**Polska Szkoła w Sheffield im. gen. Władysława Andersa**

**Personal and Sensitive Data:**

All data within the school’s control shall be identified as personal, sensitive or both to ensure that it is handled in compliance with legal requirements and access to it does not breach the rights of the individuals to whom it relates.

We collect and use personal information under Article 6 of the EU General Data Protection Regulations (GDPR) to ensure the school carries out its duties lawfully and appropriately.

Data is required:

* for compliance with our legal obligations (6c)
* for the necessary purpose of our duties as a school (6f)

We also collect and use personal data under Article 9 of EU GDPR for data collection purposes which is required under the Education Act 1996, such as the child’s racial or ethnic origins and religious beliefs.

**The principles of the Data Protection Act shall be applied to all data processed:**

* ensure that data is fairly and lawfully processed
* process data only for limited purposes
* ensure that all data processed is adequate, relevant and not excessive
* ensure that data processed is accurate
* not keep data longer than is necessary
* process the data in accordance with the data subject's rights
* ensure that data is secure
* ensure that data is not transferred to other countries without adequate

protection.

**Colleting personal information:**

Whilst the majority of personal information you provide to us is mandatory, some of it is provided on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

We collect pupil information via:

* Application Forms
* Common Transfer Files (CTF)
* Secure file transfer from the pupils previous school
* Data Collection Sheets

**The categories of pupil information that we process include:**

* personal information (such as name, unique pupil number, contact details and address)
* characteristics (such as ethnicity, language)
* safeguarding information (such as court orders and professional involvement)
* special educational needs (including the needs and ranking)
* medical and administration (such as doctors information, child health, allergies, medication and dietary requirements)
* attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
* assessment and attainment information, including any relevant special educational needs information

**Fair Processing / Privacy Notice:**

We shall be transparent about the intended processing of data and communicate these intentions via notification to staff, parents and pupils prior to the processing of individual’s data.

There may be circumstances where the school is required either by law or in the best interests of our students or staff to pass information onto external authorities, for example local authorities, Ofsted, or the department of health. These authorities are up to date with data protection law and have their own policies relating to the protection of any data that they receive or collect.

The intention to share data relating to individuals to an organisation outside of our school shall be clearly defined within notifications and details of the basis for sharing given. Data will be shared with external parties in circumstances where it is a legal requirement to provide such information.

**Data Access Requests**

All individuals whose data is held by us, has a legal right to request access to such data or information about what is held. We shall respond to such requests within one month and they should be made in writing to:

Polska Szkoła w Sheffield im. gen. Władysława Andersa

Parkwood Academy

Longley Avenue West

Sheffield, S5 8UL

or email to:

info@polskaszkolasheffield.org.uk

Personal data about pupils will not be disclosed to third parties without the consent of the child’s parent or carer, unless it is obliged by law or in the best interest of the child. Data may be disclosed to the following third parties without consent:

• **Other schools**

If a pupil transfers from school to another school, their academic records and other data that relates to their health and welfare will be forwarded onto the new school. This will support a smooth transition from one school to the next and ensure that the child is provided for as is necessary.

• **Examination authorities**

This may be for registration purposes, to allow the pupils at our school to sit examinations set by external exam bodies.

• **Health authorities**

As obliged under health legislation, the school may pass on information regarding the health of children in the school to monitor and avoid the spread of contagious diseases in the interest of public health.

• **Police and courts**

If a situation arises where a criminal investigation is being carried out we may have to forward information on to the police to aid their investigation. We will pass information onto courts as and when it is ordered.

• **Social workers and support agencies**

In order to protect or maintain the welfare of our pupils, and in cases of child abuse, it may be necessary to pass personal data on to social workers or support agencies.

• **Educational division**

Schools may be required to pass data on in order to help the government to monitor the national educational system and enforce laws relating to education.

• **Right to be Forgotten:**

Where any personal data is no longer required for its original purpose, an individual can demand that the processing is stopped and all their personal data is erased by the school including any data held by contracted processors.

**Requesting access to your personal data**

Under data protection legislation, parents 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 your child’s educational record, contact our School Business Manager.

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

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

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| **Article 6 EU GDPR "Lawfulness of processing"**  => Recital: [40](http://www.privacy-regulation.eu/en/r40.htm), [41](http://www.privacy-regulation.eu/en/r41.htm), [42](http://www.privacy-regulation.eu/en/r42.htm), [43](http://www.privacy-regulation.eu/en/r43.htm), [44](http://www.privacy-regulation.eu/en/r44.htm), [45](http://www.privacy-regulation.eu/en/r45.htm), [46](http://www.privacy-regulation.eu/en/r46.htm), [47](http://www.privacy-regulation.eu/en/r47.htm), [48](http://www.privacy-regulation.eu/en/r48.htm), [49](http://www.privacy-regulation.eu/en/r49.htm), [50](http://www.privacy-regulation.eu/en/r50.htm), [155](http://www.privacy-regulation.eu/en/r155.htm) => administrative fine: [Art. 83 (5) lit a](http://www.privacy-regulation.eu/en/article-83-general-conditions-for-imposing-administrative-fines-GDPR.htm#5) |
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| **1.** Processing shall be lawful only if and to the extent that at least one of the following applies:  => Article: [9](http://www.privacy-regulation.eu/en/article-9-processing-of-special-categories-of-personal-data-GDPR.htm) |
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| |  |  | | --- | --- | |  | (a) the data subject has given **consent** to the processing of his or her personal data for one or more specific purposes;  => Article: [7](http://www.privacy-regulation.eu/en/article-7-conditions-for-consent-GDPR.htm), [8](http://www.privacy-regulation.eu/en/article-8-conditions-applicable-to-child's-consent-in-relation-to-information-society-services-GDPR.htm), [9](http://www.privacy-regulation.eu/en/article-9-processing-of-special-categories-of-personal-data-GDPR.htm) => Recital: [32](http://www.privacy-regulation.eu/en/r32.htm), [42](http://www.privacy-regulation.eu/en/r42.htm), [43](http://www.privacy-regulation.eu/en/r43.htm), [171](http://www.privacy-regulation.eu/en/r171.htm) => Dossier: [Consent](http://www.privacy-regulation.eu/en/dossier_consent_demo.htm), [Permission](http://www.privacy-regulation.eu/en/dossier_permission_demo.htm) | |
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| |  |  | | --- | --- | |  | (b) processing 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;  => Article: [20](http://www.privacy-regulation.eu/en/article-20-right-to-data-portability-GDPR.htm) => Dossier: [Permission](http://www.privacy-regulation.eu/en/dossier_permission_demo.htm) | |
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| |  |  | | --- | --- | |  | (c) processing is necessary for **compliance with a legal obligation** to which the controller is subject;  => Dossier: [Permission](http://www.privacy-regulation.eu/en/dossier_permission_demo.htm) | |
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| |  |  | | --- | --- | |  | (d) processing is necessary in order to protect the **vital interests** of the data subject or of another natural person;  => Dossier: [Permission](http://www.privacy-regulation.eu/en/dossier_permission_demo.htm) | |
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| |  |  | | --- | --- | |  | (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;  => Dossier: [Task in Public Interest](http://www.privacy-regulation.eu/en/dossier_task-in-public-interest_demo.htm), [Permission](http://www.privacy-regulation.eu/en/dossier_permission_demo.htm) | |
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| |  |  | | --- | --- | |  | (f) processing is necessary for the purposes of the **legitimate interests** pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.  => Article: [13](http://www.privacy-regulation.eu/en/article-13-information-to-be-provided-where-personal-data-are-collected-from-the-data-subject-GDPR.htm), [21](http://www.privacy-regulation.eu/en/article-21-right-to-object-GDPR.htm) => Recital: [113](http://www.privacy-regulation.eu/en/r113.htm), [47](http://www.privacy-regulation.eu/en/r47.htm), [48](http://www.privacy-regulation.eu/en/r48.htm) | |
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| Point (f) of the first subparagraph shall not apply to processing carried out by public authorities in the performance of their tasks. |
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| **2.** Member States may maintain or introduce more specific provisions to adapt the application of the rules of this Regulation with regard to processing for compliance with points (c) and (e) of paragraph 1 by determining more precisely specific requirements for the processing and other measures to ensure lawful and fair processing including for other specific processing situations as provided for in Chapter IX.  => Dossier: [Opening Clause](http://www.privacy-regulation.eu/en/dossier_opening-clause_demo.htm) |
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| **3.** The basis for the processing referred to in point (c) and (e) of paragraph 1 shall be laid down by:  (a) Union law; or  (b) Member State law to which the controller is subject.  The purpose of the processing shall be determined in that legal basis or, as regards the processing referred to in point (e) of paragraph 1, shall be necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller. That legal basis may contain specific provisions to adapt the application of rules of this Regulation, inter alia: the general conditions governing the lawfulness of processing by the controller; the types of data which are subject to the processing; the data subjects concerned; the entities to, and the purposes for which, the personal data may be disclosed; the purpose limitation; storage periods; and processing operations and processing procedures, including measures to ensure lawful and fair processing such as those for other specific processing situations as provided for in Chapter IX. The Union or the Member State law shall meet an objective of public interest and be proportionate to the legitimate aim pursued.  => Dossier: [Disclosure](http://www.privacy-regulation.eu/en/dossier_disclosure_demo.htm), [Purpose (Binding)](http://www.privacy-regulation.eu/en/dossier_purpose-binding_demo.htm) |
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| **4.** Where the processing **for a purpose other than that for which the personal data have been collected** is not based on the data subject's consent or on a Union or Member State law which constitutes a necessary and proportionate measure in a democratic society to safeguard the objectives referred to in [Article 23](http://www.privacy-regulation.eu/en/article-23-restrictions-GDPR.htm)(1), the controller shall, in order to ascertain whether processing for another purpose is compatible with the purpose for which the personal data are initially collected, **take into account**, inter alia:  => Article: [5](http://www.privacy-regulation.eu/en/article-5-principles-relating-to-processing-of-personal-data-GDPR.htm), [13](http://www.privacy-regulation.eu/en/article-13-information-to-be-provided-where-personal-data-are-collected-from-the-data-subject-GDPR.htm), [14](http://www.privacy-regulation.eu/en/article-14-information-to-be-provided-where-personal-data-have-not-been-obtained-from-the-data-subject-GDPR.htm) => Recital: [50](http://www.privacy-regulation.eu/en/r50.htm) => Dossier: [Consent](http://www.privacy-regulation.eu/en/dossier_consent_demo.htm), [Opening Clause](http://www.privacy-regulation.eu/en/dossier_opening-clause_demo.htm), [Obligation](http://www.privacy-regulation.eu/en/dossier_obligation_demo.htm), [Purpose (Change)](http://www.privacy-regulation.eu/en/dossier_purpose-change_demo.htm) |
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| |  |  | | --- | --- | |  | (a) any link between the purposes for which the personal data have been collected and the purposes of the intended further processing; | |
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| |  |  | | --- | --- | |  | (b) the context in which the personal data have been collected, in particular regarding the relationship between data subjects and the controller; | |
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| |  |  | | --- | --- | |  | (c) the nature of the personal data, in particular whether special categories of personal data are processed, pursuant to [Article 9](http://www.privacy-regulation.eu/en/article-9-processing-of-special-categories-of-personal-data-GDPR.htm), or whether personal data related to criminal convictions and offences are processed, pursuant to [Article 10](http://www.privacy-regulation.eu/en/article-10-processing-of-personal-data-relating-to-criminal-convictions-and-offences-GDPR.htm); | |
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| |  |  | | --- | --- | |  | (d) the possible consequences of the intended further processing for data subjects; | |
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| |  |  | | --- | --- | |  | (e) the existence of appropriate safeguards, which may include encryption or pseudonymisation.  => Dossier: [Data Protection Guarantee](http://www.privacy-regulation.eu/en/dossier_data-protection-guarantee_demo.htm), [Pseudonymisation](http://www.privacy-regulation.eu/en/dossier_pseudonymisation_demo.htm), [Encryption](http://www.privacy-regulation.eu/en/dossier_encryption_demo.htm) | |

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| **Article 9 EU GDPR "Processing of special categories of personal data"**  => Article: [4](http://www.privacy-regulation.eu/en/article-4-definitions-GDPR.htm) => Recital: [51](http://www.privacy-regulation.eu/en/r51.htm), [52](http://www.privacy-regulation.eu/en/r52.htm), [53](http://www.privacy-regulation.eu/en/r53.htm), [54](http://www.privacy-regulation.eu/en/r54.htm), [55](http://www.privacy-regulation.eu/en/r55.htm), [56](http://www.privacy-regulation.eu/en/r56.htm) => administrative fine: [Art. 83 (5) lit a](http://www.privacy-regulation.eu/en/article-83-general-conditions-for-imposing-administrative-fines-GDPR.htm#5) |
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| **1.** Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation **shall be prohibited**.  => Article: [6](http://www.privacy-regulation.eu/en/article-6-lawfulness-of-processing-GDPR.htm), [36](http://www.privacy-regulation.eu/en/article-36-prior-consultation-GDPR.htm) => Recital: [35](http://www.privacy-regulation.eu/en/r35.htm), [91](http://www.privacy-regulation.eu/en/r91.htm) => Dossier: [Anonymisation](http://www.privacy-regulation.eu/en/dossier_anonymisation_demo.htm) |
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| **2.** Paragraph 1 shall not apply if one of the following applies: |
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| |  |  | | --- | --- | |  | (a) the data subject has given **explicit consent** to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject;  => Article: [22](http://www.privacy-regulation.eu/en/article-22-automated-individual-decision-making-including-profiling-GDPR.htm) => Dossier: [Consent](http://www.privacy-regulation.eu/en/dossier_consent_demo.htm), [Opening Clause](http://www.privacy-regulation.eu/en/dossier_opening-clause_demo.htm), [Permission](http://www.privacy-regulation.eu/en/dossier_permission_demo.htm), [Purpose (Binding)](http://www.privacy-regulation.eu/en/dossier_purpose-binding_demo.htm) | |
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| |  |  | | --- | --- | |  | (b) 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 in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject;  => Dossier: [Data Protection Guarantee](http://www.privacy-regulation.eu/en/dossier_data-protection-guarantee_demo.htm), [Opening Clause](http://www.privacy-regulation.eu/en/dossier_opening-clause_demo.htm) | |
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| |  |  | | --- | --- | |  | (c) 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;  => Dossier: [Consent](http://www.privacy-regulation.eu/en/dossier_consent_demo.htm), [Permission](http://www.privacy-regulation.eu/en/dossier_permission_demo.htm) | |
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| |  |  | | --- | --- | |  | (d) processing is carried out in the course of its legitimate activities with appropriate safeguards by a foundation, association or any other not-for-profit body with a political, philosophical, religious or trade union aim and on condition that the processing relates solely to the members or to former members of the body or to persons who have regular contact with it in connection with its purposes and that the personal data are not disclosed outside that body without the consent of the data subjects;  => Dossier: [Permission](http://www.privacy-regulation.eu/en/dossier_permission_demo.htm), [Data Protection Guarantee](http://www.privacy-regulation.eu/en/dossier_data-protection-guarantee_demo.htm), [Consent](http://www.privacy-regulation.eu/en/dossier_consent_demo.htm), [Disclosure](http://www.privacy-regulation.eu/en/dossier_disclosure_demo.htm) | |
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| |  |  | | --- | --- | |  | (e) processing relates to personal data which are manifestly made public by the data subject;  => Dossier: [Permission](http://www.privacy-regulation.eu/en/dossier_permission_demo.htm), [Publication Of Personal Data](http://www.privacy-regulation.eu/en/dossier_publication-of-personal-data_demo.htm) | |
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| |  |  | | --- | --- | |  | (f) processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;  => Dossier: [Permission](http://www.privacy-regulation.eu/en/dossier_permission_demo.htm) | |
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| |  |  | | --- | --- | |  | (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;  => Article: [22](http://www.privacy-regulation.eu/en/article-22-automated-individual-decision-making-including-profiling-GDPR.htm) => Dossier: [Opening Clause](http://www.privacy-regulation.eu/en/dossier_opening-clause_demo.htm) | |
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| |  |  | | --- | --- | |  | (h) 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 or the management of health or social care systems and services **on the basis of Union or Member State law or pursuant to contract** with a health professional and subject to the conditions and safeguards referred to in paragraph 3;  => Dossier: [Opening Clause](http://www.privacy-regulation.eu/en/dossier_opening-clause_demo.htm) | |
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| |  |  | | --- | --- | |  | (i) processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices, on the basis of Union or Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject, in particular professional secrecy;  => Dossier: [Professional secrecy](http://www.privacy-regulation.eu/en/dossier_professional-secrecy_demo.htm), [Opening Clause](http://www.privacy-regulation.eu/en/dossier_opening-clause_demo.htm) | |
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| |  |  | | --- | --- | |  | (j) processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with [Article 89](http://www.privacy-regulation.eu/en/article-89-safeguards-and-derogations-relating-to-processing-for-archiving-purposes-the-public-interest-scientific-or-hi-GDPR.htm)(1) based on 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.  => Dossier: [Opening Clause](http://www.privacy-regulation.eu/en/dossier_opening-clause_demo.htm), [Privileged Purposes](http://www.privacy-regulation.eu/en/dossier_privileged-purposes_demo.htm) | |
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| **3.** Personal data referred to in paragraph 1 may be processed for the purposes referred to in point (h) of paragraph 2 when those data are processed by or under the responsibility of a professional subject to the obligation of professional secrecy under Union or Member State law or rules established by national competent bodies or by another person also subject to an obligation of secrecy under Union or Member State law or rules established by national competent bodies.  => Dossier: [Professional secrecy](http://www.privacy-regulation.eu/en/dossier_professional-secrecy_demo.htm) |
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| **4.** Member States may maintain or introduce further conditions, including limitations, with regard to the processing of genetic data, biometric data or data concerning health.  => Dossier: [Opening Clause](http://www.privacy-regulation.eu/en/dossier_opening-clause_demo.htm) |