



# GDPR Pupil and Stakeholder Data Policy

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## Introduction

This policy sets out how Ysgol Y Rhos processes personal data relating to pupils, parents, carers and other individuals connected with a child's education. It applies solely to the operation of the School and does not cover the processing of employee or contractor data, which is addressed in separate policies.

Ysgol Y Rhos recognises that children's personal data requires a high level of protection. We are committed to processing personal data lawfully, fairly and transparently, and to ensuring that data protection supports, and does not obstruct, safeguarding and the promotion of pupils' welfare.

This policy is written in accordance with:

- *The UK General Data Protection Regulation (UK GDPR)*
- *The Data Protection Act 2018*
- *Welsh Government safeguarding guidance*
- *Regulatory expectations of Estyn and Care Inspectorate Wales (where applicable)*

## Scope of this Policy

This policy applies to personal data relating to:

- Pupils (current and former)
- Parents and carers –
- Individuals acting on behalf of a pupil (for example, social workers or advocates)

It applies to personal data held in paper records, electronic systems, emails, photographs, CCTV and any other format.

## Definitions

**Personal data:** Means any information relating to an identified or identifiable individual.

**Special category data:** Includes information relating to a person's health, Special Educational Needs (SEN), ethnicity, religion, biometric data, or other sensitive characteristics.

**Safeguarding data:** Includes any information relating to a child's safety, welfare or protection from harm.

## United Nations Convention of the Rights of the Child (UNCRC)

Our GDPR policy has also been written with due regard for the UNCRC demonstrating our commitment to the promotion and protection of children's rights ensuring that the voice, welfare and dignity of all our pupils is paramount to the work that we do. Our GDPR policy encompasses the UNCRC in the following ways.

Article	Theme	Links
Article 2	Non-discrimination	Pupils' data at Ysgol Y Rhos will be processed fairly and equally, regardless of disability, care status, nationality, language, religion, gender identity or background. Data practices will not disadvantage or stigmatise any pupil or group.
Article 3	Best interests of the child	All decisions about collecting, storing or sharing pupil data will prioritise the best interests, welfare and safety of the pupil. Data will only be processed where it is necessary, proportionate and justified.
Article 6	Right to life, survival and development	Accurate, secure data supports pupils'; safeguarding, health care, educational planning and emotional well-being. Poor data handling could place pupils at risk.
Article 12	Right to be heard	Pupils should be supported (age-appropriately) to understand; what data is held about them, why it is held and who it is shared with. Pupils' views will be considered when responding to data-related concerns or requests.
Article 13	Freedom of expression	Pupils will feel confident that information they share (e.g. pastoral, safeguarding, learning reflections) is handled sensitively and securely. Secure data handling supports open and honest communication.
Article 16	Right to privacy	Pupils have a right to privacy and confidentiality. Our policy ensures; secure storage of records, controlled access, clear retention periods and protection against unauthorised disclosure
Article 17	Access to appropriate information	Pupils and parents/carers will be given clear, accessible information about; what data is collected, how it is stored, how long it is retained and how they can request access or correction.
Article 19	Protection from all forms of harm	Secure handling of pupil data protects against; identity misuse, emotional harm, safeguarding breaches and exposure of sensitive information,
Article 20	Protection for pupils without family care	Pupils who are looked after require enhanced confidentiality. Data sharing with placing authorities, social workers and corporate parents will always be lawful, proportionate and recorded.
Article 23	Rights for pupils with disabilities	Pupils with disabilities or ALN may have additional sensitive data (e.g. health, behaviour, therapy). Our policy ensures; extra safeguards, limited access and clear justification for processing special category data.
Article 24	Right to health	Medical and health data will be stored securely and shared appropriately to support pupils' physical and mental health.

Article 28	Right to education	Accurate educational data at Ysgol Y Rhos supports; attendance, progress, assessment and support planning. Data protection will not create barriers to pupils accessing education.
Article 29	Aims of education	Ethical data handling models at Ysgol Y Rhos promote respect, responsibility and accountability. All pupils learn that their dignity and personal information are valued and protected.
Article 30	Minority culture, language and identity	Data relating to ethnicity, language, religion or cultural identity will be handled sensitively and respectfully. Records will avoid stereotyping or unnecessary categorisation.
Article 31	Right to rest, leisure and play	Monitoring or recording of behaviour, attendance or enrichment participation will be proportionate and not intrusive. Data collection will not unnecessarily restrict pupils' freedom or well-being.
Article 37	Protection from degrading treatment	Data at Ysgol Y Rhos will never be used to shame, humiliate or unfairly label pupils. Access to records will be controlled to prevent inappropriate disclosure or misuse.
Article 39	Recovery and reintegration	Pupils recovering from trauma or harm often have highly sensitive records. This policy ensures these records are; secure, access-restricted, handled with compassion and professionalism
Article 42	Awareness of rights	Pupils (and parents/carers) will be informed of; their data rights, how to raise concerns, how to make subject access requests.

## Data Protection Principles

Ysgol Y Rhos processes personal data in accordance with the UK GDPR principles. This means that personal data will be:

- Processed lawfully, fairly and transparently
- Collected for specified, explicit and legitimate purposes
- Adequate, relevant and limited to what is necessary
- Accurate and kept up to date
- Kept for no longer than necessary
- Processed securely, protecting against unauthorised or unlawful processing, loss or damage

Ysgol Y Rhos is accountable for demonstrating compliance with these principles.

## Types of Data we Hold

### Pupil Data

Ysgol Y Rhos may process the following categories of pupil data:

- Personal details (name, date of birth, address, unique pupil identifiers)
- Educational records, reports and assessments

- Attendance information
- Behaviour and pastoral records
- Additional Learning Needs (ALN) information
- Health and medical information
- Safeguarding and child protection records
- Care plans and therapy records (where applicable)
- Photographs, video recordings and CCTV footage
- Correspondence relating to the pupil

#### Parent and Carer Data

Ysgol Y Rhos may process the following categories of parent/carer data:

- Names and contact details
- Relationship to the child
- Parental responsibility information
- Consent records
- Correspondence with the School
- Information shared in connection with safeguarding or support needs

Access to personal data is restricted to staff who require it in order to carry out their professional duties.

#### **Lawful Basis for Processing**

Ysgol Y Rhos does not generally rely on consent as the lawful basis for processing pupil data.

#### Lawful basis under Article 6 UK GDPR

Ysgol Y Rhos processes personal data under one or more of the following lawful bases:

- **Article 6(1)(c)** – Processing is necessary to comply with a legal obligation
- **Article 6(1)(e)** – Processing is necessary for the performance of a task carried out in the public interest
- **Article 6(1)(f)** – Processing is necessary for legitimate interests, where appropriate

#### Special category data (Article 9)

Where special category data is processed, Ysgol Y Rhos relies on one or more of the following conditions:

- **Article 9(2)(g)** – Substantial public interest
- **Article 9(2)(h)** – Health or social care purposes
- **Article 9(2)(i)** – Public health
- **Article 9(2)(c)** – Vital interests of the child

Consent may be used in limited circumstances, such as the use of photographs for publicity purposes. Withdrawal of consent will not affect processing required for education, care or safeguarding.

## **Safeguarding and Information Sharing**

Ysgol Y Rhos recognises that safeguarding children and young people is a statutory priority. Personal data may be shared without consent where this is lawful, necessary and proportionate to protect a child's welfare. This may include sharing information with:

- Local Authority children's services
- Health professionals
- The police
- Regulatory or inspection bodies
- Other safeguarding agencies

Decisions to share information are made in line with safeguarding guidance and professional judgement. All safeguarding disclosures are recorded appropriately.

## **Data Security**

Ysgol Y Rhos takes appropriate technical and organisational measures to protect personal data, including:

- Secure storage of paper records
- Password-protected and access-controlled electronic systems
- Encrypted devices and secure networks
- Staff training on confidentiality and data protection
- Procedures for secure disposal of data

Any breach of data security is managed in line with the School's Data Breach Procedure.

## **Data Breaches**

A personal data breach is any incident resulting in the accidental or unlawful loss, disclosure or access to personal data.

All suspected or actual data breaches must be reported immediately in accordance with the School's procedures. Where required, breaches will be reported to the Information Commissioner's Office within 72 hours and, where appropriate, to affected individuals.

## **Retention of Data**

Personal data is retained only for as long as necessary for its purpose.

Safeguarding and child protection records may be retained for extended periods, including up to 75 years or 15 years after a child's death, where required due to their long-term significance. Educational and support records are securely destroyed when no longer required, unless there is a legal or safeguarding reason for continued retention.

## **Data Subject Rights**

Pupils (where appropriate), parents and carers have the following rights in relation to personal data:

- The right to be informed
- The right of access
- The right to rectification
- The right to erasure (in limited circumstances)
- The right to restrict processing
- The right to object to processing

Requests to exercise these rights should be made in accordance with the School's Subject Access Request procedure.

### **Oversight and Accountability**

Ysgol Y Rhos has appointed a Data Protection Lead responsible for overseeing compliance with data protection legislation, including:

- Monitoring compliance
- Overseeing Subject Access Requests
- Managing data breaches
- Advising on safeguarding-related data sharing

The Data Protection Lead acts independently and reports concerns to senior leadership where required.

The Data Protection Lead for Ysgol Y Rhos is, Sharon Kettlewood – HR Manager.

### **Complaints**

If a parent, carer or pupil believes their data protection rights have been breached, they may raise the matter with the School. Complaints may also be made to the Information Commissioner's Office (ICO).

*This policy is reviewed every year as a minimum. However, where there are changes to legislation/guidance or in response to recommendation from any significant incident, review of the policy will take place immediately.*

Policy Created By	Sam Thomas	09/01/2026
Policy Approved By	Catrin Jones	09/01/2026