



# **HERA Primary Academy Trust**

## **Data Protection Privacy Notice: Pupil and Workforce Information**

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Summer 2018  
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## **1. Pupil Information**

### **How we use Pupil Information**

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

The DfE and government requires us to collect a lot of data by law, so that they can monitor and support schools more widely, as well as checking on individual schools' effectiveness.

- personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- characteristics (such as ethnicity, language, and free school meal eligibility)
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)
- medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- assessment and attainment (such as key stage 1 and phonics results, post 16 courses enrolled for and any relevant results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)

### **Why we collect and use this information**

We use the pupil data to:

- a) to support pupil learning
- b) to monitor and report on pupil attainment progress
- c) to provide appropriate pastoral care
- d) to assess the quality of our services
- e) to keep children safe (food allergies, or emergency contact details)
- f) to meet the statutory duties placed upon us for DfE data collections

## **The lawful basis on which we use this information**

We make sure that information we collect and use about pupils is in line with the GDPR and Data Protection Act. This means that we must have a lawful reason to collect the data, and that if we share that with another organisation or individual we must have a legal basis to do so.

The lawful basis for schools to collect information comes from a variety of sources, such as the Education Act 1996, Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013, Article 6 and Article 9 of the GDPR.

The Department for Education and Local Authorities require us to collect certain information and report back to them. This is called a 'public task' and is recognised in law as it is necessary to provide the information. We also have obligations to collect data about children who are at risk of suffering harm, and to share that with other agencies who have a responsibility to safeguard children, such as the police and social care.

We also share information about pupils who may need or have an Education Health and Care Plan (or Statement of Special Educational Needs). Medical teams have access to some information about pupils, either by agreement or because the law says we must share that information, for example school nurses may visit the school. Counselling services, careers services, occupational therapists are the type of people we will share information with, so long as we have consent or are required by law to do so.

In school we also use various third party tools to make sure that pupils' best interests are advanced. This includes financial software to manage school budgets, which may include some pupil data. We may use systems to take electronic payments for school meals and other payments. We use software to track progress and attainment. We must keep up to date information about parents and carers for emergency contacts.

We also use contact information to keep pupils, parents and carers up to date about school events.

## **How we collect pupil information**

We collect pupil information via:

- Enrolment forms completed by parents when a pupil joins our school
- Previous schools through secure Common Transfer Files (CTF)
- Data collection sheets completed by parents twice a year.

Pupil data is essential for the schools' operation use. 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.

## **How we store pupil data**

We hold pupil data securely for the set amount of time shown in our Document Retention Policy. For more information on that policy and how we keep your data safe, please make an appointment with the school's Data Protection Officer through the school office.

## **Who we share pupil information with**

We routinely share pupil information with:

- schools that the pupils attend after leaving us
- our local authority including social care
- the School Nurse (the NHS)
- the Department for Education (DfE)
- HERA Board of Trustees

## **Why we regularly 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.

### **Department for Education**

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our pupils with the Department for Education (DfE) either directly or via our local authority for the purpose of those data collections, under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

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-collectionand-censusesfor-schools>.

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, 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 the schools and request an appointment with the Data Protection Officer.

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
- a right to seek redress, either through the ICO, or through the courts.

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/>

## Contact

If you would like to discuss anything in this privacy notice, please contact the school office and request an appointment with the Data Protection Officer.

### Kings Road Primary

Kings Road  
Chelmsford  
CM1 2BB  
01245 256074  
[admin@kingsroad-pri.essex.sch.uk](mailto:admin@kingsroad-pri.essex.sch.uk)

### Lawford Mead Primary & Nursery School

Trent Road  
Chelmsford  
CM1 2JH  
01245 354 134  
[admin@lawfordmead.essex.sch.uk](mailto:admin@lawfordmead.essex.sch.uk)

## 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 Department for Education (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

## **The National Pupil Database (NPD)**

Much of the data about pupils in England goes on to be held in 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.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

### **Sharing by the Department**

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

- schools
- 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 Department's NPD data sharing process, please visit:

<https://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, the 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>

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

## **2. Workforce Information**

### **How we use workforce information**

#### **The categories of school information that we process include:**

- personal information (such as name, address, 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)
- qualifications (and, where relevant, subjects taught)
- relevant medical information
- payroll information

This list is not exhaustive, to access the current list of categories of information we process please see the current Employee Privacy Notice or discuss with the school's Data Protection Officer.

### **Why we collect and use workforce information**

We use workforce data to:

- a) enable the development of a comprehensive picture of the workforce and how it is deployed
- b) inform the development of recruitment and retention policies
- c) enable individuals to be paid.

Visit the following links for more information about Privacy Law, our obligations and your Rights:

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr>

### **Collecting workforce information**

We collect personal information via application forms during recruitment and personal information forms once appointed.

Workforce data is essential for the school's / local authority's operational use. Whilst the majority of personal information you provide to us is mandatory, some of it is requested on a voluntary basis. In order to comply with GDPR, we will inform you at the point of collection, whether you are required to provide certain information to us or if you have a choice in this.

### **Storing workforce information**

We hold data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please speak to the school's Data Protection Officer.

## **Who we share workforce information with**

We routinely share this information with:

- HERA Academy Trust
- our local authority (where applicable)
- the Department for Education (DfE).

## **Why we share school workforce information**

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

### **HERA Academy Trust**

We process personal data relating to those we employ to work at, or otherwise engage to work at, the Trust and our member schools. This is for employment purposes to assist in the running of the Trust and/or to enable individuals to be paid. The collection of this information will benefit both national and local users by:

- improving the management of workforce data across the sector
- enabling development of a comprehensive picture of the workforce and how it is deployed
- informing the development of recruitment and retention policies
- allowing better financial modelling and planning
- enabling ethnicity and disability monitoring; and
- supporting the work of the School Teachers' Review Body.

If you require any more information about how the trust use your personal data please visit [www.heraacademy.co.uk](http://www.heraacademy.co.uk)

### **Local authority**

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

### **Department for Education**

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our children and young people with the 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 school's Data Protection Officer.

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
- a right to seek redress, either through the ICO, or through the courts.

If you have a concern about the way we are collecting or using your personal data, we ask 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 the school's Data Protection Officer.

## **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 DfE 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 DfE 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 the 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.

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