



# Heltwate School Privacy Notice

## How we use pupil information

### Who processes your information?

Heltwate School is the data controller of the personal information you provide to us. This means the school determines the purposes for which, and the manner in which any personal data relating to pupils and their families is to be processed.

In some cases, your data will be outsourced to a third party processor; however, this will only be done with your consent, unless the law requires the school to share your data. Where the school outsources data to a third party processor, the same data protection standards the Heltwate School upholds are imposed on the processor.

### What data is collected?

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

- Personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- Characteristics (such as ethnicity, language, free school meal eligibility)
- Safeguarding information (such as court orders and professional involvement)
- Special educational needs (including the needs and ranking)
- Medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- Attendance information (such as number of sessions attended, number of absences, absence reasons and previous schools attended)
- Assessment and attainment (such as key stage 1 and phonics results, post 16 courses enrolled for and any relevant results)
- Behavioural information (such as exclusions and any relevant alternative provision in place)
- Photographs and video clips

### Why we collect and use this information

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

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 assess the quality of our service
- To keep children safe (food allergies, or emergency contact details)
- To meet the statutory duties placed upon us by the Department for Education

### 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:

- Collect and use pupil information under a task performed in the public interest where it relates to a child's educational progression;
- Some photographs and videos are used only after gaining explicit consent;
- Where medical data is being processed, this is processed under a legal obligation (Children and Families Act 2014 which includes a duty on schools to support children with medical conditions)
- Safeguarding data is processed under the legal obligation of the The Education Act 2020. Sections 21 and 175 detail how governing bodies of the school must promote the wellbeing of pupils and take a view to the safeguarding of children at the school
- We collect and process pupil information under Article 6 of the General Data Protection Regulation (GDPR) to perform our official function (public task)

In addition, concerning any special category data:

- We collect and process pupil information under Article 9 of the General Data Protection Regulation (GDPR) under legitimate activities and vital interest such as
  - producing school census information under the Education Act 1996
  - Children and Families Act 2014 includes a duty on schools to support children with medical conditions

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- The Equality Act 2010 (England, Scotland and Wales) requires schools to make reasonable adjustments to ensure that children and young people with a disability are not put at a substantial disadvantage compare with their peers
- The Education Act 2002, sections 21 and 175 detail how governing bodies of schools must promote the well being of pupils and take a view to the safeguarding of children at the school

### **Collecting pupil information**

We collect pupil information through the use of Common Transfer File (CTF) or secure file transfer from previous schools. In addition we may use registration forms in our admissions pack.

Pupil data is essential for the schools' operational use. Whilst the majority of the 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 and we will tell you what you need to do if you do not want to share this information with us.

### **Storing pupil data**

Heltwate School keep information about you on our computer systems and some cases paper records. We hold your education records securely until you leave school. Your records will then be transferred to your new school, where they will be retained until you reach the age of 25, after which they are securely destroyed. There are strict controls on who can see your information.

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

We routinely share pupil information with:

- Schools (that the pupils attend after leaving us)
- The LA, including social care services
- The DfE
- Youth support services (pupils aged 13+)
- The school nurse and NHS
- Suppliers that we have contracted with to provide educational services and those related to the operations of the school]

### **Why we share pupil information**

We do not share information about our pupils with anyone without consent unless the law and our policies allows 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 are required to share information about our pupils with our local authority (LA) and the Department for Education (DfE) under section 3 of the The Education (Information About Individual Pupils)(England) Regulations 2013.

### **Data collection requirements:**

To find out more about the data collection requires placed on us by the Department of Education (for example; via the school census) go to <http://www.gov.uk/education/data-collection-and-censuses-for-schools>

### **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:

- Post-16 education and training providers
- Youth support services
- Careers advisers

A parent or guardian can request that **only** their child's name, address and date of birth is passed to their 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 16.

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

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

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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 the 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

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

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

## **How we use school workforce information**

The categories of school workforce information that we collect, process, hold and share include:

- personal information (such as name, employee or teacher number, national insurance number);
- special categories of data including characteristics information such as gender, age, ethnic group;
- contract information (such as start dates, hours worked, post, roles and salary information);
- work absence information (such as number of absences and reasons);
- qualifications (and, where relevant, subjects taught).

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

We use school workforce data to:

- enable the development of a comprehensive picture of the workforce and how it is deployed;
- inform the development of recruitment and retention policies;
- enable individuals to be paid.

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

We collect and process school workforce information:

- under Article 6 of the General Data Protection Regulation (GDPR) to perform our official function (public task).

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- classed as Special Category data, e.g. race, ethnicity etc under Article 9 of the General Data Protection Regulation (GDPR) to carry out tasks in the public interest.
- where it is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law.
- where it is carried out as a task in the public interest such as equal opportunities monitoring, for child protection purposes or where otherwise authorised by law, such as Departmental Censuses as required in the Education Act 1996.
- under the terms of the contract of employment.
- as part of the recruitment process background checks will be done which may involve the collection of criminal convictions. We will process criminal conviction data as it is reported during employment/recruitment to assess suitability of continued employment/recruitment.
- where you have given us consent to do so.

### **Collecting this information**

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain school workforce information to us or if you have a choice in this.

### **Storing this information**

We hold school workforce data as documented in our Retention Schedule, which can be requested by contacting the school office.

### **Who we share this information with**

We routinely share this information with:

- our local authority;
- the Department for Education (DfE);
- Third-party service providers (where a contract exists) in order to fulfil contractual obligations (such as payroll) or where a service is being used in the operations of the school (such as parent communication applications).

### **Why we share school workforce information**

We do not share information about workforce members with anyone without consent unless the law and our policies allow us to do so.

#### **Local authority**

We are required to share information about our workforce members with our local authority (LA) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

#### **Department for Education (DfE).**

We share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the assessment educational attainment.

We are required to share information about our school employees with our local authority (LA) and the Department for Education (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

### **Other information we collect and hold**

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

- Parents' and carers information (such as name, address, contact information, relationship to the child, involvement with volunteer groups or parents association);
- Visitor information (such as name, business, car registration, DBS certification, purpose of visit);
- Governors' information (such as name, address, contact information, business interests, financial interests and governance roles in other schools);
- Volunteers' information (such as name, address, contact information, DBS certification).

## Why we collect and use this information

Parents information is collected so that:

- We can communicate with you about your child (in relation to things such as education and attainment, health and well-being, attendance and behaviour);
- Send you important information about the school;
- Provide you with access to tools and services we use in schools (such as parent payment systems, communication applications).

Visitor information is collected so that:

- We have a record of who is and has been in the building, for health, safety and operational purposes;
- We know whether a visitor can be unaccompanied in areas where children are present;
- We have a record of official visits (such as inspections or maintenance).

Governors' information is collected so that:

- We can communicate with Governors on school business;
- There is a public record of Governors and their business interests.

## The lawful basis on which we process this information

- Parental information is processed in the public interest where it is related to their child's education. We may have a legal obligation to process data in certain processing activities and in some circumstances we will rely on consent as the lawful basis;
- Visitor information is processed as a task in the public interest where it relates to school operations and under a legal obligation where it relates to health and safety;
- Governor information is processed as a task in the public interest.

## Collecting this information

- **Parents:** whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain information to us or if you have a choice in this;
- **Visitors:** As a visitor the information that you provide to us is voluntary. However, we may restrict access to the school if the information is not provided;
- **Governors:** whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide certain information to us or if you have a choice in this

## Storing this information

- We hold school workforce data as documented in our Retention Schedule, which can be requested by contacting the school office.

## Who we share this information with

We routinely share this information with:

- **Parents:** we will share your information with members of staff, other agencies and, where you have agreed, with third-party processors who provide services to the school;
- **Visitors:** your information will not be shared unless requested by an external agency in the course of a health and safety incident or in the investigation of a crime;
- **Governors:** we will publish the names, business interests, financial interests and governance roles of governors in other schools on the school website.

## 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 the School Business Manager on [office@heltwate.peterborough.sch.uk](mailto:office@heltwate.peterborough.sch.uk) or calling 01733 262878.

- 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

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- Claim compensation for damages caused by a breach of the Data Protection regulations

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/>

#### **COVID-19**

Data collected for the purpose of public health (including visitor contact data for COVID-19) will be kept as long as required. Contact data for visitors will be kept for 21 days after the most recent visit, with information on visitors kept as per standard retention requirements. Public Health data may be shared with third-parties as required including, but not limited to:

- National Health Service (including NHS Test and Trace)
- Public Health England
- Other local health authorities

Data collected and processed for public health purposes is done so under GDPR [Article 9\(2\)\(i\)](#) which states: (in part) "processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health..." and [Recital 54](#) which includes: "The processing of special categories of personal data may be necessary for reasons of public interest in the areas of public health without consent of the data subject."