employees are vetted in a manner commensurate with the role that they are expected to undertake. Protocols are followed to ensure that employees only have access to areas and documents as required to undertake their role. Access to records is monitored and effectively managed.

## 11. Requesting access to your personal data

Under the Law, parents and pupils have 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 us directly or speak to our Data Protection Officer, whose contact details are at the top of this notice.

For more information about your rights under the Law, please visit [www.gov.gg/DP](http://www.gov.gg/DP)

## 12. Withdrawal of consent and the right to lodge a complaint

For any instances where we are processing your personal data with your consent, you have the right to withdraw that consent. If you wish to withdraw your consent, or you are unhappy with our use of your personal data, please let us know by contacting the school or our Data Protection Officer.

You also have the right to lodge a complaint about the processing of your data with the Office of The Data Protection Authority, whose contact details are below:

Office of the Data Protection Authority  
St Martin's House  
Le Bordage  
St. Peter Port  
Guernsey  
GY1 1BR

[enquiries@odpa.gg](mailto:enquiries@odpa.gg)

01481 742074

## 13. Last updated

We may need to update this privacy notice periodically, so we recommend that you revisit this information from time to time. This version was last updated on 2<sup>nd</sup> September 2021