

Privacy Notice (How we use pupil information)

You have a legal right to be informed about how our schools use any personal information that we hold about you. To comply with this, we provide a 'privacy notice' to you where we are processing your personal data. This privacy notice explains how we collect, store and use personal data about you.

Hamstead Hall Academy Trust, Hamstead Hall Academy and Grestone Academy are the 'data controllers' for the purposes of data protection legislation.

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, and free school meal eligibility)
- Safeguarding information (such as court orders and professional involvement)
- Special Educational Needs information
- Medical information (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- Attendance information (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- Assessment and attainment information (such as test scores, examination results and homework outcomes)
- Exclusions / Behavioural information (such as fixed term and permanent exclusions and any relevant alternative provision put in place)
- Educational History (such as prior and previous schools)
- Post 16 Learning Information (such as examination outcomes pre-16)
- Financial information (such as Parentpay online payments, dinner money, trip payments and voluntary contributions)
- Biometric Data (schools may use an automated biometric fingerprint recognition system which is used to purchase items from the school canteen and in the library to loan books.)
- Photographs and CCTV recordings
- Health & Safety information (such as records of minor injuries and information that is required to comply with the Health & Safety Executive (HSE) requirements.

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

The lawful basis on which we use this information

Under the General Data Protection Regulation (GDPR), the lawful bases we rely on for processing pupil information is defined under Article 6, and the following sub-paragraphs in the GDPR apply:

- (a) Data subject gives consent for one or more specific purposes.
- (c) Processing is necessary to comply with the legal obligations of the controller.
- (d) Processing is necessary to protect the vital interests of the data subject.
- (e) Processing is necessary for tasks in the public interest or exercise of authority vested in the controller (the provision of education).

Our lawful basis for collecting and processing pupil information is also further defined under Article 9, in that some of the information we process is deemed to be sensitive, or special, information and the following sub-paragraphs in the GDPR apply:

- (a) The data subject has given explicit consent.
- (b) It is necessary to fulfil the obligations of controller or of data subject.
- (c) It is necessary to protect the vital interests of the data subject.
- (d) Processing is carried out by a foundation or not-for-profit organisation (includes religious, political or philosophical organisations and trade unions)
- (g) Reasons of public interest in the area of public health
- (i) It is in the public interest

Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using pupils' personal data overlap, and there may be several grounds which justify our use of this data.

An example of how we use the information you provide is:

The submission of the school census returns, including a set of named pupil records, is a statutory requirement on schools under Section 537A of the Education Act 1996.

Putting the school census on a statutory basis:

- *means that schools do not need to obtain parental or pupil consent to the provision of information*
- *ensures schools are protected from any legal challenge that they are breaching a duty of confidence to pupils*
- *helps to ensure that returns are completed by schools*

How we collect pupil information

Pupil data is essential for the schools' operational use. 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 will keep personal information about you while you are a pupil at our school. We may also keep it after you have left the school, where we are required to by law. Our data protection policy sets out how long we keep information about pupils.

Data Sharing

Where it is legally required, or necessary for another reason allowed under data protection law, we may share personal information about you with:

- schools that the pupils attend after leaving us
- Our local authority – to meet our legal duties to share certain information with it, such as concerns about pupils' safety and exclusions
- youth support services (pupils aged 13+)
- the Department for Education (DfE)
- Your family and representatives
- Educators and examining bodies
- Ofsted
- Suppliers and service providers – so that they can provide the services we have contracted them for
- Financial organisations
- Central and local government
- Our auditors
- Health authorities
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- School Nurse
- Professional bodies

Youth support services

Pupils aged 13+

Once our pupils reach the age of 13, we also pass pupil information to our local authority and / or provider of youth support services as they have responsibilities in relation to the education or training of 13-19 year olds under section 507B of the Education Act 1996.

This enables them to provide services as follows:

- youth support services
- careers advisers

The information shared is limited to the child's name, address and date of birth. However where a parent or guardian provides their consent, other information relevant to the provision of youth support services will be shared. This right is transferred to the child / pupil once they reach the age 16.

Pupils aged 16+

We will also share certain information about pupils aged 16+ with our local authority and / or provider of youth support services as they have responsibilities in relation to the education or training of 13-19 year olds under section 507B of the Education Act 1996.

This enables them to provide services as follows:

- post-16 education and training providers
- youth support services
- careers advisers

For more information about services for young people, please visit our local authority website.

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

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
- a right to seek redress, either through the ICO, or through the courts

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/>

Contact

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our data protection officer:

Tom Bill – billt@hamsteadhall.com tel: 0121 386 7510

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 DfE: <https://www.gov.uk/contact-dfe>