

# HEMDEAN HOUSE SCHOOL

## CAVERSHAM

### Data protection Regulations Privacy Notice

#### Introduction

This notice is to help you understand how and why we collect personal information about our pupils under the Education Act 1996/ Data Protection Act 1998 and EU General Data Protection Regulation (GDPR) Article 6, and Article 9 -from 25 May 2018 and what we do with that information.

Hemdean House School is the data controller of the personal information you provide to Hemdean House School. This means the school determines the purpose for which, and the manner in which, any personal data relating to students and their families is to be processed.

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

- personal identifiers and contacts (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 assessment data)
- medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- assessment and attainment (such as key stage 1 and 2 and phonics results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)

This list is not exhaustive, the current list of categories of information we process can be seen on the Data Categories Information Document available from the school.

# Why we collect and use pupil information

We collect and use pupil information, for the following purposes:

- a) to support pupil learning
- b) to monitor and report on pupil attainment progress
- c) to provide appropriate pastoral care
- d) to assess the quality of our services
- e) to keep children safe (food allergies, or emergency contact details)
- f) to meet the statutory duties placed upon us for DfE data collections

Under the General Data Protection Regulation (GDPR), the lawful bases we rely on for processing pupil information are:

Our legal grounds for using personal information

This section contains information about the legal basis that we are relying on when handling your information.

Hemdean House School holds the legal right to collect and use personal data relating to students and their families, and we may also receive information regarding them from their previous school, Local Authority and or the Department for Education.

We collect and use personal data in order to meet legal requirements and legitimate interests set out in the GDPR and UK Law, including those in relation to the following:

1. Article 6 and Article 9 of the GDPR
2. Education Act 1996
3. Regulation 5 of the Education (Information about Individual Pupils) (England) Regulations 2013

## Legitimate interests

This means that the processing of personal data is necessary for appropriate and genuine interests except where the processing is unfair to you. The school relies on legitimate interests for most of the ways in which it uses your information.

Specifically, Hemdean House School has a legitimate interest in:

- Providing you with an education.
- Safeguarding and promoting student welfare
- Promoting the objects and interests of the school, this includes fundraising and marketing. It also includes making sure that we are able to enforce our rights against you, for example, so that we can contact you if unpaid school charges are due e.g. for educational trips etc.
- Facilitating the efficient operation of the school.
- Ensuring that all relevant legal obligations of the school are complied with.

In addition personal information may be processed for the legitimate interests of others. For example, we may use information when investigating a complaint made by a fellow pupil or member of staff or legitimate interest from another school for outstanding debts.

## How we collect pupil information

We collect pupil information via Application Forms, Acceptance forms, information update forms, transfer data from other schools.

We also may collect parental financial information for the purpose of considering bursary applications.

We may take photographs or videos of your child or you at school events to use, with parental consent, on advertising material, the school website and on social media. This is to show parents and pupils and others what we do here and to advertise the school. We may continue to use these photographs and videos after your child has left the school.

Pupil data is essential for the efficient running of the school in providing education. Whilst the majority of pupil information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this.

## How we store pupil data

We hold pupil data securely for the set amount of time shown in our data retention schedule.

## Who we share pupil information with

We routinely share pupil information with:

- schools that the pupils attend after leaving us
- our local authority
- the Department for Education (DfE)
- child welfare services

## Why we regularly share pupil information

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

### Department for Education

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our pupils with the Department for Education (DfE) either directly or via our local authority for the purpose of those data collections, under:

Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by DfE under a combination of software and hardware controls, which meet the current [government security policy framework](#).

For more information, please see 'How Government uses your data' section.

## 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 the Head teacher with a request in writing.

You also have the right to:

- object to the 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
- to seek redress, either through the ICO, or through the courts

Please note that pupils' references written for other schools are strictly confidential and normally will not be disclosed; as legislated by:

*Data Protection Act 2018 (c. 12)*

*Schedule 2 — Exemptions etc from the GDPR*

*Part 4 — Restrictions based on Article 23(1): restrictions of rules in Articles 13 to 15*

*Section 24 Confidential References*

If you have a concern or complaint about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

## How Government uses your data

The pupil data that we lawfully share with the DfE through data collections:

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Pupil Progress measures).
- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)

### Data collection requirements

To find out more about the data collection requirements placed on us by the Department for Education (for example; via the school census) go to

<https://www.gov.uk/education/data-collection-and-censuses-for-schools>

## The National Pupil Database (NPD)

Much of the data about pupils in England goes on to be held in the National Pupil Database (NPD).

The NPD is owned and managed by the Department for Education and contains information about pupils in schools in England. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the Department.

It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

To find out more about the NPD, go to

<https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

### Sharing by the Department

The law allows the Department to share pupils' personal data with certain third parties, including:

- schools
- local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the Department's NPD data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

Organisations fighting or identifying crime may use their legal powers to contact DfE to request access to individual level information relevant to detecting that crime. Whilst numbers fluctuate slightly over time, DfE typically supplies data on around 600 pupils per year to the Home Office and roughly 1 per year to the Police.

For information about which organisations the Department has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website:

<https://www.gov.uk/government/publications/dfе-external-data-shares>

To contact the DfE please see: <https://www.gov.uk/contact-dfe>

## Contact

If you would like to discuss anything in this privacy notice, in the first instance please contact: The school Office.

Data Protection Act 2018 (c. 12)

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