



## Privacy Notice

# The Gryphon Trust

**Approved by:**

**Date:**

**Implemented On:** 25<sup>th</sup> May 2018

**Last Reviewed:** 1<sup>st</sup> April 2021

**Next review due by:** 1<sup>st</sup> April 2023

## Contents

1	
Privacy Notice .....	1
The Gryphon Trust.....	1
<b>Introduction .....</b>	<b>2</b>
<b>Data Controller .....</b>	<b>2</b>
<b>Data Protection Officer (DPO) .....</b>	<b>2</b>
<b>Data Subject .....</b>	<b>3</b>
<b>Pupils Personal Data .....</b>	<b>3</b>
Special Category Data .....	4
<b>Staff Personal Data .....</b>	<b>5</b>
Special Category Data .....	6
Criminal Offence Data .....	6
<b>Consent.....</b>	<b>7</b>
<b>Retention Schedule .....</b>	<b>7</b>
<b>Transfer of Data.....</b>	<b>7</b>
<b>Requesting Access to Your Data .....</b>	<b>7</b>
<b>Request to Change or Erase Data.....</b>	<b>8</b>
<b>Contact .....</b>	<b>8</b>

## Introduction

The GDPR, General Data Protection Regulation, is replacing the Data Protection Act 1998 on 25th May 2018. This affects The Gryphon Trust as we process personal data about staff, students, parents and suppliers.

Our Trust works to collect and use personal information fairly and transparently.

A privacy notice helps us to describe all the privacy information that we make available or provide to individuals when we collect information about them

## Data Controller

The Gryphon Trust processes personal information relating to pupils, staff, parents, suppliers and visitors, and, therefore, is a data controller. The Arnewood School and Eaglewood School are both responsible for GDPR compliancy under the Gryphon Trust.

The Gryphon Trust is registered as a data controller with the Information Commissioner’s Office and renews this registration annually, registration reference Z2600946.

## Data Protection Officer (DPO)

The data protection officer for the Gryphon Trust is Judicium Consulting Limited

Address: 72 Cannon Street, London, EC4N 6AE

Email: [dataservices@judicium.com](mailto:dataservices@judicium.com)

Web: [www.judiciumeducation.co.uk](http://www.judiciumeducation.co.uk)

Telephone: 0203 326 9174

Lead Contact: Craig Stilwell

## Data Subject

The Data Subject is the person whose personal data is held or processed. Data Subjects have rights under the GDPR:

1. The right to be informed
2. The right of access
3. The right to rectification
4. The right to erase
5. The right to restrict processing
6. The right to data portability
7. The right to object
8. Rights in relation to automated decision making and profiling

## Pupils Personal Data

We hold personal data about pupils to support teaching and learning, to provide pastoral care, for data collection purposes under the Education Act 1996 and to assess how the Trust is performing. We may also receive data about pupils from other organisations including, but not limited to, other schools, local authorities and the Department for Education.

This data includes, but is not restricted to:

- Contact details
- Date of birth
- Results of internal assessment and externally set tests
- Target grades
- Data on pupil characteristics
- Exclusion information
- Details of any medical conditions
- Behaviour including incident and isolation reports
- Safeguarding Events
- Attendance
- Examination coursework and material, including appeals
- Special Education Needs, Pupil Premium, EAL, Free School Meals entitlement and Gifted & Talented Details
- School photo
- EHIC & Passport details for relevant school trips
- Intervention documents
- Leavers destinations for year 11 students & sixth form
- Confidential Pastoral Information
- Child services/police data
- Timetables
- Access arrangements
- EHIC & Passport details for relevant school trips

- Progression details during extra-curricular clubs
- For pupils enrolling for post 14 qualifications, the Learning Records Service will give us the unique learner number (ULN) and may also give us details about your learning or qualifications

We will only retain the data we collect for as long as is necessary to satisfy the purpose for which it has been collected. For full details of how long we keep personal data for before securely disposing of it, please refer to The Gryphon Trust Data Retention Schedule.

Academy Trusts are designated as public authorities for the purposes of Freedom of Information Act queries. There is no separate definition under the GDPR for a 'public authority' therefore the collection and processing of the data outlined above is necessary for the performance of a task carried out in the public interest and in the exercise of official authority vested in us. Also known as the 'public task' lawful basis for processing by the ICO.

We will not share information about pupils with anyone without consent unless the law and our policies allow us to do so. Individuals who wish to receive a copy of the information that we hold about them/their child should refer to the section 'Subject Access Request' of this notice.

The Trust's public services provided require us to pass certain information about pupils to specified external bodies, such as our local authority, youth support services, learning platform provider, student management systems and the Department for Education, so that they are able to meet their legal statutory and contractual obligations. Where consent is required students and parents/carers are requested to consent to this beforehand.

A parent/guardian can request that only their child's name, address and date of birth be passed to Hampshire County Council by informing Mr Pressnell, Headteacher, The Arnewood School or Mr N Himmel, Principal, Eaglewood School. This right is transferred to the child once he/she reaches the age 16. For more information about services for young people, please go to our local authority website

<https://www.hants.gov.uk/socialcareandhealth/childrenandfamilies/supportyoungpeople>

We are required, by law, to pass some information about our pupils to the Department for Education (DfE). This information will, in turn, then be made available for use by the Local Authority.

DfE may also share pupil level personal data that we supply to them, with third parties. This will only take place where legislation allows it to do so and it is in compliance with the Data Protection Act 1998.

Decisions on whether DfE releases this personal data to third parties are subject to a robust approval process and are based on a detailed assessment of who is requesting the data, the purpose for which it is required, the level and sensitivity of data requested and the arrangements in place to store and handle the data. To be granted access to pupil level data, requestors must comply with strict terms and conditions covering the confidentiality and handling of data, security arrangements and retention and use of the data.

For more information on how this sharing process works, please visit: <https://www.gov.uk/guidance/national-pupil-database-apply-for-a-data-extract>

For information on which third party organisations (and for which project) pupil level data has been provided to, please visit: <https://www.gov.uk/government/publications/national-pupil-database-requests-received>

If you need more information about how our local authority and/or DfE collect and use your information, please visit:

- Our local authority at [www.hants.gov.uk/socialcareandhealth/childrenandfamilies/accessrecords](http://www.hants.gov.uk/socialcareandhealth/childrenandfamilies/accessrecords);  
Childrens Services Subject Access Request Team  
2nd Floor North  
E11 Court  
Winchester  
SO23 8UG  
Email: [childrens.services.sar@hants.gov.uk](mailto:childrens.services.sar@hants.gov.uk)  
Phone: 0300 555 1384
- the DfE website at <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

## Special Category Data

We also collect 'Special Category Data' for pupils, including;

- Race
- Ethnic Origin
- Language
- Country of birth
- Nationality
- Biometric

This type of personal data is classified as ‘Special Category Data’, which the GDPR says is more sensitive and therefore requires more protection.

The lawful basis for processing this special category data is ‘consent’. This means the pupil or their parent has opted in to give permission to share this data with the Trust. Whilst it is not possible for a parent/guardian or an individual pupil to opt out of the school census collection, they do have the right to decline to provide data on pupil nationality, ethnicity, language and country of birth. Where this right is exercised, the information is returned in the census using the code ‘refused’.

The condition for processing the special category data, listed above, under Article 9 of the GDPR is *‘the data subject has given explicit consent to the processing of those personal data for one or more specified purposes’*.

Pupils and/or their parents/carers have the right to withdraw this consent at any time by informing the school in writing of this withdrawal of consent. The Gryphon Trust will then confirm the personal data has been removed within 30 days and will ensure to inform any applicable third parties without undue delay.

The other type of special category personal data we collect and process for pupils is:

- Health information

The purposes of processing health information is to ensure staff are aware of any medical conditions the Gryphon Trust staff need to be aware of in pupils, to ensure that the Trust are able to minimize risks to pupils and ensure their safety whilst at school.

The lawful basis for processing this special category data is ‘Public interest’ and the condition for processing this special category data is *‘processing is necessary for reasons of substantial public interest’*.

## Staff Personal Data

We process data relating to those we employ to work at, or otherwise engage to work at, our Trust. The purpose of processing this data is to assist in the running of the school, including to:

- Enable individuals to be paid
- Facilitate safe recruitment
- Support the effective performance management of staff
- Improve the management of workforce data across the sector
- Inform our recruitment and retention policies
- Allow better financial modelling and planning
- Enable ethnicity and disability monitoring
- Support the work of the School Teachers’ Review Body

Staff personal data includes, but is not limited to, information such as:

- Contact details
- National Insurance, Employee and Teacher Numbers
- Absence data
- Outcomes of any disciplinary procedures
- DBS & CRB check results
- Contract Information (such as start dates, hours worked, post, roles and salary information)

- Qualifications, and where relevant, subjects taught

We will only retain the data we collect for as long as is necessary to satisfy the purpose for which it has been collected. For full details of this, please refer to the Gryphon Trust Data Retention Schedule.

We do not share information about workforce members with anyone without consent unless the law and our policies allow us to do so.

The collection and processing of the personal data outlined above is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.

We share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the assessment educational attainment.

We are required to share information about our pupils with the (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

## Special Category Data

We also collect 'Special Category Data' for staff, including;

- Race
- Ethnic Origin
- Language
- Country of birth
- Nationality
- Biometric

This type of personal data is classified as 'Special Category Data', which the GDPR says is more sensitive and therefore requires more protection.

The lawful basis for processing this special category data is 'consent'. This means the staff member has opted in to give permission to share this data with the Trust.

The condition for processing the special category data, listed above, under Article 9 of the GDPR is '*the data subject has given explicit consent to the processing of those personal data for one or more specified purposes*'.

Staff have the right to withdraw this consent at any time by informing the school in writing of this withdrawal of consent. The Gryphon Trust will then confirm the personal data has been removed within 30 days and will ensure to inform any applicable third parties without undue delay.

The other type of special category personal data we collect and process for staff is:

- Health information

The purposes of processing health information is to ensure The Gryphon Trust are aware of any medical conditions the Gryphon Trust staff have, to ensure that the Trust are able to minimize risks to staff and pupils and ensure their safety whilst at school.

The lawful basis for processing this special category data is 'Public interest' and the condition for processing this special category data is '*processing is necessary for reasons of substantial public interest*'.

## Criminal Offence Data

Criminal Offence Data refers to personal data relating to criminal convictions and offences, or related security measures.

The GDPR says "Processing of personal data relating to criminal convictions and offences or related security measures based on Article 6(1) shall be carried out only under the control of official authority or when the processing is authorised by Union or Member State law providing for appropriate safeguards for the rights and freedoms of data subjects. Any comprehensive register of criminal convictions shall be kept only under the control of official authority."

The Gryphon Trust processes staff criminal offence data in an official capacity as the law states staff who work with children are to undergo criminal offence checks including CRB and DBS checks.

## Consent

In the pupils & staff data sections above there are some personal data categories that are provided with the individuals consent.

This consent is requested by the data subject, or their parents/carers where applicable, at the start of their application to the Gryphon Trust. This consent status, and associated data, is then reminded to individuals on a yearly basis. Consent can be removed at any time but the yearly reminders are in place to ensure any data The Gryphon Trust keeps is kept as up to date as possible. This data check reminder is sent to all pupils/carers/parents and staff on a yearly basis.

## Retention Schedule

All personal data collected and processed by The Gryphon Trust is kept for a static amount of time, depending on the type of data, and then securely disposed of. This includes both electronic versions and hard copies. Please refer to the Gryphon Trust Data Retention Schedule for full details.

## Transfer of Data

The Gryphon Trust may only transfer data outside of the EEA where the organization receiving the personal data has provided adequate safeguards, this may be through legally binding agreements, data protection clauses or if the transfer is subject to suitable safeguards put in place by the organization to protect the data. We will share with you any such occurrences.

The only current occurrence of this is data on the Gryphon Trust & schools of the Gryphon Trust, official websites that contain information and images of data subjects. Putting data on a website may result in transfers to countries outside the EEA. The transfer will take place when someone outside of the EEA accesses the website.

This type of personal data placed on the schools websites is through consent of the data subject and/or their parent/carers. You have the right for this information to be revoked at any time. Please see the next section in this notice for full details.

## Requesting Access to Your Data

Under data protection legislation, parents/carers, staff and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to an employee or educational record, contact The Data Protection Officer, Judicium Consulting Limited

Address: 72 Cannon Street, London, EC4N 6AE

Email: [dataservices@judicium.com](mailto:dataservices@judicium.com)

Web: [www.judiciumeducation.co.uk](http://www.judiciumeducation.co.uk)

Telephone: 0203 326 9174

Lead Contact: Craig Stilwell

This request for data is called a 'Subject Access Request (SAR)'. Once this is received in writing who you would like the information on, a contact number and email address, and details of the data you would like to see, the Data Protection Officer will confirm receipt of the request and where possible and applicable, will issue the requested data within 30 days. Please view The Gryphon Trust Data Protection Policy for any further details on this process.

You can also request this through the Judicium form online here: [https://www.jedu.co.uk/secure/information-request/\\$2y\\$10\\$QVGLJOaRsijIC2kHJP8klu7YwE7bCEaOpRJY1t17slqTuFIMCOf2S](https://www.jedu.co.uk/secure/information-request/$2y$10$QVGLJOaRsijIC2kHJP8klu7YwE7bCEaOpRJY1t17slqTuFIMCOf2S)

Or for any Freedom of Information requests, please use this form: [https://www.jedu.co.uk/secure/information-request/\\$2y\\$10\\$grvJu1Fcxsbts4ZMS3y3CORLHRvNMwT5mxElk7g8lXhFE43HBp9gW](https://www.jedu.co.uk/secure/information-request/$2y$10$grvJu1Fcxsbts4ZMS3y3CORLHRvNMwT5mxElk7g8lXhFE43HBp9gW)

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance.

Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns>

## Request to Change or Erase Data

The GDPR has introduced a right for individuals to have personal data erased. This is also known as 'the right to be forgotten'. This right is not absolute and only applies in certain circumstances. Most of the data that The Gryphon Trust collects is due to a public task we perform and therefore a lot of data is unable to be erased, but individuals can make a request for erasure verbally or in writing. The Gryphon Trust will respond to this within 28 days.

If The Gryphon Trust have data that is incorrect on a data subject, we encourage data subjects to ensure any data they provide us is kept up to date. Once data is collected, students and parents/carers then have the right to change this data with The Gryphon Trust either in person, in writing or for Arnewood students/parents/carers/staff Arbor webpage, details of which are provided to each student and their parents/carers. Links are also available on the corresponding schools website.

## Contact

If you would like to discuss anything in this privacy notice, please contact the Gryphon Trust Data Protection Officer - Judicium Consulting Limited

Address: 72 Cannon Street, London, EC4N 6AE

Email: [dataservices@judicium.com](mailto:dataservices@judicium.com)

Web: [www.judiciumeducation.co.uk](http://www.judiciumeducation.co.uk)

Telephone: 0203 326 9174

Lead Contact: Craig Stilwell