

## **Privacy Notice (Pupils)**

### **Hamwic Education Trust**

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

##### **Why do we collect and use pupil information?**

We collect and use pupil information on the following grounds:

- where you, the pupil (if aged 13 or over), or your parent or guardian (if under 13), have given consent to us doing so for a specific purpose;
- where it is necessary in order for the school or Hamwic Education Trust to comply with a legal obligation that it is subject to;
- where it is necessary for the performance of a contract to which you are party;
- where it is necessary to protect your vital interests or those of another person;
- where it is necessary for the performance of a task carried out by the school or Hamwic Education Trust in the public interest; and
- where it is necessary for archiving purposes.

Special categories of data include those relating to:

- racial or ethnic origin;
- religious or philosophical beliefs;
- genetic data;
- biometric data for the purpose of uniquely identifying a natural person;
- health

Special categories of data can only be processed if the Trust also meets one of the following conditions:

- The individual has given explicit consent to the processing of it;
- The data is manifestly made public by the individual;
- The processing is necessary:
  - For carrying out and exercising the Trust's or the individual's rights for employment purposes or social security and social protection purposes as authorised by law;
  - To protect the vital interests of an individual who is physically or legally incapable of giving consent;
  - For the establishment, exercise or defence of legal claims;
  - For reasons of substantial public interest, on a legal basis that is proportionate to the aim pursued and provides for suitable and specific measures to safeguard the individual's rights;
  - For medical reasons including for medical diagnosis and provision of treatment; and
  - For reasons of public interest in the area of public health.

We use the pupil data:

- to support pupil learning;
- to monitor and report on pupil progress;
- to assess pupils;
- to provide appropriate pastoral care;
- to review pupil outcomes across the Trust;
- to carry out safeguarding activities;
- to provide services and assess the quality of our services; and
- to comply with the law regarding data sharing.

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

- Personal information (such as name, unique pupil number and address);
- Eligibility information (such as for free school meals and pupil premium);
- Assessment information (such as results of examinations and mock examinations);
- Attendance information (such as sessions attended, number of absences and absence reasons);
- Medical information;
- Special Educational Needs information;
- Exclusions/behavioural information;
- Post-16 learning information; and
- Fingerprints for catering purposes;
- CCTV images and videos

### **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 (GDPR), 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 for the period of time set out in the Hamwic Education Trust's record retention schedule (details of which are available upon request); this may involve data being held until a pupil has reached the age of 25.

The majority of our data is stored within the UK. Some of our schools use online learning platforms, such as Seesaw, which holds data within the EU.

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

We routinely share pupil information with:

- our academy trust company, Hamwic Education Trust;
- other schools within Hamwic Education Trust;
- schools that the pupil attends after leaving us;
- the relevant local authority;
- the Department for Education (DfE); and
- health and wellbeing professionals that provide pupil services for our school (such as speech and language therapists and educational psychologists).

We may also share data with third party suppliers who process data on our behalf, such as publishers of school handbooks, official photographs and web designers or IT providers.

## **Aged 14+ qualifications**

For pupils enrolling for post-14 qualifications, the Learning Records Service will give us a pupil's unique learner number (ULN) and may also give us details about the pupil's learning or qualifications.

## **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 DfE on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

We are required to share information about our pupils with the DfE under regulation 5 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 DfE (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

## **Youth support services**

### **What is different about pupils aged 13+?**

Once our pupils reach the age of 13, we also pass pupil information to the 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; and
- careers advisers.

A parent/guardian can request that **only** their child's name, address and date of birth is passed to the local authority or provider of youth support services by informing us. This right is transferred to the child/pupil once he/she reaches the age of 16.

### **Our pupils aged 16+**

We will also share certain information about pupils aged 16+ with the 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; and
- careers advisers.

For more information about services for young people, please visit the local authority's website.

## **The National Pupil Database (NPD)**

The NPD is owned and managed by the DfE 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 DfE. 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 pupil information we share with the DfE, for the purpose of data collection, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

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

The DfE 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; and
- providing information, advice or guidance.

The DfE has robust processes in place to ensure that the confidentiality of our data is maintained and there are stringent controls in place regarding access to and use of the data. Decisions on whether the DfE releases data to third parties are subject to a strict approval process and are 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 DfE'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 DfE 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 the DfE: <https://www.gov.uk/contact-dfe>.

### **Who may provide us with data about you**

We receive information about pupils from a number of external sources, e.g. previous schools, local authorities, social services and the police.

We will explain to you when we receive information from any of these sources.

## Requesting access to your personal data

Under data protection legislation, parents and pupils have certain rights 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 progress and attainment record, contact the school's Data Compliance Officer, or the Data Protection Officer at Hamwic Education Trust.

Please note that parents/guardians do not have an automatic right to see all information about their child and certain rights may only be exercised by a pupil or with their permission.

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
- claim compensation for damages caused by a breach of the data protection regulation.

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/>.

### Contact:

If you would like to discuss anything in this privacy notice, obtain a copy of your personal data or exercise any of your rights, please contact:

- The Trust's Data Protection Officer, Gemma Carr, Deputy CEO (Business), who can be contacted by email at [compliance@hamwic.org](mailto:compliance@hamwic.org) or by telephone on 023 8078 6833. Alternatively, the DPO can be contacted at the Trust's address which is Hamwic Education Trust, Unit E, The Mill Yard, Nursling Street, Southampton, Hampshire SO16 0AJ.