Hartismere Family of Schools

Privacy Notice

Hartismere School
Castleton Way
Eye
Suffolk
IP23 7BL

For the purposes of data protection law, Hartismere Family of Schools is the 'data controller' for the schools within the Trust.

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1. How we use student information

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

- Personal information (such as name, unique pupil number and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment information
- Parental communication tools
- Relevant medical information
- School photographs
- Photography and videography to document learning and achievement
- Special educational needs information
- Safeguarding information
- Behaviour monitoring information
- Information for school trips
- Post-16 learning and progression information
- We use CCTV to make sure the school site is safe. CCTV is not used in private areas, such as school toilets.
- We use biometric data to ensure that only those permitted to access school buildings are able to do so and for cashless catering services. This is regulated under the Protection of Freedoms Act 2012.

(Please note, this list is not exhaustive and may be subject to change)

Why we collect and use this information

We use student data:

- to support student learning
- to monitor and report on student progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to keep children safe
- to comply with the law regarding data sharing

The lawful basis on which we use this information

We collect and use student information under the following lawful bases for processing set out in Article 6 and Article 9 of the General Data Protection Regulation (GDPR):

Public task: A school is considered to be a public body and it is in the public interest that we provide an education for children. The majority of daily tasks are carried out under this provision, however there may be exceptional circumstances in which a

'reasonable person' may expect a school to ask them for consent to process their personal data. In this case, the individual will be notified and consent will be requested.

Consent: Consent will be required under exceptional circumstances where the processing of data does not fall under any other lawful basis. Under this provision consent must be:

- freely given
- state the exact purpose for processing data
- provided using a clear, affirmative action
- provided separately to agreement to any other terms and conditions

Consent can be withdrawn at any time, at which, processing of the data will be halted immediately. If you would like to withdraw consent, please contact Miss A Stanley (Data Protection Lead) through the details provided at the end of this document.

Necessary to protect the vital interests of a data subject or another person: This applies in critical situations where there is no time to obtain consent, for example an accident or incident which requires urgent medical treatment.

Necessary for the performance of a contract with a data subject: This applies to situations where there is a legal contract between the data subject and the school which requires the processing of personal data.

Necessary for compliance with a legal obligation: This applies to situations where there is a legal obligation to pass on data to third parties, for example DfE school census returns.

For 'special category' data (more sensitive personal information), we only collect and use it when we have both a lawful basis, as set out above, and we have obtained your explicit consent to use your information in a certain way.

We do not currently put your personal information through any automated decision making or profiling process. This means that we do not make decisions about you using only computers without any human involvement. If this changes in the future, we will update this notice in order to explain the processing to you, including your right to object to it.

Collecting student information

While 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, we will inform you as to whether you are required to provide certain student information to us or if you have a choice in this.

Storing student data

We hold pupil data securely for the set amount of time shown in the data retention schedule here: https://irms.org.uk/page/AcademiesToolkit

Who we share student information with

We routinely share student information with:

- schools that the students attend after leaving us
- our local authority (Suffolk)
- safeguarding authorities
- youth support services (pupils aged 13+)
- the Hartismere Trust
- the Department for Education (DfE)
- schools information management systems
- timetabling management systems
- behaviour and achievement management systems
- exam boards
- assessment management systems
- online careers education platforms
- library systems
- online homework platforms
- cashless catering contractors
- trip companies
- school nurse
- official school photographers

(Please note, this list is not exhaustive and may be subject to change)

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) please go to https://www.gov.uk/education/data-collection-and-censuses-for-schools.

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.

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.

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 object to any information in addition to their child's name, address and date of birth being passed to their local authority or provider of youth support services by informing us. 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

A child / pupil once they reach the age of 16 can object to any information in addition to their name, address and date of birth being passed to their local authority or provider of youth support services by informing us. Data is securely transferred to the youth support service via a secure file transferring system and is stored within local authority software.

For more information about services for young people, please visit our local authority website: https://www.suffolk.gov.uk/

The National Pupil Database (NPD)

The NPD is owned and managed by the Department for Education and contains information about students in schools in England. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the Department. It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

We are required by law, to provide information about our students to the DfE as part of statutory data collections such as the school census and early years' census. Some of this information is then stored in the NPD. The law that allows this is the Education (Information About Individual Pupils) (England) Regulations 2013.

To find out more about the NPD, go to https://www.gov.uk/government/publications/national-pupil-database-npd-privacy-notice/national-pupil-database-npd-privacy-notice

The department 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 Department has robust processes in place to ensure the confidentiality of 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 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 student 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/ your child's personal data

Under data protection legislation, individuals have the right to request access to the information the school holds about them; this is called a 'Subject Access Request'. For students over the age of 13, they can normally submit this request themselves. For students under the age of 13, the parent may submit the request on behalf of the pupil. There are some circumstances in which the school is not obliged to fulfil a request; the following guidance issued by the Information Commissioner's Office expands upon this: https://ico.org.uk/your-data-matters/schools/pupils-info/.

If you would like to submit a Subject Access Request, please email data@hartismere.family or collect a Subject Access Request form from the school's Reception.

2. How we use school workforce information

The categories of school workforce information that we may collect, hold and share include:

- Personal information (such as name, contact details, employee or teacher number, national insurance number)
- characteristics information (such as gender, age, ethnic group)
- contract information (such as start date, hours worked, post, roles and salary information)
- work absence information (such as number of absences and reasons)
- pension and benefits information, bank account details, payroll records and tax status information
- recruitment information (such as copies of right to work documentation, references)
- qualifications and employment records
- performance management information
- outcomes of any disciplinary and/or grievance procedures
- DBS processing information
- any health conditions staff have made us aware of

(Please note, this list is not exhaustive and may be subject to change)

Why we collect and use this information

The school uses workforce data to:

- enable staff to be paid
- facilitate safe recruitment, as part of our safeguarding obligations towards pupils
- support effective performance management
- inform our recruitment and retention policies
- allow better financial modelling and planning
- enable equalities monitoring

The school does not currently process any personal data through automated decision making or profiling. If this changes in the future, the school will amend any relevant privacy notices in order to explain the processing to staff, including their right to object to it.

The lawful basis on which we use this information

The school's lawful bases for processing personal data for the purposes listed above fall under Article 6 and Article 9 of the GDPR, and are as follows:

Public task: The school needs to process data to fulfil its statutory function as a school, for example the safe and effective running of day-to-day school operations.

Legal obligation: The school needs to process data to meet its responsibilities under law, for example DfE data returns, HMRC purposes.

Consent: The school needs to obtain consent from its workforce to process special category data such as ethnic origin, health conditions and biometric data. Under this provision, the request must state the exact purpose for processing the data and consent must be:

- freely given
- provided using a clear, affirmative action
- provided separately to agreement to any other terms and conditions

Consent may be withdrawn at any time, at which point the processing of the data will be halted immediately. If you would like to withdraw consent, please contact Miss A Stanley (Data Protection Lead) through the details provided at the end of this document.

Vital interests: The school may need to process personal data in critical situations where there is no time to obtain consent, for example in the case of an accident or medical emergency.

Contract: The school needs to process personal data to fulfil a contract with its staff members.

Special Category Data

The school only collects and processes special category data when it has both a lawful basis, as set out above, and one of the following conditions for processing as set out in UK data protection law:

- We have obtained your explicit consent to use your personal data in a certain way
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for the establishment, exercise or defence of legal claims
- We need to process it for reasons of substantial public interest as defined in legislation
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest

How the school collects personal data

While the majority of information the school collects about the school workforce is mandatory, there is some information that can be provided voluntarily.

Whenever the school seeks to collect information from staff members, it makes it clear whether staff must provide this information (and if so, what the possible consequences are of not complying), or whether staff have a choice.

Most of the data we hold about staff will come from individuals themselves, but we may also receive data from:

- Local authorities
- Government departments or agencies
- Police forces, courts, tribunals

Storing school workforce data

We store staff data securely and for the set amount of time shown in the data retention schedule here: https://irms.org.uk/page/SchoolsToolkit . Access to staff personal data is on a 'need to know' basis, meaning only certain staff personnel can access specific staff information.

Who the school shares workforce information with

The school does not share personal data with any third party without consent unless the law and school policies allow it to do so. Where personal data is shared, this will be the absolute minimum data that needs to be shared in order to fulfil that specific task.

Where it is legally required, or necessary (and it complies with UK data protection law), the school may share personal information about staff members with:

- The Local Authority (Suffolk)
- Government departments or agencies (such as DfE, HMRC)
- Ofsted
- Suppliers and service providers: (such as Schools Choice for payroll)
- Auditors
- Financial organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Police forces, courts, tribunals

Subject Access Requests

Under data protection legislation, staff members have the right to request access to information about them held by the school. To submit a Subject Access Request, staff members are asked to email data@hartismere.family or obtain a Subject Access Request form from the main school office/ reception. Upon receipt of your request, the school will let you know whether they require any further information from you and will confirm the next steps in the process.

3. How we use information of those with Trust or School Governance roles

The categories of Trustee and Governor information that we may collect, hold and share include:

- personal information (such as name, contact details)
- recruitment information (such as parent references for Parent Governor)
- DBS processing information
- information about pecuniary and business interests
- meeting attendance
- governance details (such as role, start and end dates and governor ID)

(Please note, this list is not exhaustive and may be subject to change)

Why we collect and use this information

The Trust/school uses Trustee and Governor data to:

- establish and maintain effective Trust and school governance
- meet statutory obligations for publishing and sharing Governors' and Trustees' details (such as on the school website and Get Information About Schools)
- facilitate safe recruitment, as part of our safeguarding obligations towards pupils

The Trust/school does not currently process any personal data through automated decision making or profiling. If this changes in the future, the Trust/school will amend any relevant privacy notices in order to explain the processing to Trustees and Governors, including their right to object to it.

The lawful basis on which we use this information

The Trust's/ school's lawful bases for processing personal data for the purposes listed above fall under Article 6 and Article 9 of the GDPR, and are as follows:

Public task: The Trust/ school needs to process data to fulfil its statutory functions, for example the safe and effective running of the Trust and its schools.

Legal obligation: The Trust/ school needs to process data to meet its responsibilities under law, for example under the Academy Trust Handbook, there is a legal duty to provide the governance information as detailed above.

Vital interests: The Trust/ school may need to process personal data in critical situations where there is no time to obtain consent, for example in the case of an accident or medical emergency.

How the Trust/ school collects personal data

While the majority of information collected is mandatory, there is some information that can be provided voluntarily.

Whenever the school seeks to collect information from Trustees or Governors, it makes it clear whether information must be provided (and if so, what the possible consequences are of not complying), or whether there is a choice.

Most of the data we hold about Trustees and Governors will come from individuals themselves, but we may also receive data from:

- Local authorities
- Government departments or agencies
- Police forces, courts, tribunals

Storing Trustee and Governor data

We store Trustee and Governor data securely and for the set amount of time shown in the data retention schedule here: https://irms.org.uk/page/SchoolsToolkit . Access to personal data is on a 'need to know' basis, meaning only certain staff personnel can access this information.

Who the Trust/ school shares Trustee and Governor information with

The Trust/ school does not share personal data with any third party without consent unless the law and Trust/ school policies allow it to do so. Where personal data is shared, this will be the absolute minimum data that needs to be shared in order to fulfil that specific task.

Where it is legally required, or necessary (and it complies with UK data protection law), the Trust/ school may share personal information about Trustees and Governors with:

- The Local Authority (Suffolk)
- Government departments or agencies (such as DfE, Companies House)
- Ofsted
- Suppliers and service providers: (such as training providers)
- Auditors
- Financial organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Police forces, courts, tribunals

Subject Access Requests

Under data protection legislation, Trustees and Governors have the right to request access to information about them held by the Trust/ school. To submit a Subject Access Request, you are asked to email data@hartismere.family . Upon receipt of your request,

the Trust/ school will let you know whether they require any further information from you and will confirm the next steps in the process.

4. How we use parent/ carer information

The categories of parent/ carer information that we may collect, hold and share include:

- Contact details (such as your name, address, email address and telephone numbers)
- Bank details (for purposes such as payment for trips, school catering etc)
- Details of your family circumstances
- Details of any safeguarding information including court orders or professional involvement
- Records of your correspondence and contact with us
- Details of any complaints you have made

(Please note, this list is not exhaustive and may be subject to change)

Why we collect and use this information

- Report to you on your child's attainment and progress
- Keep you informed about the running of the school (such as emergency closures) and events
- Process payments for school services, trips and clubs
- Provide appropriate pastoral care
- Protect pupil welfare
- Administer admissions waiting lists
- Assess the quality of our services
- Comply with our legal and statutory obligations

The school does not currently process any personal data through automated decision making or profiling. If this changes in the future, the school will amend any relevant privacy notices in order to explain the processing to parents/ carers, including their right to object to it.

The lawful basis on which we use this information

The school collects and uses parent/ career information under the following lawful bases for processing set out in Article 6 and Article 9 of the General Data Protection Regulation (GDPR):

Public task: A school is considered to be a public body and it is in the public interest that we provide an education for children. The majority of daily tasks are carried out under this provision, however there may be exceptional circumstances in which a 'reasonable person' may expect a school to ask them for consent to process their personal data. In this case, the individual will be notified and consent will be requested.

Consent: Consent will be required under exceptional circumstances where the processing of data does not fall under any other lawful basis. Under this provision consent must be:

- freely given
- state the exact purpose for processing data
- provided using a clear, affirmative action
- provided separately to agreement to any other terms and conditions

Consent can be withdrawn at any time, at which, processing of the data will be halted immediately. If you would like to withdraw consent, please contact Miss A Stanley (Data Protection Lead) through the details provided at the end of this document.

Necessary to protect the vital interests of a data subject or another person: This applies in critical situations where there is no time to obtain consent, for example an accident or incident which requires urgent medical treatment.

Necessary for compliance with a legal obligation: This applies to situations where there is a legal obligation to pass on data to third parties, for example safeguarding information.

Special Category Data

The school only collects and processes special category data when it has both a lawful basis, as set out above, and one of the following conditions for processing as set out in UK data protection law:

- We have obtained your explicit consent to use your personal data in a certain way
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for the establishment, exercise or defence of legal claims
- We need to process it for reasons of substantial public interest as defined in legislation
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law

We do not currently put your personal information through any automated decision making or profiling process. This means that we do not make decisions about you using only computers without any human involvement. If this changes in the future, we will update this notice in order to explain the processing to you, including your right to object to it.

How the school collects personal data

While the majority of information we collect about you is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

Most of the data we hold about you will come from you, but we may also hold data about you from:

- Local authorities
- Government departments or agencies
- Your children
- Police forces, courts, tribunals

Storing parent/ carer workforce data

We store parent/ carer data securely and for the set amount of time shown in the data retention schedule here: https://irms.org.uk/page/SchoolsToolkit . Access to parent/ carer data is on a 'need to know' basis, meaning only certain staff personnel can access this information.

Who we share parent/ carer data with

We do not share information about you with any third party without consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with UK data protection law), we may share parent/ carer information with:

- Our local authority (Suffolk) - to meet our legal obligations to share certain information with them, such as safeguarding concerns and information about exclusions
- Government departments or agencies
- Ofsted
- Suppliers and service providers (such as ParentPay)
- Financial organisations
- Our auditors
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Police forces, courts, tribunals

Subject Access Requests

Under data protection legislation, parents/ carers have the right to request access to information about them held by the school. To submit a Subject Access Request, parents/ carers are asked to email data@hartismere.family or obtain a Subject Access Request form from the main school office/ reception. Upon receipt of your request, the

school will let you know whether they require any further information from you and will confirm the next steps in the process.

5. CCTV in schools

CCTV is used in and around the school site. We collect and process this data under the lawful basis of 'Public Task', as it facilitates the safe and effective day-to-day operation of the school by assisting the school in its duties with respect to health and safety, safeguarding and premises maintenance for example.

There are CCTV signs placed at the entrances of the school and around the school site to ensure members of the school community are aware that they are in an area of surveillance.

Recorded CCTV footage is included in the information available under a Subject Access Request and the individual may also request that recorded images of them are erased (this will not apply if the footage is more than 30 days old as it will have already been erased).

CCTV recordings are stored in a secure cloud-based system in school and disposed of after 30 days, unless they are subject to an investigation. CCTV recordings will be shared with the police should they be required to support a criminal investigation.

6. Further data subject rights

The data subject 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 the Data Protection regulations

7. Reporting a concern

If you have a concern about the way in which we are collecting or using your personal data, we request that you raise your concern with us in the first instance by writing to the Trust's Data Protection Lead, Miss A Stanley, on the contact details below.

Alternatively, you can address your concerns to the Information Commissioner's Office at https://ico.org.uk/concerns/ .

If you would like to discuss anything in this Privacy Notice, please contact Miss A Stanley (Data Protection Lead) through the following contact details:

By post:	Benjamin Britten School Blyford Road, Lowestoft, Suffolk NR32 1JH
By telephone:	01502 582312
By email:	data@hartismere.family