

Privacy Notice for Pupils - Hayton School

(How we use pupil information)

The categories of pupil information that we process include:

- personal identifiers & contacts like name, address, unique pupil number, contact details etc.
- characteristics like ethnicity, language, free school meal & pupil premium eligibility etc.
- image and voice recordings taken for assessment, celebration and in CCTV for safety and security reasons
- safeguarding information like court orders and the involvement of other professionals.
- special educational needs including the needs and ranking.
- medical information like doctors' details, child health, dental health, allergies, medicines, and dietary requirements.
- Family financial information like bank details and entitlement to meals, transport and premium funding to manage catering, school trips etc.
- attendance like sessions attended, absences, absence reasons, previous schools attended.
- assessment & attainment like key stage 1 and phonics results and SAT results.
- behavioural information like behaviour management plans, exclusions & alternative educational provision.

Why we collect and use this information

We collect and use pupil information to run school and manage pupils under section 537A of the Education Act 1996, under Section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013, and under the Education (Pupil Registration) (England) Regulations 2006; and for monitoring and research under section 83 of the Children Act 1989.

We use pupil data mainly to:

- a) support learning,
- b) monitor and report on progress and provide data for national league tables,
- c) provide appropriate pastoral care,
- d) assess the quality of what we do,
- e) keep children safe e.g. food allergies, emergency contact details, CCTV,
- f) meet the statutory duties placed upon us for the Department for Education (DfE) data collections,
- g) meet the statutory duty placed upon us to report infectious diseases e.g. supporting the Covid-19 test and trace system,
- h) to record our own school history.

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

- 6(1)(e) to perform a task carried out in the public interest i.e. provide education.
- 6(1)(b) to enter into or carry out a contract e.g. provide meals, trips, transport, uniform, professional photos, childcare.
- 6(1)(c) to comply with the law e.g. recording attendance, publishing results, data sharing with child protection partners like social care, the NHS and the Local Authority etc.
- 6(1)(a) having your consent e.g. using images and names publicly.

When we process sensitive personal data like medical information we rely on the lawful bases:

Visit: <https://www.gov.uk/guidance/maintaining-records-of-staff-customers-and-visitors-to-support-nhs-test-and-trace#information-to-collect>, if you want more information about Test and Trace, what data they collect and what they do with it.

- 9(2)(h) to prevent medical problems, assess needs, and to support health & social care services e.g. Education Health & Care Plans (EHCP), records of medicine administration.
- 9(2)(i) to improve public health e.g. we are required to report infections, like meningitis, Covid-19 or e-Coli, to local and national government departments;
- 9(2)(f) to defend a legal claim against us e.g. some special educational needs and all accident records etc.

This list is not exhaustive. For more information about the categories of information we process please see our Data Protection Policy.

Collecting pupil data

We collect pupil information via registration forms at the start of the school year or Common Transfer File (CTF) or secure file transfer from previous schools.

Most of the pupil information we ask for is required by law or necessary so we can do our job and some of it is voluntary. To comply with data protection legislation, if you have a choice about providing information, we will tell you when we ask for it.

Storing pupil data

We hold pupil data securely in line with the Information and Records Management Society (IRMS) Records Management Toolkit for Schools (Rev 2019). For more information on our data retention schedule and how we keep your data safe, please visit our Data Protection Policy.

Who we share pupil information with and why

We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so. The laws listed above that require us to collect information also require us to share it.

We share pupil information with:

- Schools pupils go to after leaving us to support their continuing education.
- Child development and protection partners like Cumbria County Council Children's Services, Public Health, Inclusion & Social Care etc. to check attendance, monitor and protect children; the NHS for medical referrals & support; private companies offering counselling and other family or support services.
- The DfE to help decide our school funding, monitor attainment & benchmark it nationally, compile league tables, develop national education policy and monitor it.
- Medical services like the school nurse or the NHS for things like screening, vaccinations, health/ eye/ dental checks, EHCP provision etc. and Public Health England about certain contagious infections our pupils come into contact with.
- Public Health England and, to support Covid-19 testing and tracing (or any similar public health emergency action), partners like the NHS, Local Authority Public health and District Council Environmental Health Departments;
- Voluntary and charitable organisations (with your permission only), such as Barnardo's, our local Foodbank and similar organisations who can offer families practical help and support.

Department for Education (DfE)

The DfE collects personal data from educational settings and local authorities via various statutory data collections. The law requires us to share information about our pupils with the DfE either directly or via our local authority for the purpose of those data collections, under Section 3 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 the section on 'How Government uses your data' below.

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, please contact the Head Teacher (head@hayton.cumbria.sch.uk) or the Data Protection Officer (dpo@hayton.cumbria.sch.uk).

You also have the right to:

- ask us for access to information about you that we hold
- have your personal data rectified, if it is inaccurate or incomplete
- request the deletion or removal of personal data where there is no compelling reason for its continued processing
- restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

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 below.

Withdrawal of consent and the right to lodge a complaint

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting the Head Teacher (head@hayton.cumbria.sch.uk).

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 1st September 2020.

Contact

If you would like to discuss anything in this privacy notice, please contact: the Head Teacher or the Data Protection Officer.

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 DfE (for example; via the school census) go to www.gov.uk/education/data-collection-and-censuses-for-schools.

The National Pupil Database (NPD)

Much of the data about pupils in England is held in the National Pupil Database (NPD).

The NPD is owned and managed by the DfE 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 www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information.

Sharing by the DfE

The law allows the DfE to share pupils' personal data with certain third parties, including:

- schools and 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 DfE's NPD data sharing process, please visit: 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 DfE 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 the DfE holds about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the DfE:

- 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 DfE, please make a 'subject access request' to them. Find out how in the DfE's personal information charter published at:

www.gov.uk/government/organisations/department-for-education/about/personal-information-charter

To contact the DfE go to: www.gov.uk/contact-dfe.

Privacy Notice for Staff – Hayton School

(How we use school workforce information)

The categories of school workforce information that we process include:

- Personal information like name, address, contact details, employee or teacher number, national insurance number & bank account details.
- Special categories of data like medical information for emergency or occupational health reasons; criminal conviction or social care action information for legal and safeguarding reasons; and characteristics information like gender, age, ethnic group etc.
- Contract information like start dates, hours worked, post, roles, salary information, and pre-employment vetting information like references;
- Work absence information like the number of absences and reasons;
- Qualifications and, where relevant, subjects or specialisms taught.
- CCTV recordings for safety and security reasons.

Why we collect and use this information

We use school workforce data to:

- a) Provide us with a comprehensive picture of our workforce, how it is deployed, how it can be developed, and how it can be kept safe;
- b) recruit appropriately and to inform the development of recruitment and retention policies;
- c) enable individuals to be evaluated and developed in their career and be paid.

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

- 6(1)(b) to enter into or carry out a contract e.g. to employ people or buy services.
- 6(1)(c) to comply with the law e.g. pre-employment criminal record checks, recording sickness absence for benefits purposes, data sharing with child protection partners like social care, the NHS and the Local Authority etc.
- 6(1)(a) having consent e.g. to use images and names in publicity.

When we process sensitive personal data like medical information we rely on the lawful bases:

- 9(2)(a) having consent e.g. for referral to occupational health or other support services.
- 9(2)(h) for preventative or occupational medicine or to assess the work capacity of an employee;
- 9(2)(i) to improve public health e.g. we are required to report infections, like meningitis, Covid-19 or e-Coli, to local and national government departments;
- 9(2)(f) to defend a legal claim against us e.g. some special educational needs records and all accident records etc.

This list is not exhaustive. For more information about the categories of information we process please refer to our Data Protection Policy.

Collecting school workforce information

We collect personal information via

- Letter of Application and Application Forms
- References
- Banking details supplied by Data subject
- DBS

- Staff Suitability Declaration
- Staff Emergency Contact Forms
- Data subject declaring medical information

Most of the information we ask for is required by law or necessary so we can run the school effectively and some of it is voluntary. To comply with data protection legislation, if you have a choice about providing information, we will tell you when we ask for it.

Storing school workforce information

We hold school workforce data securely in line with the Information and Records Management Society (IRMS) Records Management Toolkit for Schools (Rev 2019).

Covid-19 specific data e.g. *some* visitor records, will normally be retained for only 21 days. For more information on our data retention schedule and how we keep your data safe, please visit our Data Protection Policy.

Who we share school workforce information with and why

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

We share personal data with the Department for Education (DfE) on a statutory basis. This data sharing underpins workforce policy monitoring.

We are required to share information about our employees with our local authority (LA) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

We also share school workforce information with:

- our payroll and pensions service provider to pay people;
- the Local Government Pension scheme (Your Pension Service) to manage pension contributions;
- HMRC for legal and tax reasons;
- organisations involved with our children like other partner professionals who need the names, job titles, contact details and perhaps qualifications of our employees, the places we take children to on trips who might need more personal information like next of kin and medical needs, and workforce development providers like trainers;
- Public Health England and, to support Covid-19 testing and tracing (or any similar public health emergency action), partners like the NHS, Local Authority Public health and District Council Environmental Health Departments;
- Occupational Health and similar staff support services only with the consent of the individual.

Department for Education

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. The law requires us to share information about our school workforce with the Department for Education (DfE) for the purpose of those data collections, under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

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.

Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, contact the Head Teacher (head@hayton.cumbria.sch.uk) or the Data Protection Office (dpo@hayton.cumbria.sch.uk).

You also have the right to:

- ask us for access to information about you that we hold;
- have your personal data rectified, if it is inaccurate or incomplete;
- request the deletion or removal of personal data where there is no compelling reason for its continued processing;
- restrict our processing of your personal data (i.e. permitting its storage but no further processing);
- object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics;
- not be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you.

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/>.

Withdrawal of consent and the right to lodge a complaint

If we are only processing your personal data because you consented, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting the Head Teacher (head@hayton.cumbria.sch.uk).

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Contact

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How Government uses your data

The workforce data that we lawfully share with the DfE through data collections:

- informs departmental policy on pay and the monitoring of the effectiveness and diversity of the school workforce
- links to school funding and expenditure
- supports 'longer term' research and monitoring of educational policy

Data collection requirements

To find out more about the data collection requirements placed on us by the Department for Education including the data that we share with them, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

Sharing by the Department

The Department may share information about school employees with third parties who promote the education or well-being of children or the effective deployment of school staff in England by:

- conducting research or analysis

- producing statistics
- providing information, advice or guidance

The Department has robust processes in place to ensure that the confidentiality of personal data is maintained and there are stringent controls in place regarding access to it and its use. Decisions on whether DfE releases personal 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 securely store and handle the data

To be granted access to school workforce information, organisations must comply with its strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you're 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:

www.gov.uk/government/organisations/department-for-education/about/personal-information-charter

To contact the department: www.gov.uk/contact-dfe.

Privacy Notice for Governors – Hayton School

Privacy Notice (How we use governance information)

The categories of governance information that we process include:

- personal information like name, date of birth, gender identity, contact details including address and postcode;
- financial or business information like a governor's outside financial or business interests, or bank details for expense payments;
- Special categories of data like criminal conviction or social care action information for legal and safeguarding reasons, next of kin and medical information (if they accompany trips), and characteristics information like gender identity or religion.
- governance details like their role, start and end dates and governor ID.
- CCTV recordings for safety and security reasons.

Why we collect and use this information

We are a maintained school and have a legal duty under [section 538 of the Education Act 1996](#) to provide governance information to the Get Information About Schools (GIAS) scheme online.

We also use governor data to:

- d) comply with the law and keep governors safe;
- e) recruit appropriately; and
- f) enable individuals to be paid expenses.

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

- 6(1)(b) to enter into or carry out a contract e.g. to appoint governors, include them in services we buy like access to online subscriptions we hold, or to accompany trips.
- 6(1)(c) to comply with the law e.g. pre-appointment criminal record checks, publishing information on our school website and submitting data to GIAS.
- 6(1)(a) having consent e.g. to use images and names in publicity.

When we process sensitive personal data like medical information we mainly rely on the lawful basis:

- 9(2)(a) having consent e.g. for referral to occupational health or other support services.
- 9(2)(i) to improve public health e.g. we are required to report infections, like meningitis, Covid-19 or e-Coli, to local and national government departments;
- 9(2)(f) to defend a legal claim against us e.g. all accident records etc.

This list is not exhaustive. For more information about the categories of information we process please see our Data Protection Policy.

Collecting governance information

We collect personal information via governor contact forms.

Most of the information we ask for is required by law or necessary so we can run the school effectively and some of it is voluntary. To comply with data protection legislation, if you have a choice about providing information, we will tell you when we ask for it.

Storing governance information

We hold governor data securely in line with the Information and Records Management Society (IRMS) Records Management Toolkit for Schools (Rev 2019).

Covid-19 specific data e.g. *some* visitor records, will normally be retained for only 21 days. For more information on our data retention schedule and how we keep your data safe, please visit our Data Protection Policy.

Who we share governance information with and why

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

We routinely share governor information with:

- our financial services provider to pay expenses;
- Public Health England and, to support Covid-19 testing and tracing (or any similar public health emergency action), partners like the NHS, Local Authority Public Health and District Council Environmental Health Departments;
- other organisations like the places we take children to on trips (who might need more personal information like next of kin and medical needs if governors accompany them), third party service providers like online subscriptions they can log into or training providers.

Department for Education

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. The law requires us to share information with the DfE about our governors for the purpose of those data collections, under [section 538 of the Education Act 1996](#).

All data is entered manually on the GIAS system 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.

Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold. To make a request for your personal information, contact the Head Teacher (head@hayton.cumbria.sch.uk) or the Data Protection Officer (dpo@hayton.cumbria.sch.uk).

You also have the right to:

- ask us for access to information about you that we hold;
- have your personal data rectified, if it is inaccurate or incomplete;
- request the deletion or removal of personal data where there is no compelling reason for its continued processing;
- restrict our processing of your personal data (i.e. permitting its storage but no further processing);
- object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics;
- not be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you.

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/>.

For more information on how to request access to personal information held centrally by the DfE, please see the 'How Government uses your data' section of this notice.

Withdrawal of consent and the right to lodge a complaint

If we are only processing your personal data because you consented, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us

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How Government uses your data

The workforce data that we lawfully share with the DfE through data collections:

- informs departmental policy on pay and the monitoring of the effectiveness and diversity of the school workforce
- links to school funding and expenditure
- supports 'longer term' research and monitoring of educational policy

Data collection requirements

To find out more about the data collection requirements placed on us by the Department for Education including the data that we share with them, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

Sharing by the Department

The Department may share information about governors with third parties who promote the education or well-being of children or the effective deployment of school staff in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department has robust processes in place to ensure that the confidentiality of personal data is maintained and there are stringent controls in place regarding access to it and its use. Decisions on whether DfE releases personal 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 securely store and handle the data.

To be granted access to school workforce information, organisations must comply with its strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you're 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:

www.gov.uk/government/organisations/department-for-education/about/personal-information-charter

To contact the department: www.gov.uk/contact-dfe.

Privacy Notice for Visitors – Hayton School

Privacy Notice (How we use visitors' information)

The categories of visitor information we process include:

- Personal information like your name, employer (if relevant to why you're here), and some location or other data e.g. the date & time you were here and your car registration if you're in our car park).
- Special categories of data like a disability we need to accommodate or positive Covid-19 result.

We use this data to comply with the law, for safety and security reasons, but also to understand who visits us, why, and improve the visitor experience.

If you visit us during the coronavirus (COVID-19) pandemic we will also ask for your contact telephone number and the names of individuals or groups you met with here face-to-face *for more than 15 minutes* because the law requires us to for the good of public health.

We will keep this information for 21 days and we will give it to any authorised UK national or local Test and Trace Service if they ask. After 21 days, the data held will be disposed of securely.

This does not affect your statutory data protection rights.

If you want to know more or have concerns please contact the Head Teacher (head@hayton.cumbria.sch.uk) or the Data Protection Officer (dpo@hayton.cumbria.sch.uk). Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>.