

Hummersknott Academy



F - Academy Privacy Notice – Students and Parents

Review Date: January 2021

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| Adopted/V1 | V2 | V3 | V4 | V5 | V6 | V7 | V8 | V9 |
| Sept 2014 | Apr 2015 | Jan 2016 | Sept 2016 | Sept 2017 | Dec 2017 | Sept 2018 | Mar 2019 | Feb 2020 |

HOW WE USE STUDENT AND PARENT INFORMATION

Under the General Data Protection Regulation (GDPR) we are obliged to inform you of the information we hold on you and your child(ren), what we use it for, who we share it with, and for how long we keep it. This privacy notice (also known as a fair processing notice) aims to provide you with this information.

Hummersknott Academy is the data controller of the personal information that we collect, hold and share about you and your child(ren). This means the Academy determines the purposes for which, and the manner in which, any personal data relating to students and their families is to be processed. Hummersknott Academy is registered as a data controller with the Information Commissioner's office with the following data protection registration number: Z2710251

THE CATEGORIES OF STUDENT AND PARENT INFORMATION THAT WE COLLECT, HOLD AND SHARE INCLUDE BUT ARE NOT LIMITED TO:

- Personal information (such as name, unique pupil number and address, parent's national insurance number)
- Contact details and preference (contact telephone numbers, email addresses, addresses)
- Characteristics (such as ethnicity, religion, language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment information (such as data scores, tracking, and internal and external testing)
- Relevant medical information (such as NHS information, health checks, physical and mental health care, immunisation program and allergies)
- Special educational needs information (such as Education, Health and Care Plans (EHCPs), applications for support, care or support plans)
- Safeguarding information (such as court orders and professional involvement)
- Exclusion information
- Behavioural information
- Photographs (for internal safeguarding and security purposes, school newsletters, media and promotional purposes)
- Payment details
- Biometric data (such as biometric ID derived from finger prints)

We may also hold data about students that we have received from other organisations, including other schools, Darlington Borough Council and other local authorities, and the DfE.

WHY WE COLLECT AND USE THIS INFORMATION

Hummersknott Academy is obliged to collect and use personal information about students and their families. We use student and parent data:

- to support student learning
- to monitor and report on student progress
- to provide appropriate pastoral and medical care
- for safeguarding and student welfare purposes
- to administer school admissions waiting lists
- for research purposes
- to inform you about events and other things happening in the Academy
- to assess the quality of our services
- to comply with the law

THE LAWFUL BASIS ON WHICH WE USE THIS INFORMATION

Our lawful basis for collecting and processing student information is defined under Article 6(1) of the GDPR, and the following sub-paragraphs apply:

- a) Data subject gives consent for one or more specific purposes
- b) Processing is necessary for the performance of a contract
- 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 student information is also further defined under Article 9(2) of the GDPR in that some of the information we process is sensitive personal information, for example, personal data relating to race or ethnic origin, religious beliefs, data concerning health and the following sub-paragraphs in Article 9(2) of the GDPR apply:

- a) The data subject has given explicit consent to the processing
- b) Processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the Academy or of students and their parents
- c) Processing is necessary to protect the vital interests of the data subject
- f) Processing is necessary for the establishment, exercise or defence of legal claims
- g) Processing is necessary for reasons of substantial public interest
- h) Processing is necessary for the purposes of preventative or occupational medicine and the provision of health or social care or treatment
- i) Processing is necessary for reasons of public interest in the area of public health

A full breakdown of the information we collect on students and parents and the lawful basis can be requested from the school office.

Where we have obtained consent to use students' 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 students' personal data overlap, and there may be several grounds which justify our use of this data.

COLLECTING STUDENT INFORMATION

We collect student information from:

- Students/Parents via admission forms
- DfE
- Local Education Authorities
- Previous schools attended
- Academy staff generated data (such as assessment, behaviour)
- External agencies (such as health service bodies)

Whilst the majority of student information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with GDPR, we will inform you whether you are required to provide certain student information to us or if you have a choice in this. Where we have obtained consent to use students' 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.

STORING STUDENT DATA

We have robust data protection policies and procedures in place to protect the personal information that we hold about you and your child(ren), which are regularly reviewed. Further information about our data protection policies can be found on our website or by contacting the school office.

We hold student data whilst your child remains at Hummersknott Academy. However, where there is a legal obligation to retain information about your child once he/she has left the Academy, it will be retained in line with our records management and disposal of records schedule. Full details of data retention periods adopted by Hummersknott Academy can be obtained by contacting the school office.

WHO WE SHARE STUDENT INFORMATION WITH

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

- Darlington Borough Council and other local authorities – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- The DfE
- The student'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 or for the purposes of helping the Academy to deliver the curriculum (a full list of third party recipients can be requested from the school office)
- Financial organisations, (including our Insurer provider)
- Central and local government
- Our auditors
- Survey and research organisations
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Professional bodies
- Education establishments that students attend after leaving us
- Work experience providers

Where we transfer personal data to a country or territory outside the European Economic Area (EEA), we will do so in accordance with EU data protection law. When transferring personal information outside the EEA, we will include the standard contractual data protection clauses approved by the European Commission for transferring personal information outside the EEA into our contracts with those third parties (these are the clauses approved under Article 46.2 of the GDPR) or ensure that the country in which your personal information will be handled has been deemed "adequate" by the European Commission under Article 45 of the GDPR.

You can find out further information about the rules on data transfers outside the EEA, including the mechanisms that we rely upon, on the European Commission website [here](#)

WHY WE SHARE STUDENT INFORMATION

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

We share students' data with the DfE on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring. We may share information with third parties that contract with DfE.

We are required to share information about our students, or former students, with the DfE under section 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) visit: <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

Youth Support Services - Students aged 13+

Once our students reach the age of 13, we also pass information to Darlington Borough Council and/or the 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 support services as follows:

- Youth support services
- Careers advisers

Youth support services pass on some of information they collect to the DfE to enable them to assess the local authorities' performance and determine the destinations of young people after they have left compulsory education. If you require more information about how the DfE store and use your information please visit the [Gov.uk website](#).

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 once he/she reaches the age of 16 years old.

Learning Records Service

We are required to issue a Unique Learner Number (ULN) to every student reaching the age of 14 and to access the ULN we must submit core information such as name, date of birth and address to the Learning Record Service. They have provided the following privacy notice:

The information you supply is used by the Education and Skills Funding Agency, an executive agency of the DfE, to issue you with a ULN and to create your personal learning record, as part of the functions of the DfE. For more information about how your information is processed, and to access your personal learning record, please refer to: <https://www.gov.uk/government/publications/lrs-privacy-notice>

THE NATIONAL PUPIL DATABASE (NPD)

The NPD is owned and managed by the DfE and contains information about students 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 students 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 DfE may share information about our students 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 DfE 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
- The arrangements in place to store and handle the data

To be granted access to student 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 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 student information, (and for which project), please visit: <https://www.gov.uk/government/publications/national-pupil-database-requests-received>

You can contact the DfE for further information using the hyperlink <https://www.gov.uk/contact-dfe>

REQUESTING ACCESS TO YOUR PERSONAL DATA AND YOUR DATA PROTECTION RIGHTS

Under data protection legislation, parents and students have the right to request access to information about them that we hold, through a Subject Access Request (SAR).

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

If you make a subject access request and we 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.

To make SAR for your personal information, or the personal information of your child(ren), contact DPO@Hummersknott.org.uk.

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 direct marketing
- Object to decisions being taken by automated means

- In certain circumstances, have inaccurate or incomplete personal data rectified, blocked, restricted, erased or destroyed
- claim compensation for damages caused by a breach of the data protection regulations

COMPLAINTS

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with DPO@Hummersknott.org.uk or by telephone on 01325 241191 in the first instance.

You can also contact the Academy's Data Protection Officer if you have any questions, concerns or would like more information about anything mentioned in this privacy notice.

Data Protection Officer (for Schools)

Corporate Services and Governance
Gateshead Council
Civic Centre, Regent Street
Gateshead
NE8 1HH
Tel No: (0191) 433 2113/2192

Email: DPO@Gateshead.Gov.UK

Alternatively, you can raise a concern or complaint with the Information Commissioner's Office (ICO). The ICO can be contacted on 0303 123 1113, Monday to Friday 9am – 5pm. You can also report concerns and make complaints online via <https://ico.org.uk/make-a-complaint/>

WHERE CAN YOU FIND OUT MORE INFORMATION?

If you would like to find out more information about how we collect, use and store your personal data, please visit our website <https://www.hummersknott.org.uk/public-info/policies-and-documents/> where you can view or download copies of our data protection policies and procedures.