

Privacy Notice (How we use Pupil Information)

Under data protection law, individuals have a right to be informed about how Heron Hill Primary School uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about pupils.

We, Heron Hill Primary School, Hayfell Avenue, Kendal, Cumbria, LA9 7JH, are the 'data controller' for the purposes of data protection law.

The categories of pupil information that we collect, hold and share (when appropriate) includes:

- Personal information (such as name, unique pupil number, contact details and address)
- Characteristics (such as ethnicity, language, and free school meal eligibility)
- Image and voice recordings taken for assessment, celebration and in CCTV for safety and security reasons
- Safeguarding information (such as court orders and professional involvement)
- Special educational needs – including the needs and ranking (such as Education and Health Care Plans (EHCPs), Individual Education plans (IEPs) and notes from review meetings and professional assessments)
- Medical and administration (such as doctors and other health care professionals information, child health, dental health, allergies, medication details, medication and dietary requirements, notes from meetings)
- Family financial information like bank details and entitlement to meals, transport and premium funding to manage catering, school visits etc
- Attendance (such as sessions attended, number of absences and absence reasons and any previous schools attended)
- Assessment and attainment (such as Key Stage 1 and phonics results, and any relevant results)
- Behavioural information (such as exclusions and any relevant alternative provision put in place)

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

Why we collect and use this information

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

- to support pupil learning
- to monitor and report on pupil attainment progress
- to provide appropriate pastoral care
- to provide student welfare
- to provide service for parents and children
- to assess the quality of our services
- to keep children safe (such as food allergies or emergency contact details)
- to inform local Health Authorities in relation to the COVID-19 test, track and trace system
- to meet statutory duties placed upon us for DfE data collections
- to carry out research
- to comply with the law regarding data sharing

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 are:

- **Article 6(1)(a)** Consent of the data subject, e.g. using images and names publicly.
- **Article 6(1)(b)** Necessary in order to enter into or carry out a contract e.g. provide meals, visits, transport, uniform, professional photos, childcare.

- **Article 6(1)(c)** Necessary for compliance with a legal obligation, e.g. recording attendance, publishing results, data sharing with child protection partners like social care, the NHS and the Local Authority etc .
- **Article 6(1)(d)** Necessary to protect the vital interests (life) of a data subject or another person.
- **Article 6(1)(e)** Necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller, e.g. provide education.

In addition, concerning any special category data:

- **Article 9(2)(b)** Necessary to meet obligations under employment, social security or social protection law, or a collective agreement.
- **Article 9(2)(f)** For the establishment, exercise or defence of legal claims or court judicial capacity, e.g. some special educational needs and all accident records etc.
- **Article 9(2)(h)** For preventative or occupational medicine, medical diagnosis, providing health and social care or treatment or management of healthcare services under EU/National law or contract with a health professional, e.g. Education Health and Care Plans (EHCP), records of medicine administration.
- **Article 9(2)(i)** For public health, e.g. we report contagious infections to Public Health England and local authority Environmental Health Departments as required.

How we collect 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 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 is 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 keep personal information about students 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. We hold pupil data securely for the set amount of time shown in our data retention schedule. The Information and Records Management Society's (IRMS) Toolkit for Schools sets out how long we keep information about students.

Who we share pupil information with

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about students with:

- Cumbria County Council - our local authority
- the Department for Education (DfE)
- central and local government
- health authorities
- health and social welfare organisations
- professional advisers and consultants
- educators and examining bodies
- Ofsted
- schools that the pupils attend after leaving us
- the pupil's family and representatives
- suppliers and service providers – to enable them to provide the service we have contracted them for – for example Orian Solutions (Lunch Shop), 123 Comms Ltd (ParentMail), 3P Learning (Mathletics), Tapestry, Seesaw, Renaissance (Accelerated Reader), and others in support of educating the pupils
- survey and research organisations (individual consent will be sought for this purpose)
- charities and voluntary organisations – for example School Angel, Barnados
- police forces, courts, tribunals

- professional bodies
- Cumbria County Council, the NHS, District Councils (Environmental Health) and Public Health England in order to support COVID-19 testing, contact tracing and outbreak management.

Why we regularly share pupil information

We do not share information about students with any third party 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.

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 Section 3 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 Mr P Hicks, Headteacher, Heron Hill Primary School.

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, we request that you raise your concern with us in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

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 in June 2020.

Contact

If you would like to discuss anything in this privacy notice, please contact: Mrs C Roberts, Business Manager, Heron Hill Primary School.

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 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 use 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 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 one 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 the DfE holds about you

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

- 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 DfE, please make a ‘subject access request’ to them. Find out how in the DfE’s personal information charter published at:

www.gov.uk/government/organisations/department-for-education/about/personal-information-charter

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