



PRIVACY NOTICE FOR PUPILS OF HEATHLANDS SCHOOL INCLUDING PAST AND PROSPECTIVE PUPILS

Heathlands School collects data and information about pupils. This includes past and prospective pupils. We need this information to operate the school. This privacy notice explains:

- Why we collect data
- How we collect data
- What we use the data for
- What rights pupils have.

Why does the school collect pupil information?

We collect and use pupil information under the following lawful bases:

- a. where we have your permission;
- b. where it is a legal requirement;
- c. to protect your interests or the interests of another person;
- d. Where it is needed in the public interest or for official purposes

How does the school use pupil information?

We use the pupil data to operate the school, in particular:

- to manage admissions to the school;
- to keep a list of prospective pupils;
- to support pupil learning;
- to monitor and report on pupil progress;
- to provide pastoral care;
- to assess the quality of our school;
- to comply with the law regarding data sharing;
- for the protection and welfare of pupils and others in the school, including our safeguarding / child protection obligations;
- for the safe and orderly running of the school;
- to promote the school;
- to communicate with parents/carers.
- To fulfil our statutory obligations to collect data and census information for the Department of Education.

What pupil information do we collect, hold and share?

- Personal information (such as name, unique pupil number and address);
- Characteristics (such as ethnicity, language, medical conditions, nationality, country of birth and free school meal eligibility);
- Attendance information (when you are at school, number of absences and absence reasons);
- Pupil personal development and well-being including information relating to mental health and behaviour;
- Safeguarding and child protection information.

Sensitive pupil Information

Some information about pupils might be sensitive personal data. This includes information about crimes / convictions, sexual orientation, personal development, health and wellbeing, and child protection / safeguarding.

This information is not collected about all pupils. It is collected and used in special circumstances relating to particular

pupils, for example, if a child protection issue arises or if a pupil is involved in a criminal matter.

We will only process sensitive personal data:

- a. In limited circumstances, with your consent.
- b. Where we need to carry out our legal obligations and in line with our Data Protection Policy which is available on request.
- c. Where it is needed in the public interest and in line with our Data Protection Policy.
- d. Where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

This information may be shared with external agencies such as the child protection team at the Local Authority, the Local Authority Designated Officer and / or the Police. Such information will only be processed lawfully. We will make sure your data is kept secure.

Please see our Data Protection Policy for a definition of sensitive personal data.

We collect information about pupils when they join the school. Information is updated necessary e.g. if you move house. We may also process biometric data about pupils, for example their photographs. Please see our Data Protection Policy for more details about how we process biometric data.

Collecting pupil information

Most of pupil information we collect mandatory, some of it is provided to us on a voluntary basis. To comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice.

If there is no lawful reason for processing information, we will ask parents/ pupils for their consent, e.g. we ask for consent to use your photos on the school facebook page.

When we think pupils are old enough, and capable of making their own decisions about their personal data, we will ask the pupil for their consent. This will start to be considered around the age of 13. Because we work closely with parents, we will keep them informed when we are asking for pupils' consent up to the age of 16.

Parents / pupils may withdraw consent at any time. If you give your consent and change your mind it will not be possible to withdraw consent for pictures already published. The withdrawal of consent will only apply to future publications.

The School also uses CCTV cameras around the school site to keep the site secure and to protect staff and pupils. CCTV films may be used in disciplinary procedures (for staff or pupils) or to investigate other issues. CCTV films will only be processed lawfully. Please see our CCTV policy for more details.

Storing pupil data

We keep pupil data for the timescales as set out in our Records Management Policy which is available on request.

A lot of personal data is stored electronically, for example, on our database, SIMS. Some information may also be stored in hard copy.

Data stored electronically may be saved on a cloud based system which may be hosted in a different country.

Personal data may be transferred to other countries if, for example, we are arranging a school trip to a different country. We will take action to keep the data secure.

Who do we share pupil information with?

We routinely share pupil information with:

- Schools and colleges that pupils attend after leaving us;
- our local authority Hertfordshire County council;
- a pupil's home local authority (if different);
- the Department for Education (DfE);
- school governors;
- exam boards;
- Health professionals including the school nurse, educational psychologists,
- Speech and Language Therapists and other NHS professionals regularly working with pupils;
- Professionals on placement at Heathlands for example trainee teachers;
- Out of school activity providers for example sports coaches;
- HCL (Herts Catering).

From time to time, we may also share pupil information other third parties including the following:

- Work experience placements;
- the Police and law enforcement agencies;
- CAMHS;
- Social care agencies;
- Other specialist support agencies e.g. teachers for the Visually Impaired or Audiologists;
- Education Welfare Officers;
- Courts, if ordered to do so;
- the Teaching Regulation Authority;
- Prevent teams in accordance with the Prevent Duty on schools;
- other schools, for example, to support transition;
- our HR providers, for example, if we are seeking HR advice and a pupil is involved in an issue;
- our legal advisors;
- our insurance providers / the Risk Protection Arrangement;

Some of the organisations referred to above are joint data controllers. This means we are all responsible to you for how we process your data.

When we share personal data about pupils with third parties, we will provide the minimum amount of personal data necessary to fulfil the purpose.

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 only share your information if it is lawful or you give your consent.

We must share pupils' data with the Department for Education (DfE). This data sharing underpins school funding and educational attainment policy and monitoring.

We must share information about pupils with the local authority (LA) and the Department for Education (DfE) under section 3 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 Department for Education (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

Youth support services for 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. In Hertfordshire, the youth support service is called Youth Connexions. They need this information to provide:

- youth support services
- careers advisers

This is a legal responsibility for the education or training of 13-19 year olds under section 507B of the Education Act 1996.

A parent / 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.

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 evidence on educational performance for independent research, and Department for Education studies. 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.

Schools must provide information about our pupils to the DfE in statutory data collections e.g. 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 department, for the purpose of data collections, 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 Department for Education 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 DfE has robust processes in place to ensure data is kept confidential. There are strict rules about access and use of the data. Decisions on whether 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.

Organisations are only allowed access to pupil information if they 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: <https://www.gov.uk/government/publications/national-pupil-database-requests-received>

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

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 ("Subject Access Request"). Where a child does not have the maturity to make their own requests for personal data, parents may do so on their behalf. To make a request for your child's personal data, or be given access to your child's educational record, contact the school's Data Protection Officer. Any written request for personal data will be treated as a Subject Access Request.

When we think pupils are old enough, and capable of making their own decisions about their personal data, we will ask the pupil for their consent. This will start to be considered around the age of 13. Because we work closely with parents we will keep them informed when we are asking for pupils' consent up to the age of 16.

From the age of 13, some pupils may be capable of making their own decisions about their personal data. In these cases we will require a Subject Access Request to be made by the pupil and not their parent(s) on their behalf. Because we work closely with parents, we will also ask for the pupil's consent to keep parents informed. This does not affect any separate statutory right parents might have to access information about their child.

The legal timescale for the School to respond to a Subject Access Request is one calendar month. As the School has limited staff resources outside of term time, we encourage parents / pupils to submit Subject Access Requests during term time and to avoid sending a request during periods when the School is closed or is about to close for the holidays. This will help us to respond to your request as promptly and as comprehensively as possible.

Parents have a separate statutory right to access their child's educational record. Upon receipt of a written request for a pupil's educational record, the School will respond to it within 15 school days. This is an independent legal right of parents which falls outside of the GDPR; therefore a pupil's consent is not required even if a pupil is able to make their own decisions in relation to their personal data unless a court order is in place which states otherwise.

The term "parent" includes

- the natural or adoptive parents (regardless of whether parents are or were married, whether a father is named on a birth certificate or has parental responsibility for the pupil, with whom the pupil lives or whether the pupil has contact with that parent),
- non-parents who have parental responsibility for the pupil,
- Carers with whom the pupil lives.

It is possible for a pupil to have several "parents" for the purposes of education law.

The parent or pupil as appropriate also has 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 our data protection responsibilities.

Usually the parent or pupil will not have to pay a fee to access personal information (or to exercise any of the other rights). However, we may charge a fee if the request for access is unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

What we may need from the parent or pupil

We may need to request specific information from the parent or pupil as appropriate to help us confirm identity and ensure the right to access the information (or to exercise any of the other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

RIGHT TO WITHDRAW CONSENT

If you have provided your consent to the collection, processing and transfer of personal information for a specific purpose, the parent or pupil as appropriate has the right to withdraw consent at any time.

To withdraw consent, please contact the School Office in person or email admin@heathlands.herts.sch.uk.

If you withdraw consent, we will no longer process your information for the purpose or purposes you originally agreed to for the future, unless we have another legitimate basis for doing so in law.

If consent has previously been given for the use of photographs and videos of the pupil and of his/her work, it will not be possible to apply any withdrawal of consent to images already published. The withdrawal of consent will only apply to future publications.

DATA PROTECTION OFFICER

We have appointed a data protection officer (DPO) to oversee compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the DPO:

Samantha Humphries
Heathlands School
Heathlands Drive
St Albans
AL3 5AY

Tel: 01727 807807

Email: dpo@heathlands.herts.sch.uk

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues.

You can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF.

CHANGES TO THIS PRIVACY NOTICE

We reserve the right to update this privacy notice at any time. When we make substantial updates, we will provide you with a new privacy notice. We may also notify you in other ways about the processing of your personal information.

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 us in the first instance.

To make a complaint, please contact our data protection officer at the contact details listed above.

Alternatively, you can make a complaint to the Information Commissioner's Office at the contact details listed above.

Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our data protection officer.

This notice is based on the [Department for Education's model privacy notice](#) for pupils, amended for parents and to reflect the way we use data in this school.