

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

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MAE EICH DATA O BWYS YOUR DATA MATTERS

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 safeguarding.

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 nature of the safeguarding concern, those involved and those supporting the pupil and their family. 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 following documents, which are available on the school's website, or by contacting the Data Protection Lead;

- General Privacy Notice
- Child Safeguarding Policy

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.

Whose personal data we process

We may process personal data relating to the following individuals to undertake our statutory functions relating to safeguarding;

- Person who raised the concern (this may be for example the person at risk, a teacher, another pupil, family member or member of the public etc.)
- The person at risk (pupil)
- The person suspected of putting the pupil at risk
- Parents / next of kin / family members / carers / other individuals involved in supporting the child
- Any other person or persons at risk e.g. siblings who may be living at the property
- Witnesses (this may be for example, a teacher, another pupil, family member or member of the public etc.)

The categories of personal data we process

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

Pupil who is at risk;

- Personal identifiers such as name, date of birth, class year etc.
- Contact information such as address, telephone number.
- Characteristics (such as ethnicity, language, health, sexual orientation, nationality and country of birth).
- Records relating to current/previous safeguarding concerns e.g. concerns, referrals, outcomes, plans, supporting information and evidence.
- Records relating to involvement with support agencies and services (e.g. Children's Services, Youth Offending Service etc.)

Person reporting the concern;

- Basic personal information such as name, address, contact information
- Job title, employer information (if the person reporting the concern is a professional)
- Relationship to the child at risk.
- Details of concern.

Person causing the concern;

- Basic personal information such as name, address, age, date of birth, contact details or description if identity not known.
- Characteristics such as gender, ethnicity
- Relationship to pupil
- Legal access to the pupil and any court orders indicating access rights (if applicable)
- Records relating to current/previous safeguarding concerns

Parent, carer, or other family members (e.g. in the household or involved in supporting the pupil):

- Basic personal information such as name, address and date of birth, contact details
- Characteristics such as gender, ethnicity
- Relationship to pupil
- Legal access to the pupil and any court orders indicating access rights

Why we process the personal data

We process the personal data in order undertake our statutory function to safeguard pupils. This may include but is not limited to the following activities;

- Identifying or receiving a safeguarding concern.
- Reporting a concern to the Designated Senior Person (DSP) for Child Protection within the school.
- Assessing the concern and seeking guidance where there is uncertainty about the need to make a referral.
- Referring the concern to the Local Authority (Children's Services / Multi Agency Safeguarding Hub (MASH)) and any other relevant authorities such as the Police.
- Supporting any investigation undertaken by the Local Authority and relevant authorities such as the Police.
- Liaising and working with the Local Authority, relevant professionals (such as Police and Health and Social Care workers), support services and agencies to assess the pupil's needs and provide appropriate support to the pupil and their family.
- Contributing to child protection and children looked after processes e.g. provision of reports and attendance at conferences, core groups or meetings and Child Looked After reviews.
- To engage with parents/carers in relation to any safeguarding concern.
- Recording the concern (whether it is reported to the Local Authority or not), referrals, outcomes, reviews etc.
- Support the transfer of relevant information to another School where the child moves school.
- Statutory returns.

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 the safeguarding of pupils is;

- **Legal Obligation** Article (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;

- Social Services & Wellbeing (Wales) Act 2014
- Education Act 2022
- Well-being of Future Generations (Wales) Act 2015
- Welsh Government: Keeping learners safe – The role of local authorities, governing bodies and proprietors of independent schools under the Education Act 2002
- Wales Safeguarding Procedures

Who or where we get the personal data from

We may receive the personal data from;

- Person who has raised the concern
- The person at risk (pupil)
- The person suspected of putting the pupil at risk
- Any other person or persons at risk e.g. siblings
- Parents / next of kin / family members / carers / other individuals involved in supporting the child
- Witnesses (this may be for example, a teacher, another pupil, family member or member of the public etc.)
- Local Authority support services – such as Children’s Services, Multi Agency Safeguarding Hub, Educational Psychologist, Behaviour Support, Youth Offending Service, Adult Services, Resilient Families Service, Social Worker
- Health services and professionals involved with the pupil and/or their family.
- Cwm Taf Morgannwg Safeguarding Board
- Multi-agency Child Protection and Children Looked After meetings, conferences, core groups etc.
- Police, probation and law enforcement agencies

Who we share personal data with

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

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 nature and severity of the concern and the organisations and agencies involved in supporting the pupil and their family.

Who	Purpose
<p>Cwm Taf Morgannwg Multi-Agency Safeguarding Hub (MASH)</p>	<p>The MASH is a single point of contact for all professionals to report safeguarding concerns, across Cwm Taf Morgannwg. The MASH comprises of staff from the Social Services, Education, Police, Health, National Probation Service and the Community Rehabilitation Company</p> <p>Statutory function – safeguarding referrals Referral to Information Advice and Assistance Team / MASH where a safeguarding concern has been raised.</p>
<p>Local Authority support services, external partners, agencies and service providers</p>	<p>Support services will vary depending on the individual needs of the pupil and the support required to address a safeguarding concern. Typically, the school will work with the following services and agencies for safeguarding purposes;</p> <ul style="list-style-type: none"> • RCTCBC - Children's Services, Social Worker • RCTCBC - Youth Offending Service • RCTCBC - Adult Services, Social Worker • RCTCBC - Education Services e.g. Resilient Families • Eye to Eye Counselling <p>Personal data will be shared for the purposes of;</p> <ul style="list-style-type: none"> • Referral for support • Assessment of needs • Delivery of support services • Review of needs and on-going support <p>Should you have a specific query relating to the services that are involved with your child, please contact the school.</p>

Local Authority (RCTCBC) Data Team Central South Consortium Welsh Government	<ul style="list-style-type: none"> • Statutory returns/reporting • School improvement
Parents/Carers	<ul style="list-style-type: none"> • Referral for support • Assessment of needs • Delivery of support services • Review of needs and on-going support
Emergency Services	In the case of an immediate safeguarding concern

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 categories of data processors that the school uses in relation to the processing of safeguarding are;

- General IT system suppliers / service providers
- Safeguarding case management system

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 safeguarding records in line with the Information Records Management Society (IMRS) Information Management Toolkit for Schools;

Record	Basic Record Description	Statutory Provision	Retention period
	Child Protection Records		35 years
	Child in Need of Care Records		10 Years
Information relating to child sexual abuse allegations			Schools have an obligation to preserve records which contain information about allegations of sexual abuse for the Independent Inquiry into Child Sexual Abuse (IICSA), for the term of the inquiry (further information can be found on the IICSA website).

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

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1.1	21.02.2023		Amended to included availability of Welsh version