



**St Hugh's School**

**Privacy notice for parents/carers**

## 1. Introduction

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about pupils at our school.

We, St Hugh's School, are the 'data controller' for the purposes of UK data protection law.

Our data protection officer(s) are the School's Business Manager and Assistant Business Manager (see 'Contact us' below).

## 2. The personal data we hold

Personal data that we may collect, use, store and share (when appropriate) about pupils includes, but is not restricted to:

- Contact details, contact preferences, date of birth, identification documents
- Attainment, Examination & Assessment information to support pupil learning
- Pupil and curricular records
- Exclusions / Behavioral information
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Post 16 learning information

We may also collect, use, store and share (when appropriate) information about your child that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to, information about:

- Relevant medical information including physical and mental health (such as medical conditions, treatment required and Medical Care Plans)
- Photographs and CCTV images captured in school
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Special educational needs information

We may also hold data about pupils that we have received from other organisations, including other schools, local authorities and the Department for Education.

### 3. Why we use this data

The personal data collected is essential, for the school to fulfil their official functions and meet legal requirements.

We collect and use pupil information, for the following purposes:

- 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 by the department for education

### 4. Our lawful basis for using this data

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

- for the purposes of (a), (b), (c) & (d) in accordance with the legal basis of Public task: collecting the data is necessary to perform tasks that schools are required to perform as part of their statutory function
- for the purposes of (e) in accordance with the legal basis of Vital interests: to keep children safe (food allergies, or medical conditions)
- for the purposes of (f) in accordance with the legal basis of Legal obligation: data collected for DfE census information
  - Section 537A of the Education Act 1996
  - the Education Act 1996 s29(3)
  - the Education (School Performance Information)(England) Regulations 2007
  - regulations 5 and 8 School Information (England) Regulations 2008
  - the Education (Pupil Registration) (England) (Amendment) Regulations

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 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.

Where we have obtained consent to use personal data, this consent can be withdrawn at any time.

## 4.1 Our lawful basis for using special data

For 'special category' data, we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in data protection law:

- We have obtained your explicit consent to use your child's 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 child's 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

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in data protection law. Conditions include:

- We have obtained your consent to use it in a specific way
- We need to protect an individual's vital interests (i.e. protect your child's 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, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
- We need to process it for reasons of substantial public interest as defined in legislation

## 5. Collecting this data

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

Whenever we seek to collect information from you or your child, we make it clear whether providing it is mandatory or optional. If it is mandatory, we'll explain the possible consequences of not complying.

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

- Local authorities
- Government department or agencies
- Police forces, courts, tribunals
- Previous schools
- Medical professionals

## **6. How we store this data**

We keep personal information about pupils while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary. Our Records Management Policy sets out how long we keep information about pupils which can be viewed on the school's website: [www.st-hughs.n-lincs.sch.uk](http://www.st-hughs.n-lincs.sch.uk).

We have put in place appropriate security measures to prevent your child's personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We will dispose of your child's personal data securely when we no longer need it.

## **7. Who we share data with**

We do not share information about your child 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 data protection law), we may share personal information about your child with:

- St Hugh's staff in the support of pupil learning
- Our local authority (North Lincolnshire Council) - to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about exclusions
- Our regulator (Ofsted)
- Government departments or agencies
- Consultants engaged by the school to support pupil learning
- Cloud based educational programmes to support pupil learning and communication
- School Nursing Services
- External agencies; health, SEND, child protection, welfare and safeguarding services
- FOSH - to ensure the welfare and safeguarding of pupils using the after school club
- Police forces, courts, tribunals
- Schools or colleges that the pupils attend after leaving us
- The pupil's family and representatives
- Educators and examining bodies
- Health and social welfare organisations

## National Pupil Database

We are required to provide information about pupils to the Department for Education as part of statutory data collections such as the school census.

Some of this information is then stored in the [National Pupil Database](#) (NPD), which is owned and managed by the Department and provides evidence on school performance to inform research.

The database is held electronically so it can easily be turned into statistics. The information is securely collected from a range of sources including schools, local authorities and exam boards.

The Department for Education may share information from the NPD with third parties, such as other organisations which promote children's education or wellbeing in England. These third parties must agree to strict terms and conditions about how they will use the data.

For more information, see the Department's webpage on how it collects and shares research data ([www.gov.uk/data-protection-how-we-collect-and-share-research-data](http://www.gov.uk/data-protection-how-we-collect-and-share-research-data)).

You can also contact the Department for Education ([www.gov.uk/contact-dfe](http://www.gov.uk/contact-dfe)) with any further questions about the NPD.

## Youth support services

Once our pupils reach the age of 13, we are legally required to pass on certain information about them to North Lincolnshire Council as it has legal responsibilities regarding the education or training of 13-19 year-olds.

This information enables it to provide youth support services, post-16 education and training services, and careers advisers.

Parents/carers, or pupils once aged 16 or over, can contact our data protection officer to request that we only pass the individual's name, address and date of birth to North Lincolnshire Council.

### 7.1 Transferring data internationally

Where we transfer personal data to a third party country or territory, we will do so in accordance with UK data protection law.

In cases where we have to set up safeguarding arrangements to complete this transfer, you can get a copy of these arrangements by contacting us.

## 8. Your rights

### 8.1 How to access personal information that we hold about your child

Individuals have a right to make a **'subject access request'** to gain access to personal information that the school holds about them.

Parents/carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where it is deemed appropriate by the school for parents/carers to make a request on behalf of their child as the school feels the child would not be able to comprehend the contents of their personal data, or where the child has provided consent.

Parents also have the right to make a subject access request with respect to any personal data the school holds about them.

If you make a subject access request, and if we do hold information about you or your child, we will (subject to any exemptions that apply):

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you or your child
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request please contact our data protection officer (see 'Contact us' below).

## **8.2 Your right to access your child's educational record**

Parents, or those with parental responsibility, also have the right to access their child's educational record (which includes most information about a pupil). This right applies as long as the pupil is aged under 18.

There are certain circumstances in which this right can be denied, such as if releasing the information might cause serious harm to the physical or mental health of the pupil or another individual, or if it would mean releasing exam marks before they are officially announced.

To make a request, please contact us (see 'Contact us' below).

## **8.3 Other rights**

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including the right to:

- Object to our use of your child's data
- Prevent it being used to send direct marketing
- Object to and challenge the use of your child's personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected
- In certain circumstances, have the personal data we hold about your child deleted or destroyed, or restrict its processing
- In certain circumstances, be notified of a data breach
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact us (see 'Contact us' below).

Once your child is able to understand their rights over their own data (this has to be considered on a case by case basis), we will need to obtain consent from your child for you to make these requests on their behalf.

## 9. Complaints

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/make-a-complaint>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5 AF

## 10. Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our **Data Protection Officer**:

- School Business Manager - 01724 842960, [businessmanager.sthughs@northlincs.gov.uk](mailto:businessmanager.sthughs@northlincs.gov.uk),  
or
- Assistant Business Manager - 01724 842960, [assistantbm.sthughs@northlincs.gov.uk](mailto:assistantbm.sthughs@northlincs.gov.uk).

*Please contact us if you have any questions, concerns or would like more information about anything mentioned in this privacy notice.*

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## Declaration

I, \_\_\_\_\_ declare that I received and read the school's Parent/Carer Privacy Notice and understand that St Hugh's School has a legal and legitimate interest to collect and process my personal data in order to meet statutory requirements. Where the basis of collecting and processing personal data is not for a legal or a legitimate interest, separate consent will be requested from me to agree or reject to; I understand that my decision can be changed at any time by contacting the school and notifying one of the school's Data Protection Officers.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



