

CCHS Privacy Notice for Pupils



Chelsea Community Hospital School

DATE JUNE 2023

THIS IS A PRIVACY NOTICE FOR PUPILS ATTENDING CHELSEA COMMUNITY HOSPITAL SCHOOL. IT HAS BEEN WRITTEN IN CONSULTATION WITH REPRESENTATIVES FROM THE WHOLE SCHOOL COMMUNITY INCLUDING STAFF, GOVERNORS, RESPECTIVE HEALTH TRUSTS, LOCAL AUTHORITY, PUPILS AND PARENTS

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1. Introduction

You have a legal right to be informed about how our school uses any personal information that we hold about you. To comply with this, we provide a 'privacy notice' to you where we are processing your personal data.

This notice explains how we collect, store and use personal data about **pupils at our school**, like you.

We, Chelsea Community Hospital School, Chelsea & Westminster Hospital, 369 Fulham Road, London SW10 9NH, 0207 7925539, are the 'data controller' for the purposes of UK data protection law.

Our data protection officer is Michelle Sellers (see 'Contact us' below).

2. The personal data we hold

We hold some personal information about you to make sure we can help you learn and look after you at school.

For the same reasons, we get information about you from some other places too – such as other schools, the local council and the government.

Personal information that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Your contact details
- Your test results
- Your attendance records
- Details of any behaviour needs or exclusions

We may also collect, use, store and share (when appropriate) information about you that falls into 'special categories' of more sensitive personal data. This includes, but is not restricted to:

- Information about your characteristics, like your ethnic background or any special educational needs
- Information about any medical conditions you have
- Risk Assessments
- Photographs
- CCTV images captured in the hospitals that comprise CCHS, and in the classrooms at the Lavender Walk site of the school

3. Why we use this data

We use the data listed above to:

- a) Get in touch with you and your parents or carers when we need to
- b) Check how you're doing in exams and work out whether you or your teachers need any extra help
- c) Track how well the school as a whole is performing
- d) Look after your wellbeing
- e) Help keep you safe while at school

3.1 Use of your personal data in automated decision making and profiling

We don't currently put pupils' personal data through any automated decision making or profiling process. This means we don't make decisions about you using only computers without any human involvement.

If this changes in the future, we will update this notice in order to explain the processing to you, including your right to object to it.

4. Our lawful basis for using this data

We will only collect and use your information when the law allows us to. We need to establish a 'lawful basis' to do this.

Our lawful bases for processing your personal information for the reasons listed in section 3 above are:

- For the purposes of 3.a,b,c,d,e. in accordance with the 'public task' basis – we need to process data to fulfil our official duties as a school as set out here:
 - UK GDPR Article 6 gives a lawful basis for processing personal data (only and to the extent that it is) necessary for the performance of a task carried out in the public interest.
- For the purposes of 3.a,b,c,d,e. in accordance with the 'legal obligation' basis – we need to process data to meet our responsibilities under law as set out here:
 - UK GDPR Article 6 gives a lawful basis for processing personal data (only and to the extent that it is) necessary for the performance of a task carried out in the public interest.
- For the purposes of 3.a, b,c,d,e. in accordance with the 'consent' basis – we will get consent from you to use your personal data
- For the purposes of 3 a,b,c,d,e. in accordance with the 'vital interests' basis – we will use this personal data in a life-or-death situation
- For the purposes of 3 a,b,c,d,e. in accordance with the 'contract' basis – we need to process personal data to fulfil a contract with you or to help you enter into a contract with us

Where you've provided us with consent to use your information, you may take back this consent at any time. We'll make this clear when requesting your consent and explain how you'd go about withdrawing consent if you want to.

4.1 Our basis for using special category data

For 'special category' data (more sensitive personal information), we only collect and use it when we have both a lawful basis, as set out above, and 1 of the following conditions for processing as set out in UK data protection law:

- We have got your explicit consent to use your information in a certain way
- We need to use your information under employment, social security or social protection law
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The information has already been made obviously public by you
- We need to use it to make or defend against legal claims
- We need to use it for reasons of substantial public interest as defined in legislation

- We need to use it for health or social care purposes, and it's used by, or under the direction of, a professional obliged to confidentiality under law
- We need to use it for public health reasons, and it's used by, or under the direction of, a professional obliged to confidentiality under law
- We need to use it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the use is in the public interest

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in UK data protection law. Conditions include:

- We have got your consent to use it in a specific way
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made obviously public by you
- We need to use it as part of legal proceedings, to obtain legal advice, or to make or defend against legal claims
- We need to use it for reasons of substantial public interest as defined in legislation

5. Collecting this data

While most of the information we collect about you is mandatory (i.e. you have to give us the information), there is some information that you can choose whether or not to give us.

Whenever we want to collect information from you, we make it clear whether you have to give us this information (and if so, what the possible consequences are of not doing that), or whether you have a choice.

Most of the data we hold about you will come from you, but we may also hold data about you from:

- Local councils
- The NHS Trusts we work with
- Government departments or agencies
- Police forces, courts or tribunals

6. How we store this data

We keep personal information about you while you're attending our school. We may also keep it after you stop attending our school, if this is necessary. Our CCHS Data Retention Policy sets out how long we keep information about pupils.

You can request a copy of our Data Retention Policy by contacting our school administrator at admin@cchs.org.uk or download a copy from our website at <http://www.cchs.org.uk/information/policies-and-documents>

We have security measures in place to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We'll dispose of your personal data securely when we no longer need it.

7. Who we share data with

We don't share information about you with any third party without your consent unless the law and our policies allow us to do so.

Where it's legally required, or necessary (and it complies with UK data protection law), we may share personal information about you with:

- Our local authority, The Royal Borough of Kensington & Chelsea and Westminster City Council. – to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about exclusions
- Government departments or agencies. The Department of Education requests data on pupil numbers to help set our school budget.
- Our youth support services provider. We may share information if you work with the local authority youth services.
- Our regulator, Ofsted. We provide anonymised data so they can understand how our school works and how well our students are doing.
- Health authorities. We would share information if there was a public health reason for doing so, for example, notifiable diseases.
- Health and social welfare organisations. We may share information with the NHS trust that is caring for you during your time at the hospital school. We will always follow the correct data protection procedures and seek your consent where this is required.
- Professional advisers and consultants. We may provide anonymised data so they can understand how our school works so they can help us improve.
- Charities and voluntary organisations. We may share your data with your consent with the charities or voluntary organisations we work if you choose to participate in the programmes they offer to our school.
- Police forces, courts, or tribunals. If the law requires us to share information, we will follow the legal requirements.

National Pupil Database

We must provide information about you to the Department for Education (a government department) as part of data collections like the school census.

Some of this information is then stored in the [National Pupil Database](#), which is managed by the Department for Education and provides evidence on how schools are performing. This, in turn, supports research.

The database is held electronically so it can easily be turned into statistics. The information it holds is collected securely from schools, local authorities, exam boards and others.

The Department for Education may share information from the database with other organisations, such as organisations that promote children's education or wellbeing in England. These organisations must agree to strict terms and conditions about how they will use your data.

You can find more information about this on the Department for Education's webpage on [how it collects and shares research data](#).

You can also [contact the Department for Education](#) if you have any questions about the database.

7.1 Transferring data internationally

CCHS does not transfer data internationally. Currently our all the data that we hold about our pupils is stored on our server and is backed up every day internally.

8. Your rights

8.1 How to access personal information that we hold about you

You have a right to make a 'subject access request' to gain access to personal information that we hold about you.

If you make a subject access request, and if we do hold information about you, we will (unless there's a really good reason why we shouldn't):

- Give you a description of it
- Tell you why we are holding and using it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data (decisions made by a computer or machine, rather than by a person), and any consequences of this
- Give you a copy of the information in an understandable form

You may also have the right for your personal information to be shared with another organisation in certain circumstances.

If you would like to make a request, please contact us (see 'Contact us' below).

8.2 Your other rights regarding your data

Under data protection law, you have certain rights regarding how your personal information is used and kept safe. For example, you have the right to:

- Say that you don't want your personal information to be used
- Stop it being used to send you marketing materials
- Say that you don't want it to be used for automated decisions (decisions made by a computer or machine, rather than by a person)
- In some cases, have it corrected if it's inaccurate
- In some cases, have it deleted or destroyed, or restrict its use
- Withdraw your consent, where you previously provided consent for your personal information to be collected, processed and transferred for a particular reason
- In some cases, be notified of a data breach
- Make a complaint to the Information Commissioner's Office
- Claim compensation if the data protection rules are broken and this harms you in some way

To exercise any of these rights, please contact us (see 'Contact us' below).

9. Complaints

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concerns about our data processing, please let us know first.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/make-a-complaint/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

10. Contact us

If you have any questions or concerns, or would like more information about anything mentioned in this privacy notice, please contact our **data protection officer**:

Michelle Sellars dpo@cchs.org.uk