



VICTORIA COLLEGE BELFAST

PRIVACY NOTICE FOR PUPILS, PARENTS AND GUARDIANS

Introduction

Victoria College Belfast is committed to protecting your personal information, being transparent about the information we collect about you, and ensuring that you are aware of your legal rights in relation to privacy. The purpose of this Privacy Notice is to give you a clear explanation about how we use the personal information that we collect from you and how you can control the information we use.

The General Data Protection Regulation entered into force on 25 May 2018 and under the provisions of the Regulation, Victoria College Belfast is required to notify you of the information set out within this Privacy Notice. Victoria College Belfast is the data controller for the personal information that we hold about our pupils and their parents, families, guardians, and carers. As a result, we are responsible for deciding how we hold and use the personal information that we collect.

We collect and use personal information about our pupils and their parents, families, guardians, and carers under a variety of pieces of primary legislation, including:

- the Education and Libraries (NI) Order 1986;
- the Education Reform (NI) Order 1989;
- the Education and Libraries (NI) Order 1993;
- the Education (NI) Order 1996;
- the Education (NI) Order 1997;
- the Education (NI) Order 1998;
- the Education and Libraries (NI) Order 2003;
- the Special Educational Needs and Disability (NI) Order 2003;
- the Education (NI) Order 2006; and
- the Education Act (NI) 2014.

We also collect and use personal information about our pupils and their parents, families, guardians, and carers under a number of pieces of subordinate legislation, and further details of all of the relevant legislation can be found at www.education-ni.gov.uk/departments/education-legislation.

Personal information means any information relating to an identified or identifiable natural person. An identifiable natural person is one who can be identified, directly or indirectly, by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more traits specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person. Personal information is information that identifies you and relates to you.

Most of the personal information that you provide to us is information that you are obliged legally to provide, but some personal information is provided on a voluntary basis. When collecting information from you, we will inform you whether you are required to provide certain personal information to us or if you have a choice in this. Where you have a choice and we are seeking to collect information on a voluntary basis, we will obtain your express consent to such information collection.

This notice applies to prospective, current and former pupils of the College and their parents, families, guardians, and carers as well as to those persons applying for a place in the College and their parents, families, guardians and carers. We may update this notice at any time but if we do so, we will inform you as soon as reasonably practicable.

It is important that you read and retain this notice, together with any other privacy notices that we may issue on specific occasions when we are collecting or processing personal information about you. This will not only help to ensure that you are aware of how and why we are using personal information, but it will also ensure that you are aware of your rights under the General Data Protection Regulation.

Further Information and Guidance

If you have any questions about this Privacy Notice or about how the College controls and processes personal information, please contact the Principal who will deal with your query in the first instance. The Principal can be contacted by post, telephone or email at the address set out below.

<p>Principal Victoria College Cranmore Park Belfast BT9 6JA</p> <p>Telephone: 028 9066 1506 Email: nmawhinney170@c2kni.net</p>
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The College is required by law to have a Data Protection Officer and our Data Protection Officer is the Education Authority. The Education Authority is responsible for monitoring and overseeing our data protection systems and procedures and for ensuring that they satisfy the standards and requirements of the General Data Protection Regulation.

In addition, please note that you have the right to make a complaint at any time to the Information Commissioner, the supervisory authority for data protection matters within the United Kingdom. The Information Commissioner can be contacted by post, telephone or email at the local address set out below.

<p>The Information Commissioner's Office Third Floor 14 Cromac Place Belfast BT7 2JB</p> <p>Telephone: 028 9027 8757 Email: ni@ico.org.uk</p>

How Do We Collect and Hold Personal Information?

We mainly collect personal information about our pupils and their parents, families, guardians, and carers over the course of the time that pupils are enrolled in the College (for instance, when collecting information for educational visits, carrying out statutory curriculum assessments, facilitating access to school buildings and services such as catering, and discharging our legal responsibilities in relation to education and pastoral care).

We also collect some personal information about our pupils and their parents, families, guardians, and carers as part of the admissions process prior to enrolment in the College and as part of our ongoing efforts to enhance and maintain contact with former pupils after they have left the College.

We sometimes collect additional information from third parties such as the Education Authority, the Department of Education, the Examination Boards, the Department of Health, and previous schools attended by pupils.

We keep personal information electronically on our information management systems and networks or manually on paper in indexed filing systems.

What Personal Information Do We Collect, Store and Use About Our Pupils?

We collect, store and use the following categories of personal information about our pupils:

- *personal information* such as name, age, date of birth, photographs, and unique pupil number;
- *contact information* such as address, emergency contact information and telephone number;
- *attendance information* such as classes attended, number of absences and absence reasons;
- *pastoral information* such as behavioural issues, disciplinary matters and exclusion data;
- *assessment information* such as statutory assessments and examination or test results;
- *admissions information* such as standardised test results provided by commercial bodies;
- *non-sensitive characteristic information* such as eligibility for free school meals;
- *biometric information* such as finger print scans and closed-circuit television footage captured within the College; and
- *special category information* such as ethnicity, religious beliefs, language, country of birth and nationality, as well as information about health, educational needs, allergies, and disability).

What Personal Information Do We Collect, Store and Use About Parents?

We collect, store and use the following categories of personal information about the parents, families, guardians and carers of our pupils:

- *personal information* such as name, age, date of birth and photographs;
- *contact information* such as address, email address and telephone number;
- *financial information* such as bank account details and payment history; and
- *electronic information* such as closed-circuit television footage captured within the College.

Why Do We Collect, Store and Use this Information?

We only make use of personal information when permitted by law. Most commonly, we use personal information relating to our pupils and their parents, families, guardians, and carers where we need to comply with our legal obligations and where it is needed in the public interest for us to discharge our duties and responsibilities as a public educational body.

In some cases, we may use personal information where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests. For example, the College has a legitimate interest in providing pupils with an education, safeguarding and promoting pupil welfare, and facilitating the efficient operation of the College.

Less frequently, we may also use your personal information to protect the interests of a pupil or their family, or the interests of someone else (for example, when investigating an allegation or complaint made by another pupil).

Some examples of the circumstances in which we use personal information, including special category information, are set out below:

- *teaching and learning* - to support pupil learning and monitor and report pupil progress;
- *pastoral care* - to provide appropriate pastoral care tailored to individual pupil needs;
- *safeguarding and child protection* - to ensure pupil safety, security and wellbeing;
- *statutory duties* - to compile the annual school census and monitor equality of opportunity;
- *continuous improvement* - to assess and improve the quality of our educational outcomes;
- *security* - to comply with health and safety responsibilities and data sharing obligations;
- *communications* - to keep parents informed and foster links with the local community; and
- *financial management* - to facilitate efficient payments for services such as catering.

When Do We Need Your Consent?

Whilst most of the personal information provided to the College is required for us to comply with our legal obligations, some of that information is provided on a voluntary basis through the exercise of express parental consent. Generally, a pupil aged thirteen or over is considered capable of giving consent themselves and does not require the express agreement of a parent, guardian or carer. However, if a pupil is not considered capable of giving consent themselves (for example, due to an identified special educational need), then an adult with parental responsibility can exercise the data protection rights of the pupil on their behalf.

Where we need express consent (for example, in relation to the use of biometric information to access buildings and catering services), the College will provide the person with parental responsibility for a pupil, or the pupil themselves if aged thirteen or over, with a specific and clear notice that explains why such information is being collected and how such information data will be used. In this context, it is important to note that if you do not consent to the collection of this type of data, the scope and standard of education delivered by the College to the pupil concerned will not be affected.

If we ask for your consent to use personal information for a specific purpose and you provide us with your consent freely and unambiguously, you can then withdraw this consent at any time. Please note that any request to withdraw consent must be submitted in writing to the Principal at the address set out above.

Please also note that we do not need to obtain express parental consent if personal information is to be processed for the purposes of obtaining counselling services for the child.

How Long Do We Store Personal Information For?

The College only keeps personal information for as long as necessary to fulfil the purposes for which it was collected and to comply with all relevant legal, accounting and reporting requirements. We do not store personal information forever and we only hold personal information about pupils and their parents, families, guardians and carers for as long as we are legally able to do so. Where we do keep personal information for longer periods for historical reasons (for example, year group or sports team photographs), you will always have a right to ask for such information to be destroyed.

In determining the appropriate retention period for personal information, the College will consider a range of factors including: the amount, nature and sensitivity of the personal information concerned; the potential risk of harm from the unauthorised use or disclosure of the information; the purpose for which the personal information was processed; the availability of other means to achieve this purpose; and the applicable legal requirements.

In order to ensure compliance with legal requirements and consistency with other schools, the College has adopted the model *Disposal of Records Schedule* developed by the Department of Education. This schedule provides greater detail on how long we keep personal information and can be found at www.education-ni.gov.uk/publications/disposal-records-schedule.

It is important to note that in some circumstances we may anonymise your personal information so that it can no longer be associated with you. In such circumstances, the College may continue to use such personal information without further notice to you.

How Do We Store Personal Information?

The College has put in place appropriate security measures to stop personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors, and other third parties who have a need to know. They will only process personal information on our instructions and they are subject to a duty of confidentiality.

In addition, we have put in place procedures to deal with any suspected data security breach and we will notify you and the applicable regulator (currently the Information Commissioner's Office) of any suspected breach where we are legally required to do so.

Who Do We Share Pupil Information With?

From time to time, the College may have to share personal information about pupils and their parents, families, guardians, and carers with third parties, including service providers and other bodies such as:

- the Department of Education;
- the Education Authority for Northern Ireland;
- the Northern Ireland Council for the Curriculum, Examinations and Assessment;
- the General Teaching Council for Northern Ireland;
- the Youth Council for Northern Ireland;
- the Exceptional Circumstances Body;
- the Examination Boards (AQA, CCEA, Excel and WJEC);
- the C2k Service Provider;
- the Commercial Standardised Test Providers;
- the Commercial Pupil and Parent Survey Providers;
- the Cashless Catering Service Provider;
- the Biometric Access Control Service Provider;
- the School Communications Service Provider;
- the School Payment Service Provider;
- the Victoria College Old Girls' Association;
- the Department of Health;
- the Police Service of Northern Ireland;
- pastoral support services such as Family Works and Gateway; and
- any new school, college or university that a pupil is attending.

Why Do We Share Pupil Information?

The College does not share information about our pupils with anyone without consent unless the law and our policies allow us to do so. We only permit access to personal data for specified purposes and in accordance with our policies or your instructions.

We are required to share pupil information with both the Department of Education and the Education Authority on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

In particular, the Department of Education has a legal right to ask for particular information under the Education and Libraries (NI) Order 2003 and this information is referred to as the *School Census*. The *School Census* includes information on pupil characteristics such as date of birth, gender, ethnicity, religion, free school meal entitlement, and special educational needs status. A number of statistical releases based upon the *School Census* are then made available through the Department of Education website covering matters such as enrolments, participation rates, pupil teacher ratios, school leavers, attendance, and school performance.

Once a pupil reaches the age of 13, the College passes personal information to the Education Authority as it has specific responsibilities in relation to the education or training of children aged 13 to 19. This enables the Education Authority to provide youth support and careers advice services. A parent, carer or guardian can request that *only* the name, address and date of birth of their child is passed to the Education Authority by informing the College at the address set out above. This right is transferred to the child once she reaches the age of 16, provided the child is capable of exercising the right.

Once a pupil reaches the age of 13, the College will share certain information about pupils aged 16+ with the Department of Education as it has responsibilities in relation to the education or training of children aged 13 to 19. This enables the Department of Education to provide post 16 youth support, education, training, and careers advice services.

In addition, the College also shares leaver destination information with the Department of Health once a pupil leaves the College.

Do We Transfer Personal Information Outside of the EEA?

The College will not transfer the personal information we collect about you to any country outside of the European Economic Area without telling you in advance that we intend to do so and outlining the steps that we have taken to ensure that your personal information remains adequately protected in such circumstances.

What Are My Rights of Access, Correction, Erasure and Restriction?

Under the General Data Protection Regulation, pupils and their parents, families, guardians, and carers have the right to request access to personal information about them that we hold. To make a request for your personal information, or to be granted access to the educational record of your child, please contact the Principal at the address set out above.

In order to help us confirm your identity and ensure your right to access the information requested (or to exercise any of your other rights to correction, erasure or restriction), we may need to ask for further specific information from you. In this way, we will seek to ensure that personal information is not disclosed to any person who has no right to receive it.

Under certain circumstances, a parent, guardian, carer, or a child who is over the age of thirteen (and considered competent to do so) has the right by law to:

- ***Request access to personal information*** - this enables you to receive a copy of the personal information we hold about you and your child and to check that we are lawfully processing it. You will not have to pay a fee to access your personal information or to exercise any of your other rights. However, the College may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with your request in such circumstances;
- ***Request correction of personal information*** - this enables you to have the College correct any incomplete or inaccurate information that we hold about you or your child;
- ***Request erasure of personal information*** - this enables you to require the College to delete or remove any personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing; and
- ***Object to processing of personal information*** - this enables you to object to the processing of personal information by the College on particular personal grounds, even if we are relying on a legitimate interest (or that of a third party). You also have the right to object where we are processing personal information relating to you or your child for direct marketing purposes;
- ***Request restriction of processing of personal information*** - this enables you to prevent the processing of personal information by the College, but for the information to continue to be held by the College in certain circumstances (for example, if the accuracy of the information is contested and the College is verifying the information); and
- ***Request transfer of personal information*** - this enables you to request the transfer of your personal information from the College to another party (for example, a new school).