

## **Privacy Notice (How we use pupil information)**

### **The categories of pupil information that we collect, hold and share include:**

- > Personal information (such as name, unique pupil number, home address, email address, telephone numbers and emergency contact details)
- > Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- > Attendance information (such as sessions attended, number of absences and absence reasons)
- > Medical, accident logs, home address and next of kin information for use with emergency services, statutory assessment services and social care
- > Assessment information (such as attainment and progress records across curriculum subjects)
- > Behavioural information (types of behaviour displayed, outcomes of incidents and number of exclusions)
- > Safeguarding information (detail of welfare and child protection concerns and disclosures, outcomes of meetings, various plans and sensitive information regarding court proceedings, early help, child in needs and child protection plans and correspondence with external agencies.)

### **Why we collect and use this information**

We use the pupil data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing
- to comply with statutory requests for data from relevant authorities.

## **The lawful basis on which we use this information**

Our lawful basis for collecting and 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
- (l) 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*

## **Collecting pupil information**

Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

## **Storing pupil data**

We hold pupil data whilst the child remains at Hargrave Park School. The file will follow the pupil when he / she leaves Hargrave Park School. However, where there is a legal obligation to retain the information beyond that period, it will be retained in line with our retention policy.

We have data protection policies and procedures in place, including strong organisational and technical measures, which are regularly reviewed. Further information can be found on our website.

[www.hargravepark.com](http://www.hargravepark.com)

## **Who we share pupil information with?**

We routinely share pupil information with appropriate third parties, including:

- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- The Department for Education
- The pupil's family and representatives
- Educators and examining bodies
- Ofsted
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- Financial organisations
- Central and local government
- Our auditors
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Police forces, courts, tribunals
- schools that the pupil's attend after leaving us

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

## **Why we 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.

We share pupils' data with the Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

We share pupil information with statutory services in order to safeguard and promote the welfare of children in line with Department for Education (DfE) stator guidance Working Together to Safeguard Children, 2015 and Keeping Children Safe in Education, 2018.

We are required to share information about our pupils with our local authority (LA) and the Department for Education (DfE) under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

## **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)**

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.

We are required by law, to provide information about our pupils to the DfE as part of statutory data collections such as the school census and early years' census. Some of this information is then stored in the NPD. The law that allows this is the Education (Information About Individual Pupils) (England) Regulations 2013.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The department may share information about our pupils from the NPD with third parties who promote the education or well-being of children in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department has robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested: and
- the arrangements in place to store and handle the data

To be granted access to pupil information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

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

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

For information about which organisations the department has provided pupil information, (and for which project), please visit the following website:

<https://www.gov.uk/government/publications/national-pupil-database-requests-received>

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

## 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, through a Subject Access Request.

Parents/carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child has provided consent.

Parents also have the right to make a subject access request with respect to any personal data the school holds about them.

If you make a subject access request, and if we do hold information about you or your child, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you or your child
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact our data protection officer Gill Auld by emailing:

[DPO@Hargravepark.islington.sch.uk](mailto:DPO@Hargravepark.islington.sch.uk)

Parents/carers also have a legal right to access to their child's educational record. To request access, please contact Lacka Rathore School Business Manager by emailing [Lacka.rathore@hargravepark.islington.sch.uk](mailto:Lacka.rathore@hargravepark.islington.sch.uk)

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

## Contact

If you would like to discuss anything in this privacy notice, please contact:

Gill Auld Data Protection Officer by emailing [DPO@Hargravepark.islington.sch.uk](mailto:DPO@Hargravepark.islington.sch.uk)