

The St Michael Steiner School

Policy for Processing and Retention of Personal Data (All)

These are the specific reasons, set out in law, for which we can process personal data. There is one list for personal data and another list for special category data. Personal Data is any information that can be connected to an identified or identifiable person. Special Category Data in our school includes data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, data concerning health or a person's sex life or sexual orientation, data relating to criminal offences.

LAWFUL BASIS ARTICLE 6: PROCESSING PERSONAL DATA

At least one of these must apply whenever you process personal data:

- (a) **Consent:** the individual has given clear consent for you to process their personal data for a specific purpose.
- (b) **Contract:** the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.
- (c) **Legal obligation:** the processing is necessary for you to comply with the law (not including contractual obligations).
- (d) **Vital interests:** the processing is necessary to protect someone's life.
- (e) **Public task:** the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.
- (f) **Legitimate interests:** the processing is necessary for your legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests.

LAWFUL BASIS ARTICLE 9: PROCESSING SPECIAL CATEGORY DATA

- (g) the data subject has given explicit consent to the processing of the personal data for one or more specified purposes
- (h) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law [...]
- (i) processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent
- (j) processing is carried out in the course of its legitimate activities with appropriate safeguards ... and on condition ... that the personal data are not disclosed outside [the school] without the consent of the data subjects
- (k) processing relates to personal data which are manifestly made public by the data subject
- (l) processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity
- (m) processing is necessary for reasons of substantial public interest, on the basis of law [...]
- (n) processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment [...]
- (o) processing is necessary for reasons of public interest in the area of public health.
- (p) processing is necessary for archiving purposes in the public interest, scientific or historical research purposes.

Data	Short term need (event + 1 month)	Medium term need (subject at school + 1 year)	Long term need (subject at school + 5 years)	6 years after the end of the financial year to which they apply	Very long term need (subject at school + 10 years or more)	Justification	Shared with third party	Lawful basis
Attendance registers/ information						Attendance registers must be kept for 3 years after their last use. (DfE document: School Attendance November 2016) Attendance information must be passed to the pupil's next school when s/he leaves	DfE (as anonymised statistics) SIS Destination school when a pupil leaves	Legal obligation
Parent & Child Group contact and attendance information						Kept for one year after the end of the financial year to which they apply, for accounting reasons.	No	Legitimate Interests
Admissions Register						Admissions registers must be kept for 3 years after their last use. (DfE document: School Attendance November 2016) We keep them indefinitely for school archives.	DfE (as anonymised statistics) SIS	Legal obligation (3 years) Legitimate Interests (beyond 3 years)
Open day/visitors'/enquirers' contact details						This information is used to contact people who have shown an interest in the school with information about forthcoming events. It is kept until the end of the academic year in which it was collected.	No	Consent
Contact details of High School pupils						High School students email their written work to staff. Normally this information is kept for a year after the pupil leaves the school in case work or personal property need to be sent to them. The student can become part of the school alumni, in which case the information is kept indefinitely with consent.	No	Legitimate Interests (when the pupil is at the school) Consent (when pupil has left the school)

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Photographs and videos of pupils						For promotion of the school, which is vital for its continuing existence. Promotion could be done without images of pupils, staff, parents and visitors, but would not be so effective and effective promotion is a legitimate interest of the school. However, since consent is given in most cases, in cases where it is not, faces will be obscured or photographs not used in publicity. Photographs will be destroyed on request from subjects.	The general public	Consent
Photographs and videos of staff								
Photographs and videos of parents and visitors								
Contact details (Names, addresses, email addresses, phone numbers) of parents						Normally this information is kept for a year after the pupil leaves the school in case work or personal property need to be sent to them. In cases where the contract with the school has not yet been fulfilled (e.g. when fees are outstanding) they are kept until that has been concluded. Consent is sought to keep this information after the pupil has left the school if we want to keep it for a specific reason, e.g. membership of school alumni.	No	Contract (when the pupil is still in the school) Legitimate Interests (when the pupil has left and contract has not been fulfilled) Consent (when pupil has left the school)
Contact details of staff (email address, phone number)						Staff contact information is kept for 5 years after they leave in case we need to contact them about pupils they have taught who are still in the school.	No	Legitimate Interests

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Accounting Data						HMRC legal obligation	Auditors Companies House Charity Commission We use Xero accounting software. Their Privacy notice is here: https://www.xero.com/uk/about/terms/privacy/	Legitimate Interests Legal obligation
Payroll Information (Staff name, address, date of birth, National Insurance number, and bank details*).						To pay staff, NI, tax etc. Kept for 6 years or until financial commitment to the school is fulfilled, whichever is longer.	Payroll agents: Burgess Hodgson LLP HMRC (see document 'Payroll Agent Terms of Business' for their privacy statement) *Bank details are not shared with HMRC	Legitimate Interests
Admissions: offer/acceptance/non-acceptance letters						As part of the pupil's record. kept for 6 years or until the contract with the school has been fulfilled, whichever is longer	No	Legitimate Interests
Financial commitment forms						Kept for 6 years or until financial commitment to the school is fulfilled, whichever is longer.	No	Legal Obligation Legitimate Interests
Deposit and fee invoices						Kept for 6 years or until financial commitment to the school is fulfilled, whichever is longer.	No	Legal Obligation Legitimate Interests
Parents' financial information including bursary awards						Kept for 6 years or until financial commitment to the school is fulfilled, whichever is longer.	Bursary group members when processing applications for fee assistance	Legitimate Interests Legal obligation
School meals information						Kept for 6 years or until financial commitment to the school is fulfilled, whichever is longer.	No	Legitimate Interests Legal obligation

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SPECIAL CATEGORY DATA								
SEND information						DfE requirements. Kept for 5 years in case of claims against the school made retrospectively.	DfE (as anonymised statistics) SIS	Legal obligation and (j) above
Single Central Register						We are required to keep this register for all current staff and trustees. We are not required to keep staff on the register after they have left.	SIS	Legal obligation and (h) above
Identity authentication documents (staff, volunteers, trustees)						We are required by SIS to show that we have documentation relating to DBS checks, identity and right to work in the UK for all current staff and trustees. Kept for 5 years in case information is needed in relation to offences in future or claims against the school made retrospectively.	SIS	Legal obligation and (h) above
Child Study and general notes about pupils						As part of the record of students' progress and attainment. Temporal information will be deleted when it is no longer relevant. Notes that are useful as exemplars for professional development will be anonymised, kept separately from other information about that pupil and kept indefinitely.	SIS	(j) above

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Tutorial notes (about students)						As part of the record of students' progress and attainment. Temporal information will be deleted when it is no longer relevant. Notes that are useful as exemplars for professional development will be anonymised, kept separately from other information about that student and kept indefinitely.	SIS	Legitimate Interests and (j) above
Mentoring notes (about staff)						Notes are kept for 5 years in case they are needed when writing references for future employers. Notes that are useful as exemplars for professional development etc. will be anonymised, kept separately from other information about that person and kept indefinitely.	SIS	Legitimate Interests and (j) above
Accident/incident books						Accidents/incidents for staff/pupils where it has meant the victim is incapacitated for more than 3 days legally need to be kept for 3 years after the event. (RIDDOR guidelines and St John Ambulance). Accident and Incident books are kept for 5 years after last use in case of claims against the school made retrospectively.	SIS	Legal obligation and (j) above
Records of behaviour sanctions						In case of claims against the school made retrospectively.	SIS	Legitimate Interests and (j) above
Staff medical forms						In case of claims against the school made retrospectively.	Paramedics/doctors in an emergency	Legitimate Interests and (j) above

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Staff/parents/Pupils' medical information						In case of claims against the school made retrospectively.	Paramedics/doctors in an emergency. General public in the case of communicable diseases. Names will not be given but circumstances may enable identification of individuals. (e.g. 'a child in Class 3')	Legitimate Interests and (j) or (o) above
Information provided by applicants for employment						For unsuccessful applicants, this information is kept for 1 year in case the person we employ turns out not to be suitable, we can refer to others who were interviewed at that time. For successful applicants, the data is handled as staff information.	No	Legitimate Interests and (j) above
Consent forms						In case of claims against the school made retrospectively.	SIS	Legitimate Interests and (j) above
Information for Early Education Funding for 3&4 year olds (Name and address of both parents and child, child's date of birth, gender, SEN and ethnicity.)						Until the end of the school year in which the child turns 5 or leaves the school	Hounslow Borough Council	Legitimate Interests and (g) above
Application forms						As part of the pupil's record	No	Legitimate Interests and (g) above
Pupil Exclusions						DfE requirement	DfE (as anonymised statistics) SIS	Legal obligation and (j) above
Pupils' reports						DfE requirement: we must be able to demonstrate that we are accountable to parents.	SIS	Legitimate Interests and (j) above

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Pupil assessment information						DfE requirement: we must be able to demonstrate that we track pupils' progress. We are also required to pass this information to the next school that the pupil attends CSE work is moderated and certified by SEDT in New Zealand and they require the name and date of birth of each student as well as their work.	SEDT Confidentiality and Privacy obligations stated in their contract with the school, clause 10.1, available from the CSE co-ordinator SIS Destination school when a pupil leaves	Legitimate Interests and (g) above
Safeguarding/Child Protection information						Safeguarding information (not including data generated by third parties) must be kept until the pupil leaves the school and then is transferred to the pupil's destination school (if any) immediately. A copy is kept until confirmation is received that it has been safely delivered, then the copy is shredded. ('Record keeping guidance for child protection' 2011)	As necessary on a case by case basis: Social Services in boroughs where the pupil concerned lives. The Police SIS Destination school when pupils leave	Legal obligation and (j) and (m) above
Minutes from College, Trustee, Faculty and Association meetings						Kept indefinitely as a record of decisions made, concerns raised, development of the school etc.	SIS	Legitimate Interests and (j) above

NB This table has been drawn up using data collected via a whole school audit, however, it is possible that some information has been omitted. If staff come across anything that is not covered here, or which cannot be categorised under any of the above headings, please inform the Data Protection Officer.

Abbreviations

SIS = School Inspection Service

DfE = Dept. for Education

SEDT = Steiner Education Development Trust

HMRC = Her Majesty's Revenue and Customs