

**HARDWICK HOUSE SCHOOL**
**PRIVACY NOTICE – HOW WE USE PUPIL INFORMATION**

This Privacy Notice explains how and why we store personal information about pupils and parents/carers. It provides a guide to parents/carers about our legal obligations and their own rights. Like any organisation which handles personal data, our school is defined as a ‘Data Controller’ and, as such, we are registered with the ICO (Information Commissioner’s Office) and we comply with the Data Protection Act and UK General Data Protection Regulation. The school is joint controller with Cavendish Education who are also defined as a Data Controller and are registered separately with the ICO. Both Data Controllers share the same Data Protection Officer.

**What categories of information do we process?**

<b>For all pupils</b>	<b>Personal Information</b>	Name, unique pupil number, date of birth, contact details and address, a photograph, dietary needs and preferences, year group, class, medical conditions, medical practice address.
	<b>Characteristics</b>	Ethnicity, language, nationality, country of birth
	<b>Attendance information</b>	Sessions attended, no. of absences, reasons for absences, absence requests.
	<b>Academic, attainment and progress records</b>	Assessment information (attainment data, progress reports, examination results, courses enrolled on, individual learning plan)
	<b>Other</b>	Safeguarding information (such as professional involvement and court cases), Special Educational Needs (including the EHCP and annual reviews)
<b>For some pupils (where applicable)</b>	<b>Other</b>	Free School Meal eligibility, External specialist reports (e.g. OT, SaLT, psychologists, Multi-Disciplinary Teams), Behaviour information (such as exclusions, incidents, RPIs, non-RPIs and any relevant provisions put in place), Exclusion information, pastoral records, Leaver’s information (destinations data and transition plans), trips and activities, transport information (arrangements for taxi to/from school).
<b>All parents / carers</b>	<b>Personal Information</b>	Names, addresses, telephone numbers, email addresses, relationship to child, other given contacts, free school meals eligibility evidence.
	<b>Other</b>	Parent surveys, letters sent to school, emails sent to school, financial payments, permission slips.

This list is not exhaustive, to access the current list of the categories of information we process please ask a member of admin to see the data asset register.

## **Why do we collect and use pupil information?**

The school has a legitimate interest in collecting and processing the personal data of both current and prospective students, including maintaining a record of the process. This allows the school to manage their pupil admissions and to process, assess and confirm if the school is suitable to meet a pupil's needs. The school might also need to process data received from a local authority as part of the admissions process which might include data regarding prospective pupils not on roll at Hardwick House, in order for the school to respond to legal claims. 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:

- To support pupil learning
- To keep informed to keep children safe (including online, food allergies, emergency)
- To support pupils to progress towards their EHCP outcomes
- To monitor and report on pupil attainment progress
- To provide appropriate pastoral care and advice
- To assess the quality of our services
- To support transitions
- To comply with the law regarding data sharing
- To meet the statutory duties placed upon us for DfE data collections
- Where appropriate, to promote the school to prospective pupils, parents and the wider community e.g. through the website or prospectus
- To assess whether the school can meet the needs of prospective learners as set out in their EHCP

We use the parents' data:

- To assess the quality of our services
- To comply with the law regarding data sharing
- To ensure financial stability

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

The lawful bases for processing personal data are set out in Article 6 of the UK General Data Protection Regulation. The school processed such data because we have:

- (6a) Consent: parents have given clear consent for us to process their (and their child's) personal data for the purposes indicated above.
- (6c) A Legal obligation: the processing is necessary for us to comply with the law (e.g. we are required by law to submit certain teacher assessment information and to safeguard pupils' welfare by sharing information with other agencies).
- (6d) A duty to safeguard pupils: the processing is necessary in order to protect the vital interests of the data subject (children); (e.g. if we are required to share medical history information with emergency services in the event of an accident or to other agencies when a child may be in danger).
- (6e) Public task: the processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law (e.g. processing attendance information or academic attainment and progress records).

Special Categories of data are set out in Article 9 of the UK General Data Protection Regulation. The school processes such data because we have:

- (9.2a) explicit consent. In circumstances where we seek consent, we make sure that the consent is unambiguous and for one or more specified purposes, is given by an affirmative action and is recorded as the condition for processing. Examples of our processing include use of pupil photographs for external purposes, pupil dietary requirements, and health information we receive from our pupils who require a reasonable adjustment to access our services.
- (9.2b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject.
- (9.2c) where processing is necessary to protect the vital interests of the data subject or of another natural person. An example of our processing would be using health information about a pupil in a medical emergency.
- (9.2f) for the establishment, exercise or defence of legal claims. Examples of our processing include processing relating to any employment tribunal or other litigation.
- (9.2g) reasons of substantial public interest. As a school, we are a publicly funded body and provide a safeguarding role to young and vulnerable people. Our processing of personal data in this context is for the purposes of substantial public interest and is necessary for the carrying out of our role. Examples of our processing include the information we seek or receive as part of investigating an allegation.
- (9.2j) for archiving purposes in the public interest. The relevant purpose we rely on is Schedule 1 Part 1 paragraph 4 – archiving. An example of our processing is the transfers we make to the County Archives as set out in our Records Management Policy.

We process criminal offence data under Article 10 of the UK GDPR.

Our Data Protection Policy highlights the conditions for processing in Schedule 1 of the Data Protection Act 2018 that we process Special Category and Criminal Offence data under.

### **How do we collect pupil information?**

We collect pupil information using different methods such:

- Registration and data collection forms at the start of the school year or Common Transfer File (CTF) or secure file transfer from the previous setting
- Use of parent enquiry forms for prospective pupils
- Files, such as EHCPs, shared to us securely by the Local Authority

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this.

### **How do we store pupil data?**

We hold pupil 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 see the admin team. All confidential information is kept secure either on encrypted, password protected devices or paper copies kept on the school site. Once the deadline for retaining information has passed, data kept electronically is deleted and paper copies are destroyed in conjunction with the retention schedule.

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

We routinely share this information with:

- Schools, colleges and establishments that the pupils attend after leaving us
- Our local authorities
- The Department for Education (DfE)
- External agencies and support services that visit the school or our children attend (e.g. CAMHS, SaLT, OT, Education Psychologists)
- School nurses (NHS)
- Cavendish Education and Newcome Education, both of whom this school is part of the same education group.
- Children's Social Care (when safeguarding pupils' welfare)
- Examination boards
- Suppliers and service providers with whom we have a contract
- Voluntary organisations linked to the school

### **Why do we regularly need to 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. These reasons include, to complete a school census, for school funding and quality assurance processes with local authorities, to fulfil safeguarding obligations or pupil progress with external services, to enter students for qualifications, to destination education or training as CTF files, and for NHS nurse visits. This is not an exhaustive list.

### **Do we share information with youth support services?**

Once our pupils reach the age of 13, we also pass pupil information to the local authority who are a provider of youth support services, as they have a responsibility in relation to the education or training of 13-19 year olds under 507B of the Education Act 1996.

The information shared is limited to the child's name, address and date of birth. Where a parent or guardian provides their consent, other information relevant to the provision of youth support services will be shared. This right is transferred to the pupil once they reach the age of 16.

Once a pupil reaches the age of 16+ we will share certain information with the local authority or provider of youth support services as they have responsibility in relation to the education or training of 13-19 year olds under 507B of the Education Act 1996. This enables them to provide services such as a post-16 education and training provider, youth support services, and career advisors.

### **What do the Department of Education do?**

The DfE collects personal data from educational settings and local authorities via statutory data collections, such as the school-level annual school census (SLASC) which includes named pupil records, in line with The Education (Information About Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by the DfE under a combination of software and hardware controls, which meet the current government security policy framework.

### **How do you request access to your personal data?**

Under GDPR legislation, parents and pupils have the right to request access to the information that we hold about them. To make a request for your personal information, or to be given access to your child's educational record, contact the school leadership team via the school reception. The school's Data Protection Officer is School Pro [gdpr@schoolpro.uk](mailto:gdpr@schoolpro.uk)

Depending on the lawful basis above, you may 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/>

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.

**How do I withdraw my consent or lodge a complaint?**

Where we are processing your personal data which requires your consent, for example to use photographs for newsletters, the school website or prospectus, you have the right to withdraw that consent. If you change your mind or if you are unhappy with the use of your personal data, please let us know by contacting the leadership team via the school reception.

**How do I contact you?**

If you would like to discuss anything in this privacy notice, please contact the school reception on the phone number below, by email or in writing to:

FAO Leadership Team  
Hardwick House School  
190 Forest Road  
Loughborough  
LE11 3HU

01509 218 203 / [info@hardwickhouseschool.co.uk](mailto:info@hardwickhouseschool.co.uk)

We may need to update this privacy notice periodically so we recommend that you revisit this information. This version was last updated in July 2023.