

HAYDON SCHOOL



Privacy Notice for Haydon Students (How we use student information)

This document is in place to give an insight into how information about students is used in an educational setting. This Privacy Notice should be read in conjunction with our GDPR Policy, CCTV Policy and Protection of Biometric Information Policy.

Haydon School ('the School') collects information about our students so that we can run effectively as a school. This Privacy Notice explains how and why we collect students' data and what we do with it. This Privacy Notice also explains your data protection rights.

Haydon School is a charitable company limited by guarantee (registration number 07557791) whose registered office is Haydon School, Wiltshire Lane, Eastcote, Pinner, Middlesex, HA5 2LX. Haydon School is a Data Controller.

The lawful basis on which we use this information

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

- where we have student's (or their parent's¹ if a student is under the age of 13) consent²;
- where law requires us to do so;
- where processing is necessary to protect the vital interests of the student, parent or another person;
- where it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

In limited circumstances (where processing is not part of us performing our task as a public authority) we may rely on legitimate interests if we are processing for legitimate reason other than performing our tasks as a public body.

Where the personal data we collect about our students is **sensitive personal data**, we will only process it where:

- we have explicit consent;
- processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent; and/or
- processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

Please see our GDPR Policy (available on our website) for a definition of sensitive personal data.

In addition, we collect and use student information under:

- The Education Act (various years);
- The Education (Pupil Registration) (England) Regulations;

¹ The term "parent" is widely defined in education law to include 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 student, with whom the student lives or whether the student has contact with that parent), and also includes non-parents who have parental responsibility for the student, or with whom the student lives. It is therefore possible for a student to have several "parents" for the purposes of education law.

² Consent can be obtained either in writing, electronically or verbally.

- Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013;
- The School Standards and Framework Act 1998;
- The School Admissions Regulations 2012;
- Children and Families Act 2014;
- The Special Educational Needs and Disability Regulations 2014;
- Article 6 and Article 9 (GDPR).

Further, the DfE processes census data under the various Education Acts – further information can be found on their website: <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

Why we collect and use this information

We use the student data to support our statutory functions of running a school, in particular:

- to decide who to admit to the School;
- to maintain a waiting list;
- to support student learning;
- to monitor and report on student progress;
- to provide appropriate pastoral care;
- to assess the quality of our services;
- to comply with the law regarding data sharing;
- for the protection and welfare of students and others in the School;
- for the safe and orderly running of the School;
- to promote the School;
- to communicate with parents/carers;
- in order to respond to investigations from our regulators or to respond to complaints raised by our stakeholders;
- to meet legal duties placed on us by the government;
- in connection with any legal proceedings threatened or commenced against the School.

The categories of student information that we collect, hold and share

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

- personal information (such as name, date of birth, admission date, enrolment status, Unique Pupil Number, Unique Learner Number, UCI, admission number, year taught in, attendance mode, Exam Number, home address, school email address);
- characteristics (such as ethnicity, gender and religious beliefs (sensitive category of data), first language, home language, EAL information (and if English is an additional language – proficiency in English information), national identity, country of birth);
- free school meal eligibility and PP status (if applicable);
- attendance information (such as sessions attended, number of absences and absence reasons, punctuality (lateness and minutes late));
- prior educational records information;
- assessment information (such as electronic copies of assessment work produced and exam results);
- records about attainment;
- any relevant medical information (such as GP address, data on dietary requirements, food allergies, any disclosed medical conditions and whether a student has any disability which requires us to make necessary reasonable adjustments to comply with our obligations under the Equality Act 2010);
- special educational needs information (such as data on SEN assessments, student support and details of any provisions/access arrangements);
- safeguarding information (such as court orders and professional involvement);
- whether student is looked after or adopted from care;
- behavioural information including any recorded exclusions and any relevant provision put in place;
- post 16 learning information;
- leavers' destinations;

- browsing history on our IT networks;
- personal information about student's parents and/or other relatives, emergency contact (such as name, contact details, relationship to student) and any siblings who also attend/have attended the School;
- photographic images in our School, on school literature, website or social media.

We collect information about students when they join the School and update it during their time on the roll as and when new information is acquired.

From time to time and in certain circumstances, we might also process personal data about students, some of which might be **sensitive personal data**, including information about criminal proceedings/convictions, information about sex life and sexual orientation, child protection/safeguarding. This information is not routinely collected about our students and is only likely to be processed by the School in specific circumstances relating to particular students, for example, if a child protection issue arises or if a student is involved in a criminal matter. Such information will only be processed to the extent that it is lawful to do so and appropriate measures will be taken to keep the data secure. Further, this information is restricted to certain members of staff who need to know it. Where appropriate, such 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. Consent to such disclosure will be sought where appropriate. However, where it is in the public interest, and protects students from harm, information will be lawfully shared without the student's consent when doing so would assist the prevention, detection or prosecution of a serious crime.

As the School uses a cashless catering system, we also process **biometric data** about our students if we have received explicit consent from their parents. Please see our GDPR Policy and Protection of Biometric Information Policy for more details about how we process biometric data.

In addition, the School uses CCTV cameras around the school site for security purposes and for the protection of staff and students. CCTV footage may be referred to during the course of disciplinary procedures (for staff or students) or to investigate other issues. CCTV footage involving students will only be processed to the extent that it is lawful to do so. Please see our CCTV Policy (available on our website) for more details.

We also collect, store and use the following information exclusively about our Sixth Form students: information obtained through electronic means such as Haydon School ID swipe records and records of printing activities including an electronic record of the first page of the printed document.

Collecting student information

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 the General Data Protection Regulation ('the 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 appropriate, we will ask parents or students (as appropriate) for permission to process personal data where there is no other lawful basis for processing it, for example where we wish to use photos or images of students on our website or on social media to promote school activities or if we want to ask your permission to use your information for marketing purposes. Please note that consent can be obtained either in writing, electronically or verbally. Parents may withdraw their consent at any time by emailing dpo@haydonschool.org.uk.

When students are deemed to be old enough to make their own decisions in relation to their personal data, we will ask the student for their consent. This will usually be in Year 9 when a student is around the age of 13. Please note that consent can be obtained either in writing, electronically or verbally. Although parental consent is unlikely to be needed, we wish to take a collaborative approach and we will let parents know before we approach students for consent up to the age of 16. Students with the maturity to make their own decisions about their personal data may withdraw their consent by emailing dpo@haydonschool.org.uk.

Storing student data

Please be aware that any personal information will be held for as long as is necessary to complete the task for which it was originally collected. We hold student data from the point when an application is received through our School or the Local Authority. These records are retained in line with the school's Records Management and Retention Policy.

A significant amount of personal data is held electronically, for example, on school's Management Information System (Capita SIMS). We also use Google G-Suite for Education in support of student learning and for document creation/editing.

Some information may also be stored in hard copy format, for example, on your student file. 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. Appropriate steps will be taken to keep the data secure.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer a student at the School we will retain and securely destroy your personal information in accordance with our Records Management and Retention Policy.

Who we share student information with

We routinely share student information with:

- your parents/carers (as defined in the Education Act 1996);
- staff in support of student learning and for pastoral support;
- schools that students attend after leaving us;
- our local authority (Hillingdon London Borough Council);
- student's home local authority (if different);
- the Department for Education (DfE);
- Central and North West London NHS Foundation Trust;
- Welfare Call (students who reside with foster carers or in residential placements);
- school trustees;
- eduFOCUS, provider of our online software for the planning, approval and management of extra-curricular activities and our Accident Book;
- CPOMS, Safeguarding and Child Protection software;
- exam boards including AQA, Edexcel, OCR, WJEC, and RSA;
- LGfL, our email service provider;
- Show My Homework, an online homework system;
- online learning platforms (Hegarty Maths, Kerboodle, Seating Planner, BedRock, Activelearn, Focus on Sound, BandLab Technologies, Soundation, EZYEducation, Seneca, Quizlet, Pinpoint Learning, iDEA, Lexia, First News Ihub);
- Softlink, provider of our library management system;
- SchoolCloud Systems, provider of our parents evening booking system;
- ParentPay, an online payment system;
- Wonde, 3rd party data extractor and FSM vouchers provider;
- GL Assessment;
- school catering provider;
- Tempest, the photography service.

We may also share student information with other third parties including the following:

- UCAS and Unifrog;
- NHS health professionals including the school nurse;
- Public Health England;
- educational psychologists;
- education welfare officers;
- FFT in order to obtain minimum expected grades;
- Courts, if ordered to do so;
- the Police and law enforcement agencies;

- the National College for Teaching and Learning;
- the Joint Council for Qualifications;
- Prevent teams in accordance with the Prevent Duty on schools;
- other schools, for example, if we are negotiating a managed move or alternative provision and we have your consent to share information in these circumstances;
- our trips advisor;
- trip organisers;
- Buckinghamshire County Council (for SIMS support management);
- our HR providers, for example, if we are seeking HR advice and a student is involved in an issue;
- our legal advisors;
- our auditors;
- our insurance providers (the Risk Protection Arrangement);
- Alps (KS5 assessment data);
- eDofE (participants only);
- PiXL in order to deliver support to our GCSE students.

Some of the above organisations may also be Data Controllers in their own right in which case we will be jointly controllers of your personal data and may be jointly liable in the event of any data breaches.

Certain information held in our MIS system, SIMS, is shared with the following 3rd party organisations:–

- LGfL;
- Atomwide;
- Show My Homework, an online homework system;
- online learning platforms such as Manga High, Mathwatch, Hegarty Maths, Bedrock Learning, Everlearner, Symphony Maths, Kerboodle, Renaissance Learning, Esylearning, Google G Suite for Education;
- CPOMS, Safeguarding and Child Protection software;
- ParentPay, an online payment system;
- NRS;
- Civica;
- SIMS Parent App provider;
- MINTclass, classroom seating planner, provided by Tucasi;
- Unifrog;
- eduFOCUS, provider of our online software for the planning, approval and management of extra-curricular activities and our Accident Book;
- Softlink, provider of our library management system;
- SchoolCloud Systems, provider of our parents evening booking system;
- Examination Boards – AQA, Edexcel, OCR, and WJEC;
- GL Assessment;
- 4Matrix, used for the management of school performance data;
- Department for Education;
- Hillingdon Council.

Please note that we may share student's attendance, behaviour and achievement points and student's school (lgflmail.net) email address with other students in their form.

Please be advised that we employ services of a confidential waste disposal company (Restore DataShred) for secure disposal of student records.

Consortium

We share the names of the Year 11 students who have expressed interest in studying a consortium subject with 4H Consortium and its member schools. We share attendance information (including student names) of Sixth Form consortium 'home' and 'host' students with 4H Consortium and its member schools. 4H Consortium is a provision for post-sixteen education involving 4 highly successful schools in the north of the London Borough of Hillingdon.

Free School Meal (FSM) Vouchers

We have an obligation to ensure that anyone entitled to receive support continues to do so. The voucher scheme being operated by Edenred and Wonde enables us to fulfil our obligations. If you are eligible for FSMs we may share your name and your parent's name, email address and telephone number with Edenred and Wonde to provide the voucher. The provider will be given the minimum amount of data needed. Please be advised that we can share your information as part of our public task in providing FSMs.

NHS Test and Trace

It is likely that the School will be asked to provide contact details if a case of coronavirus arises in the School. It may be necessary for us to share some of the information that we hold on request from NHS Test and Trace, DfE's coronavirus helpline, and the local health protection team. We will be sharing the information on the basis that this is a Public Duty (Article 6(1)(e) 'processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller'). As information about health is a special category of personal information, we also rely on Article 9(2)(i) 'processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of healthcare'. Please be assured that the safety and wellbeing of our students and staff as well as their families is our priority.

In the event that we share personal data about students with third parties, we will provide the minimum amount of personal data necessary to fulfil the purpose for which we are required to share the data.

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 Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring. All information we share with the DfE is transferred securely and held by the DfE under a combination of software and hardware controls which meet the current government security policy framework.

We are required to share information about our students 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

Students aged 13+

Once our students reach the age of 13, we also pass student 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.

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 (please email dpo@haydonschool.org.uk). This right is transferred to the child/student once he/she reaches the age 16.

Students aged 16+

We will also share certain information about students 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.

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

The National Student 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 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 students to the DfE as part of statutory data collections such as the school 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 is legally allowed to share pupils' personal information with certain third parties, including the following:

- schools;
- LAs;
- researchers;
- organisations connected with promoting the education or wellbeing of pupils;
- other government departments and agencies;
- organisations fighting or identifying crime.

Organisations fighting or identifying crime, such as the Home Office and the Police, may use their legal powers to contact the DfE to request access to individual level information relating to a crime. The DfE typically supplies information on around 600 pupils per year to the Home Office and approximately one per year to the Police.

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 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 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'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 student information (and for which project), please visit the following website:

How to find out what personal information the DfE holds about you

Under the Data Protection Act 2018, you are entitled to ask the DfE what personal information it holds about you. You have the right to ask the Department:

- if it processes your personal data;
- for a description of the data it holds about you;
- the reasons it is holding your data and any recipient it may be disclosed to;
- for a copy of your personal data and any details of its source.

To exercise these rights, you should make a Subject Access Request. Information on how to do this can be found by following this link: <https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>. You can also contact the DfE directly using its online contact form by following this link: <https://www.gov.uk/contact-dfe>.

Requesting access to your personal data from Haydon School

Under data protection legislation, students, and in some circumstances, parents, have the right to request access to information about them that we hold. From the age of 13, we generally regard students as having the capacity to exercise their own rights in relation to their personal data. This means that where we consider a student to have sufficient maturity to understand their own rights, we will require a Subject Access Request to be made by the student and not their parent(s) on their behalf. This does not affect any separate statutory right parents might have to access information about their child. Please refer to our GDPR Policy (available on our website) for more information.

Subject to the section below, the legal timescales 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/students 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 where possible. This will assist us in responding to your request as promptly as possible. For further information about how we handle Subject Access Requests, please see our GDPR Policy (available on our website).

Parents of students who attend academies have a separate statutory right to receive an annual written report setting out their child's attainment for the main subject areas which are taught. This is an independent legal right of parents rather than a student's own legal right which falls outside of the GDPR, therefore a student's consent is not required even if a student is able to make their own decisions in relation to their personal data, unless a court order is in place which states otherwise.

To make a request for your or your son/daughter's personal information, or to be given access to your or your son/daughter's educational record, please contact our Data Protection Officer, Mrs L Faraj on dpo@haydonschool.org.uk.

Confidential references

Under the DPA 2018, an exemption has been made to allow references to be confidential, and therefore not accessible under a subject access request. This exemption applies if a confidential reference is given or received for the purposes of prospective or actual:

- education, training or employment of an individual;
- placement of an individual as a volunteer;
- appointment of an individual to office; or
- provision by an individual of any service.

It exempts the reference from the GDPR's provisions on:

- the right to be informed;
- the right of access; and
- all the principles, but only so far as they relate to the right to be informed and the right of access.

This means that the School has an absolute discretion to refuse to release references marked as 'Confidential' if requested to do so in a Subject Access Request or as part of a request.

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress;
- restrict our processing of your personal data, i.e. permitting its storage but no further processing;
- 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
- request the deletion or removal of personal data where there is no compelling reason for the continued processing;
- claim compensation for damages caused by a breach of our data protection responsibilities.

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 directly at <https://ico.org.uk/concerns/>

Contact

If you would like to discuss anything in this Privacy Notice, please contact our Data Protection Officer, Mrs L Faraj via email: dpo@haydonschool.org.uk.