



PRIVACY NOTICE

for

Huntcliff School

Privacy Notice – GDPR 2018

How and why we collect and use pupil information

We **Huntcliff Academy Trust** are a data controller for the purposes of the Data Protection Act. We collect personal information from you and may receive information about you from your previous school and the Learning Records Service.

We collect and use personal data to:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to enable financial transaction to take place
- to allow the use of communication methods.

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

- Personal information (such as name, unique pupil number, contact details and address)
- Characteristics (such as special educational needs, relevant medical information, ethnicity, language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons).
- National Curriculum results

The lawful basis on which we use this information

We collect and use pupil information under Article 6 of the EU GDPR legislation which relates to the “lawfulness of processing.

Article 6 EU GDPR "Lawfulness of processing"

We will only process data when at least one of the following applies;

- (a) the data subject has given **consent** to the processing of his or her personal data for one or more specific purposes;
- (b) processing is necessary for the performance of a **contract** to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- (c) processing is necessary for **compliance with a legal obligation** to which the controller is subject;
- (d) processing is necessary in order to protect the **vital interests** of the data subject or of another natural person;
- (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;
- (f) processing is necessary for the purposes of the **legitimate interests** pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.

Article 9 EU GDPR "Processing of special categories of personal data"

We will also collect and use data in accordance with Article 9 of the EU GDPR legislation relating to the “processing of special categories of personal data.” All processing will be undertaken to **prohibit** the disclosure of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation. This shall **not** apply only if;

- (a) the data subject has given **explicit consent** to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in the above paragraph may not be lifted by the data subject;

(b) 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 employment and 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;

(c) 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;

(d) processing is carried out in the course of its legitimate activities with appropriate safeguards by a foundation, association or any other not-for-profit body with a political, philosophical, religious or trade union aim and on condition that the processing relates solely to the members or to former members of the body or to persons who have regular contact with it in connection with its purposes and that the personal data are not disclosed outside that body without the consent of the data subjects;

(e) processing relates to personal data which are manifestly made public by the data subject;

(f) processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;

(g) 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;

(h) processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health professional and subject to the conditions and safeguards

(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 health care and of medicinal products or medical devices, on the basis of Union or Member State law which provides for suitable and specific measures to safeguard the rights and freedoms of the data subject, in particular professional secrecy;

(j) processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with [Article 89\(GDPR\)](#) based on 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.

We will not give information about you to anyone without your consent unless the law and our policies allow us to. If you want to receive a copy of the information about you that we hold or share, please contact **Mr. P Clayton**.

We are required by law to pass some information about you to the Department for Education (DfE) and, in turn, this will be available for the use of the LA.

DfE may also share pupil level personal data that we supply to them, with third parties. This will only take place where legislation allows it to do so and it is in compliance with GDPR law.

Decisions on whether DfE releases this personal data to third parties are subject to a robust approval process and are 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 level data, requestors must comply with strict terms and conditions covering the confidentiality and handling of data, security arrangements and retention and use of the data.

For more information on how this sharing process works, please visit:

<https://www.gov.uk/guidance/national-pupil-database-apply-for-a-data-extract>

For information on which third party organisations (and for which project) pupil level data has been provided to, please visit: <https://www.gov.uk/government/publications/national-pupil-database-requests-received>

If you need more information about how the LA and DfE collect and use your information, please visit:

<http://www.education.gov.uk/rsearchandstatistics/datatdatam/b00212337/datause>

If you cannot access these websites, please contact the LA or DfE as follows:

- our local authority at
- CMISS Support Team
- Tel: 01724 297297
- the DfE website at <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

Collecting pupil information

Whilst the majority of pupil 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, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

Storing pupil data

We follow the retention periods as recommended by the Local Education Authority

Who we share pupils information with

We routinely share pupil information with:

- schools that the pupil's attend after leaving us
- our local authority
- the Department for Education (DfE)

Lincs4u

In order to enable young people in North Lincolnshire to access the Lincs4u

e-prospectus, the council provides basic demographic data to the company 'First Media' who manage this service. The data is used by enable young people aged 14-19 to register with the Lincs4u (www.Lincs4u.co.uk) website.

The Lincs4u e-prospectus is a comprehensive one-stop source of information that lists and provides details of all the qualifications, courses and providers in North Lincolnshire and North East Lincolnshire. It will help your child find out what courses are on offer in your area and allow you to apply.

Further information is available <http://www.lincs4u.co.uk/about.asp>

Other Databases used by Huntcliff Academy Trust

Burconix

Network Support to Huntcliff IT systems

Microsoft Office 365

E-mail

Capita Sims & Pars

This is the Student Information Management System that is used for data/admin educational purposes within school.

Textanywhere Text Information Service

CHILDREN'S UNIVERSITY

Careers and employability

CPOMS

Pastoral Management System for use within school.

Tascsoft

Uses data stored in Sims for teaching and learning purposes within school.

Insight This program allows parent access to relevant data regarding their child/children.

Compass/Cunninghams

Uses data for the Biometric lunchtime system.

Parent Pay

Provides the opportunity for parents to pay on-line.

Rdash (Rotherham, Doncaster & South Humberside NHS Foundation Trust)

School Nursing Team

GL Assessment

Testing program for schools

Pixl

Assessment & Analysis program for pupils' attainment.

Sisra

Statistical analysis program for pupil's attainment data.

Examination Boards

AQA

BCS

JCQ

OCR

Pearson

Educas

Use basic pupil information for attainment.

MyMaths;Sum Dog; Dynamic Learning; Kerboodle; Pixl Maths App (PMA);Mathswatch

Uses data stored in Sims for teaching & learning purposes in Maths.

Pinpoint

Assessment & Analysis program in Maths

(Pupil name and individual QLA result ONLY)

Memrise

Assessment tool for Modern Foreign Languages

OnShape

Learning Tool for Technology

Tassomai

Assessment tool for Science

Hodder AQA Dynamic Technology Learning Packages

Learning tool for Technology

(Pupil name & school e-mail ONLY)

Autodesk Fusion 360 (Technology)

Learning tool for Technology

(Pupil name & school e-mail ONLY)

Eclipse

The Library Program that uses basic data from Sims to enable students to access Library Resources.

Lincs Higher

CPD/Resources Training tool to include workshops with children

Seneca Learning

On-line revision site for GCSE subjects

Lexia UK

Y7 English catch-up program

Pupil Progress

Teacher tracking assessment tool for GCSE and OCR PE - *teacher use only*

Answer Perfect

Online GCSE PE assessment tool

Passport Maths

Y7 Maths Catch-up program

Business Studies Enterprise

Y10/11 Business Studies program

Ascents

Science Mentoring program

Why we 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.

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 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 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

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

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.

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

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

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.

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 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:

<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. To make a request for your personal information, or be given access to your child's educational record, contact Mr P. Clayton.

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 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 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/>

Contact

If you would like to discuss anything in this privacy notice, please contact:

Mr P. Clayton