

Privacy Notice (How we use pupil information)

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data. This privacy notice explains how we collect, store and use personal data about **pupils**.

Lingfield Education Trust is the Data Controller for the use of personal data in Hemlington Hall Academy. Our Data Protection Officer is Mr Chris Bracken (see 'Contact us' below).

The categories of pupil information that we hold and process include:

- Contact details, contact preferences, date of birth, identification documents
- Results of internal assessments and externally set tests (such as key stage 1 & 2 and phonics results)
- Pupil and curricular records
- Characteristics, such as ethnic background, language and eligibility for free school meals
- Behavioural information (such as exclusions and any relevant alternative provision put in place)
- Details of any medical conditions 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)
- Safeguarding information (such as court orders and professional involvement)
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV images captured in school
- Personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- Special educational needs (including the needs and ranking)
- Trips and activities
- Catering and Free School Meal management

We may also hold data about pupils that we have received from other organisations, including other schools, local authorities and the Department for Education.

Why we collect and use pupil information

The personal data collected is essential for the school to fulfil its official functions and to meet legal requirements.

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

- a) **to keep children safe**
- b) to support pupil learning
- c) to monitor and report on pupil attainment progress
- d) to provide appropriate pastoral care
- e) to assess the quality of our services
- f) to meet the statutory duties placed upon us by the Department for Education for their data collections
- g) to protect pupil welfare and safeguarding

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

- for the purposes of (a), (b), (c), (d), & (f) performing official tasks in the public interest and to comply with legal obligations in accordance with The Education Act 1996, The Education (Pupil Registration) (England) Regulations 2006 and subsequent amendments.
- for the purposes of (e), (g) ensuring the vital interests of pupils lives whilst under our care. (This refers to Article 6 for general items and Article 9 concerning any special category data)

Less commonly, we may also process pupils' personal data in situations where:

- we have obtained consent to use it in a certain way
- we need to protect the individual's vital interests (or someone else's interests), for example, if we need to provide emergency medical care.

Where we have obtained consent to use pupils' personal data, we understand that 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.

Collecting pupil information

We collect pupil information via registration forms at the start of the school year or Common Transfer File (CTF) or secure file transfer from a previous school

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. Whenever we seek to collect information from you or your child, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

Storing pupil data

We keep personal information about pupils while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations. Our Data Protection Policy sets out how long we keep information about pupils. You may obtain a copy from our website. For more information on our data retention schedule and how we keep your data safe, please visit <https://www.hemlingtonhallacademy.co.uk/policies/pupil-records-retention-schedule-2/> where you will find the school's policies for data retention for pupil information.

Who we share pupil information with

We do not share information about pupils with any third party without consent unless the law and our policies allow us to do so. Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about pupils with:

- Other schools: when pupils leave Hemlington Hall Academy to enrol at another school, their data is transferred electronically in an officially approved format
- Lingfield Education Trust (the school's parent organisation)
- Middlesbrough Borough Council
- School Nursing Service (the NHS)
- The Department for Education (DfE) and its agencies - to supply statutory information as required by the under regulation 5 of The Education (Information about Individual Pupils) (England) Regulations 2013. This data sharing underpins school funding and educational attainment policy and monitoring.
- Parents and carers e.g. to report pupil progress
- Suppliers and service providers – to enable them to provide the service we have contracted them, for example, the supplier of management information systems.

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. 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 below.

Local Authorities

We may be required to share information about our pupils with the local authority to ensure that they can conduct their statutory duties under

- the [Schools Admission Code](#), including conducting Fair Access Panels.

Requesting access to your personal data

Under GDPR, 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 Data Protection Officer in the first instance.

Depending on the lawful basis above, you may 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 Information Commissioners Office, or through the courts

If you have a concern 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/>. For further information on how to request access to personal information held centrally by DfE, please see the 'How Government uses your data' section of this notice.

Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know; we take any complaints about our collection and use of personal information very seriously. If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance by contacting the Data Protection Officer at Lingfield Education Trust (dpo@lingfieldeducationtrust.com)

Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated on 20th September 2019

Contact us

If you would like to discuss anything in this privacy notice, please contact Mr Chris Bracken who is the Data Protection Officer at Lingfield Education Trust (dpo@lingfieldeducationtrust.com)

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 of Education 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/dfe-external-data-shares>

How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

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