



QUORN HALL  
SCHOOL

# Privacy Notice – Pupils and Parents Policy

**Person Responsible:** Headteacher

**Last reviewed on:** 20/12/23

**Next review due by:** 20/12/24

**Created:** Cavendish Education Group

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## Document Version Control Log

Version	Date	Description of changes and person/organisation responsible
2.0	27/04/2020	Text updated to reflect Joint Controller status of school and Cavendish Education.
2.1	30/04/2020	Text updated in 'Why We Collect and Use Pupil Information' to reflect additional conditions in Article 6 for processing data – (6c) a legal obligation and (6e) public task. Text updated in 'Why We Collect and Use Pupil Information' to reflect additional conditions in Article 9 for processing special category data – (9.2a) explicit consent, (9.2c) protection of vital interests, (9.2f) legal claims, (9.2g) substantial public interest, & (9.2j) archiving purposes. Text updated in 'Why We Collect and Use Pupil Information' to reflect Article 10 for processing criminal offense data.

Quorn Hall School is part of Newcome Education, which is owned and operated by Cavendish Education.

This policy is one of a series of school policies that, taken together, are designed to form a comprehensive statement of the school's aspiration to provide an outstanding education for each of its pupils and of the mechanisms and procedures in place to achieve this. Accordingly, this policy should be read alongside these policies. In particular it should be read in conjunction with the policies covering equality and diversity, Health and Safety, safeguarding and child protection.

All of these policies have been written, not simply to meet statutory and other requirements, but to enable and evidence the work that the whole school is undertaking to ensure the implementation of its core values:

- **'Levelling up'** - We want our children to be able to meet appropriate milestones and age related expectations, socially, emotionally and academically.
- **Thrive not survive** - We want our children to thrive in school and society, not just survive their adverse childhood experiences.
- **Confidence** - Develop confidence in their abilities and self image/esteem as learners and members of society.
- **Creativity** - Foster individuality and celebrate differences and create a compassionate and accepting environment. Provide tools that give pupils options, voice, and choice in order to enable them to be creative.
- **Competence** - In their ability to self-regulate and interact with different types of people and overcome the challenges and traumas from the past.
- **Character** - Develop resilience so they see failures or negative situations as a learning opportunity by implementing a growth mindset approach.
- **Compassion** - For pupils and the challenging circumstances they have encountered in both their personal and educational lives.
- **Care** - To overtly demonstrate to pupils that adults do care about them and their futures - every day is a fresh start.

While this current policy document may be referred to elsewhere in Quorn Hall School documentation, including particulars of employment, it is non-contractual.

In the school's policies, unless the specific context requires otherwise, the word "parent" is used in terms of Section 576 of the [Education Act 1996](#), which states that a 'parent', in relation to a child or young person, includes any person who is not a biological parent but who has parental responsibility, or who has care of the child. Department for Education guidance [Understanding and dealing with issues relating to parental responsibility \(Sept 2018\)](#) considers a 'parent' to include:

- all biological parents, whether they are married or not
- any person who, although not a biological parent, has parental responsibility for a child or young person – this could be an adoptive parent, a step-parent, guardian or other relative

- any person who, although not a biological parent and does not have parental responsibility, has care of a child or young person

A person typically has care of a child or young person if they are the person with whom the child lives, either full or part time and who looks after the child, irrespective of what their biological or legal relationship is with the child.

The school employs the services of the following consulting companies to ensure regulatory compliance and the implementation of best practice:

- Peninsula BrightHR
- Peninsula BusinessSafe (Health and Safety)
- Atlantic Data/Due Diligence Checking Ltd (DBS)
- Educare / National College (online CPD)
- SchoolPro (data protection)
- Marsh Commercial (insurance)
- Neotas (Online searches / Social Media checks)

Quorn Hall School is committed to safeguarding and promoting the welfare of children and young people and expects all staff, volunteers, pupils and visitors to share this commitment.

All outcomes generated by this document must take account of and seek to contribute to safeguarding and promoting the welfare of children and young people at Quorn Hall School.

The policy documents of Quorn Hall School are revised and published periodically in good faith. They are inevitably subject to revision. On occasions a significant revision, although promulgated in school separately, may have to take effect between the re-publication of a set of policy documents. Care should therefore be taken to ensure, by consultation with the Senior Leadership Team, that the details of any policy document are still effectively current at a particular moment.

## **Privacy Notice (How We Use Pupil Information)**

This Privacy Notice explains how and why we store personal information about pupils and parents/carers. It provides a guide to parents/carers about our legal obligations and their own rights. Like any organisation which handles personal data, our school is defined as a 'Data Controller' and, as such, we are registered with the ICO (Information Commissioner's Office) and we comply with the Data Protection Act and General Data Protection Regulation. The school is joint controller with Cavendish Education who are also defined as a Data Controller and are registered separately with the ICO. Both Data Controllers share the same Data Protection Officer.

## The Categories of Pupil Information That We Process Include

For <u>all</u> pupils	Personal Information	Name, Date of Birth, Gender, Year Group, Class, Address, Contacts Dietary needs, dietary preferences Medical practice address and telephone number Medical conditions
	Characteristics	Ethnicity, language, nationality, country of birth
	Attendance Information	Sessions attended, number of absences, reasons for absence
	Academic attainment and progress records	Teacher Assessment grades Statutory assessment results Standardised score results Learning journey evidence (photographs and annotations)  Other photographic evidence of learning Reports to parents (mid-year and end of year)
	Other	Pupil Surveys Incidental evidence of pupils' successes (certificates, photographs, named trophies, celebration events)
For <u>some</u> pupils (only if applicable)	Other	Free School Meals eligibility Court Orders Other pupil premium eligibility (such as if the child is looked after) Safeguarding records (incidents, external agency reports Special Educational needs records (professional assessments, external professionals' reports, referrals for external support) Pastoral records (referrals for support both internal and external, notes of discussions with pupils, pupils' jottings of thoughts and feelings) Exclusion information Behaviour incident records
All Parents/Carers*	Personal Information	Names, addresses, telephone numbers, email addresses, relationship to the child (of parents/carers and other given contacts) Free school meals eligibility evidence
	Other	Parents' surveys Letters sent to school Emails sent to school Financial payments, including debt (both manual and electronic)

\*this refers to those with legal responsibility for the child

## Why We Collect and Use Pupil Information

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

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

- To support pupil learning
- To keep informed to keep children safe
- To monitor and report on pupil progress

- To provide appropriate pastoral care
- To comply with the law regarding data sharing
- To meet the statutory duties placed upon us for DfE data collections

We use the parents' data:

- To assess the quality of our services
- To comply with the law regarding data sharing
- To ensure financial stability

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

The lawful bases for processing personal data are set out in Article 6 of the General Data Protection Regulation. The school processes such data because we have:

(6a) Consent: parents have given clear consent for us to process their (and their child's) personal data for the purposes indicated above.

(6c) A Legal obligation: the processing is necessary for us to comply with the law (e.g. we are required by law to submit certain teacher assessment information and to safeguard pupils' welfare by sharing information with other agencies).

(6d) A duty to safeguard pupils: the processing is necessary in order to protect the vital interests of the data subject (children); (e.g. if we are required to share medical history information with emergency services in the event of an accident or to other agencies when a child may be in danger).

(6e) Public task: the processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law (e.g. processing attendance information or academic attainment and progress records).

Special Categories of data are set out in Article 9 of the General data Protection Regulation. The school processes such data because we have:

(9.2a) explicit consent. In circumstances where we seek consent, we make sure that the consent is unambiguous and for one or more specified purposes, is given by an affirmative action and is recorded as the condition for processing. Examples of our processing include use of pupil photographs for external purposes, pupil dietary requirements, and health information we receive from our pupils who require a reasonable adjustment to access our services.

(9.2b) processing 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 social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject.

(9.2c) where processing is necessary to protect the vital interests of the data subject or of another natural person. An example of our processing would be using health information about a pupil in a medical emergency.

(9.2f) for the establishment, exercise or defense of legal claims. Examples of our processing include processing relating to any employment tribunal or other litigation.

(9.2g) reasons of substantial public interest. As a school, we are a publicly funded body and provide a safeguarding role to young and vulnerable people. Our processing of personal data in this context is for the purposes of substantial public interest and is necessary for the carrying out of our role. Examples of our processing include the information we seek or receive as part of investigating an allegation.

(9.2j) for archiving purposes in the public interest. The relevant purpose we rely on is Schedule 1 Part 1 paragraph 4 – archiving. An example of our processing is the transfers we make to the County Archives as set out in our Records Management Policy.

We process criminal offense data under Article 10 of the GDPR.

Our Data Protection Policy highlights the conditions for processing in Schedule 1 of the Data Protection Act 2018 that we process Special Category and Criminal Offense data under.

## **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 the previous setting, google forms and emails.

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. 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 hold pupil data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please visit Our Data Protection Policy.

All confidential information is kept secure either on encrypted, password protected devices or paper copies kept on the school site. Once the deadline for retaining information has passed, data kept electronically is deleted and paper copies are destroyed in conjunction with the retention schedule.

## **Who We Share Pupil Information With**

We routinely share pupil information with:

- Schools that the pupil attends after leaving us
- Our local authorities
- The Department for Education (DfE)
- Children's Social Care (when safeguarding pupils' welfare)
- External professionals who visit school (such as Educational Psychologists)
- Suppliers and service providers with whom we have a contract
- Voluntary organisations linked to the school

## **Why We Regularly 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.

### ***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:

- youth support services
- careers advisers

The information shared is limited to the child's name, address and date of birth. However, where a parent or guardian provides their consent, other information relevant to the provision of youth support services will be shared. This right is transferred to the child / pupil once they reach the age 16.



Data is securely transferred to the youth support service via Egress or Secure File Transfer.

### ***Pupils Aged 16+***

We will also share certain information about pupils aged 16+ with 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

Data is securely transferred to the youth support service via Egress or Secure File Transfer.

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

### ***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:

Regulation 5 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.

### ***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 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 Karen Jamieson, Office Manager.

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 ICO, or through the courts

If you have a concern or complaint 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.

## **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 29 October 2021.

## **Contact**

If you would like to discuss anything in this privacy notice, please contact Karen Jamieson, Office Manager.

## **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 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>