

Privacy notice relating to the processing of personal data by the school, in relation to school attendance

(Version 1.1 – wef 21.02.2023)



Mae'r ddogfen hon ar gael yn Gymraeg / This document is also available in Welsh

About this privacy notice

This privacy notice applies to the processing of personal data by primary, secondary and through schools within Rhondda Cynon Taf (RCT) that are maintained by the local authority (Rhondda Cynon Taf County Borough Council) (RCTCBC). It also applies to the processing of personal data by faith schools within RCT that are voluntary funded.

Click [here](#) for a full list of schools covered by this privacy notice.

This privacy notice is provided by RCTCBC for and on behalf of schools under a data protection Service Level Agreement.

Introduction

This privacy notice is intended to provide information about how the school will use (or 'process') personal data about individuals, including our current, past, and prospective pupils and their parents, carers or guardians (referred to in the notice as 'parents') to undertake our statutory function relating to school attendance.

Whilst we have tried to make this privacy notice as clear and concise as possible, the categories of personal data we process may vary depending on the reason for the absence(s), frequency of absence, the individual needs of the pupil and the support they require etc. Should you require further information specific to your child please do not hesitate to contact the Data Protection Lead.

When processing the personal data, we process only the minimum amount necessary in relation to the purpose.

This notice should be read in conjunction with the school's General Privacy Notice which is available on our website or by contacting the Data Protection Lead.

The Data Controller

The school is the data controller for the personal data we process, unless otherwise stated. This includes the personal data processed by the Governing Body, head teacher, individual governors, teachers, teaching assistants and support staff etc.

The school is registered with the Information Commissioner's Office (ICO) as a controller.

How to contact us for data protection matters or concerns

The school's Data Protection Lead is the main point of contact for data protection matters. The Data Protection Lead can be contacted using our normal contact methods; by telephone, email, post and in person at the school. Click [here](#) for contact information.

The Data Protection Officer

RCTCBC provides a data protection support service to the school under a Service Level Agreement, including the provision of a Data Protection Officer (DPO).

The DPO can be contacted in relation to data protection matters. However, we encourage you to contact the school in the first instance. Should you have the need to contact the Data Protection Officer directly you can do so via email to the following email address;

- Information.management@rctcbc.gov.uk

We recommend that, when contacting the DPO, that you send a copy of the correspondence to the school as the data controller.

The categories of personal data we process

We may process the following categories of personal data to undertake our statutory functions relating to school attendance;

Pupil personal data;

- Personal identifiers such as name, unique pupil number, class year etc.
- Contact details such as address, telephone number, email address.
- Characteristics such as religion, ethnicity, sexual orientation, and free school meals status.
- Attendance information such as sessions attended, number of absences, patterns of absence.
- Reason for absence and any relevant supporting information/documentation – this may include health data, for example a report from a medical professional.
- Information relating to any referrals, assessments, support plans, progress reports and updates that supports the pupil in maintaining regular attendance at school.

Parent/carer personal data;

- Personal information such as name.
- Contact details including address, telephone numbers, place of work and email addresses.
- Relationship to child.
- Relevant family or other information relating to the child's absence.
- Relevant information pertinent to any referral, assessment, support plan, progress report etc. that supports the pupil in maintaining regular attendance at school.

Why we process the personal data

We process the personal data to undertake our statutory functions relating to school attendance. This may include but is not limited to the following activities;

- recording whether pupils are present or absent
- producing attendance reports, monitoring attendance
- taking appropriate action in relation to non-attendance this may include instructing the Local Authority to issue a fixed penalty notice
- completing statutory returns
- informing/contacting parents in relation to a pupil's attendance
- making a referral to the Local Authority's Attendance & Wellbeing Service for support in relation to a pupil's attendance
- working with the Local Authority's Attendance & Wellbeing Service and other Local Authority Services (e.g. Access & Inclusion, Resilient Families Service, Youth Offending Service) and external agencies (e.g. Eye to Eye Counselling) to support pupils in maintaining regular attendance
- attending core groups (review meetings), in the case of a pupil that is known to child protective services or looked after
- carrying out assessments and putting plans in place to support regular attendance
- monitoring progress against those plans.

Our lawful basis for processing the personal data

Under the General Data Protection Regulation (GDPR), our lawful basis for processing the personal data to undertake our statutory function relating to school attendance is;

- **Legal Obligation** (c) – processing is necessary for compliance with a legal obligation to which the controller is subject.
- **Public Task** - Article 6 (e) – processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.
- **Substantial public interest** - Article 9 (2) (g) - processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

The primary legislation, regulations and guidance that supports this includes, but is not limited to;

- Education Act 1996
- Section 175, Education (Pupil Registration) (Wales) Regulations 2010
- All Wales Attendance Framework (Welsh Government)

Who or where we get the personal data from

- Pupils
- Parent/s
- Local Authority Attendance and Wellbeing Service.
- Relevant Local Authority support services involved with the pupil/family.
- Relevant external partners, agencies and service providers involved with the pupil and/or their family (such as health professionals etc.)

Who we share personal data with

We may share personal data with the following key organisations to fulfil our statutory function in relation to school attendance.

When sharing the personal data, we only share the minimum amount necessary in relation to the purpose. The information shared and who it is shared with will depend on the reason for the absences, number of absences, pupil's individual needs and the support required to maintain regular attendance at school.

Who	Purpose
Local Authority – RCTCBC Attendance & Wellbeing Service	<ul style="list-style-type: none"> • Referral for support • Assessment of needs • Delivery of support • Review, monitor and assess on-going support/needs • Referral for enforcement action
Local Authority support services, external partners, agencies and service providers	<p>Support services will vary depending on the individual needs of the pupil and the support required to maintain regular attendance in school. Typically, the school will work with the following services and agencies for attendance purposes;</p> <ul style="list-style-type: none"> • RCTCBC Resilient Families • Eye to Eye Counselling <p>Purpose – support the pupil in maintaining regular attendance at School through;</p> <ul style="list-style-type: none"> • Assessment of needs • Delivery of support • Review, monitor and assess on-going support/needs <p>Should you have a specific query relating to the services that are involved with your child, for attendance purposes, please contact the school.</p>

Local Authority – RCTCBC Data Team	Reporting purposes / Statutory returns.
Welsh Government	Reporting purposes / Statutory returns.
Central South Consortium	Reporting purposes, school improvement (shared via Welsh Government)

Data Processors

A data processor is a company or organisation that processes personal data on behalf of a controller. The school uses data processors that provide services to us. The category of data processors that the school uses in relation to the processing of attendance data is;

- IT system suppliers / service providers

Our data processors act only upon our instruction. They cannot do anything with the personal data unless we instruct them to do so. They will not share the personal data with any organisation apart from us or use it for their own purposes. They will hold it securely and retain it for the period we instruct.

Should you have a specific query relating to our data processors, please contact the Data Protection Lead.

How long we retain the personal data

We retain the personal data contained within attendance records in line with the Information Records Management Society (IMRS) Information Management Toolkit for Schools;

Record	Basic Record Description	Statutory Provision	Retention period
Attendance	Registers	School attendance: Departmental advice for maintained schools, Academies, independent schools and local authorities October 2014	Every entry in the attendance register must be preserved for a period of 3 years after the date on which the entry was made.
	Supporting information or correspondence relating to any absence (authorised or unauthorised)	Business need	Academic year

In keeping with the General Data Protection Regulation storage limitation principle, records are periodically reviewed. Not all personal data is retained. Only personal data that is relevant to the record is retained for the entire retention period (e.g. documents that contain assessments, decisions, outcomes etc.). Information that has no long term or evidential value is routinely destroyed in the normal course of business.

Your data protection rights

Under data protection law, you have rights we need to make you aware of. The rights available to you depend on our reason for processing your personal data.

Your right of access

You have the right to ask us for copies of your personal data. This right always applies. There are some exemptions, which means you may not always receive all the data we process. [You can read more about this right on the ICO's website.](#)

Your right to get your data corrected

You have the right to ask us to rectify personal data you think is inaccurate. You also have the right to ask us to complete data you think is incomplete. This right always applies. [You can read more about this right on the ICO's website.](#)

Your right to get your data deleted

You have the right to ask us to erase your personal data in certain circumstances. [You can read more about this right on the ICO's website.](#)

Your right to limit how organisations use your data

You have the right to ask us to restrict the processing of your personal data in certain circumstances. [You can read more about this right on the ICO's website.](#)

Your right to object to the use of your data

You have the right to object to us processing your personal data in certain circumstances. [You can read more about this right on the ICO's website.](#)

Your right to data portability

This only applies to personal data you have given us. You have the right to ask that we transfer the personal data you gave us from one organisation to another or give it to you. This right only applies if we are processing the personal data based on your consent or under, or in talks about entering a contract and the processing is automated. [You can read more about this right on the ICO's website.](#)

You are not required to pay any charge for exercising your rights. We have one month to respond to your request from the date your request is validated. We may extend this period by a further two months if the request is complex or we receive a number of requests from you.

Please contact the school's Data Protection Lead if you wish to make a request.

Your right to make a data protection complaint to the school

You have the right to complain to the school if you believe we have not handled your personal data responsibly and in line with good practice.

If you have a concern, we encourage you to contact the Data Protection Lead in the first instance. Most concerns can be resolved relatively quickly through a simple phone call or email to the school. Should you wish to make a formal complaint you can do so via our complaints policy.

Your right to make a data protection complaint to the ICO

You can also complain to the ICO if you are unhappy with how we have used your data, but we encourage you to contact us first.

The ICO's contact information is:

- Address: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
- Helpline number: 0303 123 1113
- Website: <https://www.ico.org.uk>

Version Control

Version no	Valid From	Valid To	Comments
1.0	09.08.2022	21.02.2023	Document creation. Final document.
1.1	21.02.2023		Amended to included availability of Welsh version