

Privacy Notice - SEND

We respect you and your child's privacy and are committed complying with privacy legislation. The information below is what is referred to as a 'Privacy Notice' which explains how we use and protect your personal information.

We have a Data Protection Officer whose role it is to ensure that any personal information processed by the school is processed fairly and lawfully. If you have any concerns or questions regarding how we look after your personal information, please contact the Data Protection Officer, Lauri Almond, at IGS@essex.gov.uk or by calling 0333 032 2970.

What is the service being provided ?	SEND				
	<p>Special educational needs and disabilities (SEND) can affect a child or young person's ability to learn. They can affect their:</p> <ul style="list-style-type: none"> • behaviour or ability to socialise, for example they struggle to make friends • reading and writing, for example because they have dyslexia • ability to understand things • concentration levels, for example because they have ADHD • physical ability <p>Additional support is available which includes:</p> <ul style="list-style-type: none"> • SEN support - https://www.gov.uk/children-with-special-educational-needs/special-educational-needs-support • Education, health and care (EHC) plan - https://www.gov.uk/children-with-special-educational-needs/extra-SEN-help 				
What personal data do we need from you?	Name	Address	Date Of Birth	Year Group	
	Parent/Gurdian contact number and email	Date of Admission	Needs Assessment	Relevant educational, health and care history	
	Details of other relevant professionals and agencies involved with the young person and family	Entitlement to free school meal information and Pupil Premium Grant	Gender	Lauguage spoken at home	
	Appropriate Key Stage test results and current levels	National assessment data if relevant	Needs & Actions taken to support SEN	Health information	
	Ethnicity	Religion	Name of Parent/Gurdian		
Who will be using your Personal Data?	Who is the Data Controller ?		St Benedict's Catholic College		
	Who is the Data Controller's Data Protection Officer ?		Lauri Almond (Essex County Council).		
	Are there any Data Processors ?		Yes	<input type="checkbox"/>	No
What will it be used for and	Who are they?				
	The Purpose(s):		It is used to deliver our statutory education duties and supporting those with additional needs.		

<p>what gives us the right to ask for it and use it?</p>	<p>The Legal Condition(s):</p>	<p>Our legal basis for using personal data for this purpose is Legal Obligation and A Task in the Public Interest. Our legal basis for processing special category personal data is Substantial Public Interest (Data Protection Act 2018 Schedule 1, Part 2, section 6 (2) (a) and section 18 (1) (b) (i)). The underpinning legislation and statutory guidance are set out below:</p> <ul style="list-style-type: none"> • The Special Educational Needs and Disability Regulations 2014 • SEND Code of Practice Jan 2015 • Section 20 and Section 66 of the Children & Families Act 2014 • Keeping Children Safe in Education 2021 • Requirements of Ofsted framework and evaluation schedule • Working Together to Safeguard Children 2018 • Statutory Advice for parents - https://www.gov.uk/children-with-special-educational-needs
<p>How we limit the use of personal information</p>		<p>This information will be held by the current school until the young person changes their compulsory education setting, in which case the SEN record moves with them. The previous school may retain limited information to meet statutory returns obligations. The last education setting attended will retain the information for a minimum of for 25 years from the date of birth of the student, in line with the Limitations Act.</p>
<p>Who else might we share your data with?</p>		<p>We may need to share information to support a young person's additional needs. In some cases the law requires us to share information. Sharing is supported by an Information Sharing Protocol or contract. Please note we only share the minimum information required for</p>

	<p>each purpose. We may share information with:</p> <ul style="list-style-type: none"> • Department for Education for statutory purposes - https://www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data • Local Education Authority for statutory purposes – please see their website for privacy information • Health Providers to identify and support needs • Other Education Providers to ensure the right support is in place when young people move educational setting • Regulatory Bodies, e.g. Ofsted, The Information Commissioners Office for compliance purposes.
<p>Will your data be stored in or accessible from countries with no UK-equivalent Privacy Law protections?</p>	<p>To manage our records we use technology systems. Our technology suppliers are subject to contractual obligations to assure the security of the information in the system.</p> <p>No personal information is routinely available outside of the UK. Should a transfer of personal information be necessary we will only do so where it is permitted by law and where appropriate safeguards are in place.</p> <p>For information about your rights in relation to this use of your personal information please see section 5 of our online overarching privacy notice.</p>
<p>If your information leaves the country</p>	<p>To manage our records we use technology systems. Our technology suppliers are subject to contractual obligations to assure the security of the information in the system.</p> <p>No personal information is routinely available outside of the UK. Should a transfer of personal information be necessary we will only do so where it</p>

		is permitted by law and where appropriate safeguards are in place.						
		For information about your rights in relation to this use of your personal information please see section 5 of our online overarching privacy notice.						
How long will your data be kept?	When will it stop being used?	When the pupil transfers to another education setting e.g. another school.						
	How long after this will it be deleted?	This information will be held by the current school until the young person changes their compulsory education setting, in which case the SEN record moves with them. The previous school may retain limited information to meet statutory returns obligations. The last education setting attended will retain the information for a minimum of for 25 years from the date of birth of the student, in line with the Limitations Act.						
		Subject to exceptions – please refer to the school’s Retention Schedule A copy of our retention schedule can be requested from our school office						
Our use of the data will be subject to your legal rights (marked if applicable)	<u>Inform</u>	<input checked="" type="checkbox"/>	<u>Access</u>	<input checked="" type="checkbox"/>	<u>Rectify</u>	<input checked="" type="checkbox"/>	<u>Erase</u>	<input type="checkbox"/>
	<u>Restrict</u>	<input type="checkbox"/>	<u>Portable</u>	<input type="checkbox"/>	<u>Object</u>	<input type="checkbox"/>	<u>Automate</u>	<input type="checkbox"/>
As you are giving us your data directly:	This is the reason why we are allowed to ask for it and use it:	Necessary to perform a contract obligation and Statutory duty.						
	This is what could happen if you refused to let us use your data for this purpose:	Unable to educate a student safely						
As you are not giving your data directly to us:	This is who is giving us your personal data:	This information is provided by parent/carers, the local education authority, health agencies, and any previous education settings. It is used to deliver our statutory education duties and supporting those with additional needs.						
	This is a source of personal data open to anyone	<u>Yes</u>	<input type="checkbox"/>	<u>No</u>	<input checked="" type="checkbox"/>			
	These are the categories of personal data being given to us	Basic Demographics including unique ID, name, address, DoB, gender, parental contact details, ethnicity,						

	language, medical information, educational attainment & attendance, SEN information, child protection data, safeguarding data
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Visit the following links for more information about Privacy Law, our obligations and your Rights:

[The ICO Guide to the General Data Protection Regulations 2016](#)

[The General Data Protection Regulations 2016](#)

[Data collection requirements placed on us by the DFE](#)

[More information on NPD managed by the DFE](#)

If you have concerns over the way we are asking for or using your personal data, please raise the matter with our Data Protection Officer by the following means:

Postal Address	Essex County Council. County Hall. Chelmsford. CM1 1QH
Email	IGS@essex.gov.uk
Phone Number	0333 032 2970

If you still have concerns following our response you have the right to raise the matter with the Information Commissioner's Office:

Postal Address	Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
Online	Or visit ico.org.uk or email casework@ico.org.uk
Phone Number	0303 123 1113

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