

## Barley Lane School

Friendship, Optimism, Hardwork

# Privacy Notice

**Barley Lane School** is a Special School. We are the data controller for the personal data we process under this privacy notice.

Your privacy is important to us. This privacy notice explains the personal data we process, how we process it and for what purpose. For details about how we handle personal information collected for COVID19 purposes see our [COVID19 Privacy Notice](#)

## How we get information

Most of the personal data we process is provided to us directly by you for one of the following reasons:

- You are a pupil
- You are a parent/carer registering your child at our school
- You are a visitor attending our school
- You are a volunteer, governor or trustee applying to work with us
- You have applied for a job or secondment at the school
- You have made an information request, complaint or enquiry to us
- You are a visitor to our website

The collection of personal data is essential for the school's operational use. Whilst the majority of the information provided to us is mandatory, some of it is requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of data collection, whether you are required to provide certain 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 with us.

We may also receive personal information about you indirectly, for example:

- If you are a pupil, your previous school will send us your education file when you join our school
- A parent/carer may give us your name and contact details in case we cannot contact them directly, or to make us aware that you are authorised to collect their child from school
- An employee may give us your name and contact details as their 'emergency contact' or next of kin
- Your name and contact details may be given to us by job applicants, volunteers or trustees, as a referee to support their application
- Public authorities, regulators or law enforcement bodies may give us information to assist them in their enquiries or to help safeguard children.

## Personal information we collect and why

We collect personal information about a range of data subjects as part of the day-to-day running of our school.

### Pupils

We collect the following information about you:

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- Personal identifiers (such as name, unique pupil number and contact details)
- Characteristics (such as ethnicity, language, and free school meal eligibility)
- Safeguarding information
- Medical information
- Attendance
- Assessment and attainment
- Behavioural information
- Fingerprints for our cashless catering or library services
- Photographs and video recordings of you and your work
- Your image captured on our CCTV system when you are on school premises
- Your facial image captured on our electronic visitor management system
- Your consent preferences

We need this information for a variety of reasons, for example to process your admission request to join our school; help us build a picture of your educational, social and health needs, so we can support you and comply with our legal responsibilities for data sharing with the Department for Education (DfE).

For more details see [Pupil Privacy Notice](#)

## Parents and carers

We collect the following information about you:

- Your name and contact details
- Relationship to your child/our pupil and your parental responsibility status
- Information about guardianship or family circumstances (eg court orders, parental separation/divorce, professional involvement or other matters which may affect the pupil's home or school life)
- Bank account details
- Your consent preferences
- Whether or not you are a serving member of the armed forces
- Your image captured on our CCTV system when you are on school premises
- Your facial image captured on our electronic visitor management system

We need this information for a variety of reasons, for example to:

- Register your child at our school
- Keep you informed of your child's progress, achievements and attendance levels
- Contact you in an emergency
- Enable you to pay for school trips; student resources or catering services online
- Safeguard and promote the welfare of your child or others and where relevant enable us to assist in crime prevention, detection and public safety
- Keep you informed about school news, events and celebrations

## Emergency contacts for pupils / students

We collect the following information about you:

- Your name and contact details
- Your relationship to the pupil
- Special notes about collecting the pupil (e.g. password, regular days you are authorised to collect the child)

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- Your image captured on our CCTV system when you are on school premises

We need this information to contact you following an incident or emergency involving one of our pupils, where we have been unable to contact their parents or to enable us to release the child into your care.

## Emergency contacts for employees

We collect the following information about you:

- Your name and contact details
- Relationship to the employee

We need this information to contact you following an incident or emergency involving one of our employees, where they are unable to contact you themselves (e.g. due to illness or injury).

## Referees for job applicants, volunteers or Trustees

We collect the following information about you:

- Your name and contact details
- Relationship to the job applicant (eg current or previous employer)
- Reference you provide about the applicant

We need this information to contact you to seek a reference about the applicant and to assess their suitability for the role.

## Volunteers

We collect the following information about you:

- Your name and contact details
- Outcome of your Disclosure and Barring Service (DBS) check and certificate number
- Relevant training or qualifications
- Dates when you have volunteered
- Health, disability or dietary requirements you have chosen to share with us
- Your image captured on our CCTV system when you are on school premises
- Your facial image captured on our electronic visitor management system
- Photographs of you which may be captured during official school photos; class work; sports or other activities or performances

We need this information to keep in touch with you; to keep a record of any school events, trips and activities you are involved in and to safeguard the health and welfare of our volunteers, employees and students.

## Visitors to our school

We collect the following information about you:

- Your name and contact details
- Company you work for (where relevant)
- Your car registration number (if parked on our premises)
- Disclosure and Barring Service (DBS) Certificate number (where relevant)
- Your image captured on our CCTV system when you come into school

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- Your facial image captured on our electronic visitor management system

We need this information to keep a register of who is on our premises, for use in case of a fire or other incident; to meet our statutory duties for safeguarding children and to create an identification badge for security purposes.

## People who make a complaint, information request or enquiry

We collect the following information about you:

- Your name and contact details
- Details about your complaint, request or enquiry and the outcome

We need this information to address your complaint, request or enquiry and to keep a record of the outcome for our administration purposes, and to use in any appeals or tribunals.

## Job applicants

We collect the following information about you:

- Your name and contact details
- The position you are applying for
- Characteristics information (such as your gender, age and ethnic group)
- Your education, experience and qualifications
- Personal statement to support your application
- Your health, disability or dietary requirements you have chosen to share with us

We need this information to assess your suitability for the role; contact you if you are successful in your application; keep a record of our decision making and monitor and comply with our responsibilities under the Equality Act 2010.

## Temporary workers and agency staff

We collect the following information about you:

- Your name and contact details
- Contract information (such as start date, hours worked, post, roles, salary information and bank details)
- Characteristics information (such as your gender, age, ethnic group)
- Education, experience and qualifications
- Health, disability or dietary requirements you have chosen to share with us
- Car registration number (if parked on our premises)
- Your image captured on our CCTV system when you come into school
- Your facial image captured on our electronic visitor management system
- Your Disclosure and Barring Service Certificate number
- Your fingerprints for our cashless catering or library services

We need this information to:

- Assess and recruit staff
- Maintain staff records
- Meet statutory duties placed upon us for safeguarding children
- Monitor and comply with our responsibilities under the Equality Act 2010
- Ensure staff and student security
- Complete the Department for Education (DfE) school workforce census
- Provide library, ICT, learning and information services

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- Pay our workers and make the appropriate tax deductions and contributions
- Safeguard and monitor the health and welfare of workers
- Provide cashless catering and payment services

## Employees

We collect the following information about you:

- Personal identifiers (such as your name, employee or teacher number, national insurance number)
- Characteristics information (such as gender, age, ethnic group)
- Contract information (such as start date, hours worked, post, roles, salary information and bank details)
- Work absence information (such as number of absences and reasons)
- Qualifications (and where relevant, subjects taught)
- Outcome of your Disclosure and Barring Service (DBS) check and certificate number
- Employment references
- Health, disability or dietary requirements you have chosen to share with us

We need this information for a variety of reasons such as recruitment; to enable individuals to be paid; monitor and comply with our responsibilities under the Equality Act 2010; complete the Department for Education (DfE) school workforce census; and undertake our responsibilities for safeguarding children.

For more details see [Employee Privacy Notice](#)

## Members, Governors and Trustees

We collect the following information about you:

- Your name and contact details
- Governance details (such as your role, start and end dates and governor ID)
- Outcome of your Disclosure and Barring Service (DBS) check and certificate number
- Health, disability or dietary requirements you have chosen to share with us
- Material interests arising from relationships between governors or relationships between governors and school staff (including spouses, partners and close relatives)
- Personal statement when applying for the role and relevant training or qualifications

We need this information to comply with our legal obligations and governance standards and build a comprehensive picture of our school governance and how it is deployed.

For more details see [Members, Governors and Trustees Privacy Notice](#)

## Visitors to our website

When you visit our website, we currently do not collect any information about you

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## Who we share information with

We share information with a range of organisations, companies and agencies, where it is necessary for us to carry out our legal responsibilities and duties as a school. We only share information about you where it is **strictly necessary** for us to do so, and the law and our policies allow us to do this. The following are examples of who we share information with:

### **Department for Education (DfE)**

We have a legal requirement to share certain information about our pupils/students, employees and governors to the DfE (see individual privacy notices).

### **Our local authority – school admission and safeguarding teams**

We have a legal requirement to share certain information about our pupils/students, parents, employees and governors with our local authority (see individual privacy notices).

### **Educational psychologists, school nurses and health visitors**

We sometimes share information about our pupils/students with other professionals, to help them receive the necessary educational and pastoral support they need. This is usually shared with the parent's consent (and if appropriate student's consent) unless it is necessary for us to carry out our official duties or safeguard the welfare of the child (see [Pupil Privacy Notice](#)).

### **Other schools when a pupil leaves us**

We are required to transfer our pupils'/students' educational file to their next school when they leave us (see [Pupil Privacy Notice](#)).

### **Standards and Testing Agency (SATs)**

We are required to share information about pupils in year 2 and in year 6 to the Standards and Testing Agency, so they can facilitate and report on our key stage 1 and key stage 2 national curriculum tests (commonly referred to as SATs) (see [Pupil Privacy Notice](#)).

### **Ofsted**

We may be required to support an Ofsted inspection, where an inspector asks to see a sample of the school's records. These records could identify a pupil, employee or visitor. Any personal information the inspector may see, will not be taken away or used in their reports.

### **Police and law enforcement agencies**

We may be required to share information about any person we hold information about, to the police or other law enforcement agencies, to assist them in an investigation or to prevent or detect a crime or safeguard individuals at risk.

### **Service providers**

We use companies that provide us with a service to help us run effectively as a school; the services we often receive are IT support, professional or legal advice, learning or teaching resources, communication services, catering or transport. To receive these services, we sometimes need to share personal information. Further details about our service providers can be found on [Our Service Providers](#)

We also work alongside other organisations or individuals that provide services directly to our parents or students, such as the school photographer, organisers of extra-curricular clubs or activities or companies that run school trips or provide accommodation or transport. The companies/individuals we use in these circumstances, will change on a regular basis. If

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you would like information about any specific companies or individuals we work alongside, please contact us at [admin@barleylane.devon.sch.uk](mailto:admin@barleylane.devon.sch.uk).

## Our legal basis for collecting, using and sharing information

The main legal bases we rely on when we process personal information are as follows:

- **It is necessary for us to perform a task which is in the public interest or to exercise our official duties as a school**  
This broad legal basis is applicable to almost all the processing we do involving personal data.
- **It is necessary for compliance with a legal obligation**  
This is applicable where a specific law requires us to collect or share personal data (this usually involves pupils'/students', employees' or governors' data). This will include sharing data with the Department for Education (DfE), Her Majesty's Revenue and Customs (HMRC) or HM Courts and Tribunal Service (e.g. following a court order).
- **It is necessary for the performance of a contract**  
This will mainly be applicable when we enter into a contract with our employees or with our service providers.
- **The data subject has given their consent**  
Consent is not required for most of the processing we do, however, there are occasions when we ask for consent. For example, if we want to publish photographs or videos of pupils/students; collect student or employee fingerprints to provide them with access to our cashless catering or library systems; share data with other organisations or individuals where we are not legally required to share that data; send parents/carers electronic direct marketing or fundraising communications, which they have opted-in to receiving. Where we are processing your data with your consent, you have the right to withdraw that consent. If you change your mind, or if you are unhappy with our use of your personal data, please let us know by contacting the school office.
- **The processing is necessary to protect the vital interests of the data subject or someone else**  
This is applicable where a person's life could be at risk and we need to share or make available information to help them. This could involve sharing serious allergy information with staff, paramedics or other medical professionals, or other information requested by the police or social services, to assist them in their enquiries to protect that person.

When we process 'special category' data, we must have another legal basis. Special category data is personal data which reveals a person's racial or ethnic origin, political opinion, religious or philosophical beliefs, trade union membership, genetic data, biometric data (such as fingerprints), health, sex life or sexual orientation. The main legal bases we rely on when we process this type of data is as follows:

- **The data subject has given explicit consent**

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This is usually applicable where we ask for health or dietary information (usually about our employees or students).

- **The processing is necessary for performing any right or obligation which is imposed on the school in relation to employment, social security and social protection law (e.g. safeguarding individuals at risk; protection against unlawful acts; prevention against fraud)**

This is usually applicable where we are performing our duties under employment related laws e.g. in relation to health and safety, equality or tax or where we have taken action to safeguard students at risk.

- **It is necessary to protect the vital interests of any person where the data subject is physically or legally incapable of giving consent**

This could be relied upon in situations where someone has become seriously ill on our premises and we are asked by medical practitioners (such as paramedics), to share information we know about that person's health or allergies.

- **The processing is necessary for the establishment, exercise or defence of legal claims**

We may share or use special category data where legal action is being considered or underway.

- **The processing is necessary in the substantial public interest**

This may be relied upon in circumstances such as where our processing is necessary to safeguard children or others at risk or where we respond to requests from the Police or law enforcement bodies, to assist in an investigation to prevent or detect an unlawful act.

- **The processing is necessary for the assessment of the working capacity of the employee**

This will be applicable where an employee has been absent from work due to illness or injury and we need to assess whether they are fit to return to work.

This list is not exhaustive.

## How we protect your information

We take our security responsibilities seriously in order to protect your personal data from accidental or unlawful access, disclosure, loss, damage or destruction. For example:

- Access to our data is on a strict need to know basis
- Our electronic records are held on encrypted servers
- We use up to date virus and malware protection software; security patches are applied promptly and we back up our data regularly
- Our sensitive paper files are locked away with restricted access to the keys
- Our employees, volunteers and governors are subject to Disclosure and Barring Service (DBS) checks and they understand their duty of confidentiality
- We have policies, procedures and training around data protection, security, record disposal and confidentiality
- We have strict visitor management security procedures in place
- We use encrypted email or secure file sharing platforms to share confidential personal data with external organisations



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- We carry out due diligence checks on our service providers and Data Protection Impact Assessments, where required.

## Storing personal data

The personal information we collect and store is essential for our school's operational use. We only keep personal information for as long as we need to, and where it is necessary to comply with any legal, contractual, accounting or reporting obligations. After this period, we delete or securely destroy personally identifiable data.

For more information about how long we keep personal data for, see our record retention schedule [www.barleylane.co.uk](http://www.barleylane.co.uk)

### Overseas transfers

We store our data in the UK or the European Economic Area (EEA), however some of our service providers may store personal data outside these areas (usually in the USA). We have a contract in place with these data processors, which ensures they process our data securely and in line with our data protection laws. To find out which service providers process data outside the EEA see [Our Service Providers](#).

## Your data protection rights

You have the following rights under the data protection laws:

### Your right of access

You have the right to ask us for copies of your personal data. There are some exemptions, which means you may not always receive all the information we process. If you are a parent/carer and want to request a copy of your child's educational record, this type of request will be handled under The Education (Pupil Information) (England) Regulations 2005.

### Your right to rectification

You have the right to ask us to rectify information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

### Your right to erasure

You have the right to ask us to erase your personal information in certain circumstances.

### Your right to restriction of processing

You have the right to ask us to restrict the processing of your information in certain circumstances.

### Your right to object to processing

You have the right to object to us processing your information where we consider this is necessary for us to perform a task in the public interest. You can also object to us using your contact details to send you direct marketing or fundraising communications, which you have previously opted-in to receiving.

### Your right to data portability

This only applies to information you have given us. You have the right to ask that we transfer the information you gave us from one organisation to another or give it to you. The right only

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applies if we are processing information based on your consent or under a contract (or in talks about entering into a contract) and the processing is automated.

## Your right to complain

We work to high standards when it comes to processing your personal information. We hope you will always be happy with the way we handle your information, however if we have not met your expectations, please let us know so we can put things right. To do this, please email the school at [admin@barleylane.devon.sch.uk](mailto:admin@barleylane.devon.sch.uk). If you remain dissatisfied, you have the right to complain to the Information Commissioner's Office (ICO). The ICO's contact details are available at <https://ico.org.uk/concerns> Further information about your data protection rights, can be found on the Information Commissioner's Office website at [www.ico.org](http://www.ico.org).

## Contact Us

There are many ways you can contact us, including by phone, email and post. Our contact details are as follows:

Barley Lane School, Barley Lane, Exeter EX4 1TA – [admin@barleylane.devon.sch.uk](mailto:admin@barleylane.devon.sch.uk) – 01392 430774

If you would like to make a request or complaint, please contact us. You are not required to pay a fee for exercising your rights and we have one month to respond to you.

## Data Protection Officer

Our Data Protection Officer (DPO) is Amber Badley, an external consultant appointed under a service contract. If you have any queries about this privacy notice or any matter relating to the handling of your personal data, you can contact our DPO directly at [DPO@firebirdltd.co.uk](mailto:DPO@firebirdltd.co.uk) or by writing to the school at [admin@barleylane.devon.sch.uk](mailto:admin@barleylane.devon.sch.uk)

## Changes to this privacy notice

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 **23/09/2020**