



Kindness Empathy Respect Responsibility Honesty Resilience

General Data Protection Regulation (GDPR) Hospital and Home Education Learning Centre (HHELC) Privacy Notice

February 2019

Privacy Notice (How we use pupil/student information)

Who processes your information?

HHELC is the data controller of the personal information you provide to us. This means HHELC determines the purposes for which and the manner in which, any personal data relating to pupils/students and their families is to be processed.

Why do we collect and use pupil information?

New Data Protection legislation which includes provisions of the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 took effect from May 25 2018, including provisions relating to 'lawfulness of processing' and 'processing of special categories of personal data'.

HHELC collects and uses pupil information for purposes consistent with the Education Act 1996. The legal basis under which HHELC uses personal data for these purposes is that it is necessary for the performance of a task carried out in the public interest by HHELC or in the exercise of official authority vested in HHELC.

The information you provide to HHELC includes special categories of personal data such as race, ethnicity and religion. Information in these categories will be used by the school on the basis that such use is necessary for reasons of substantial public interest and in accordance with Data Protection legislation.

We use the pupil/student data:

- to support pupil/student learning
- to monitor and report on pupil/student progress
- to refine our school improvement processes
- to provide appropriate pastoral care
- to safeguard pupils'/students' physical and mental well being
- to promoting pupil/student welfare
- to assess the quality of our services
- to comply with the law regarding data sharing

Which data do we collect, hold and share?

- Personal information (such as name, unique pupil/student number, date of birth, address and emergency contact details)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility, LAC status)
- Relevant medical information
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment information (including attainment and progress)
- Special educational needs information
- Exclusions / behavioural information
- Safeguarding information

In order to comply with the Data Protection legislation, we will inform you whether you are required to provide certain pupil/student information to us or if you have a choice in this.

How long do we store your data?

We hold data relating to pupils/students in line with the arrangements set out in our Data Protection Policy. We do not hold personal information indefinitely and effectively, data relating to

pupils/students at the school and their families is only stored for as long as is required to meet the purpose for which it was originally collected.

Who do we share pupil/student information with?

We routinely share pupil/student information with:

- Pupils'/students' base schools
- schools that the pupils attend after leaving us
- our local authority
- the local authority off site visits regulator (EVOLVE) as required
- Nottingham Schools Trust (aggregated data sets only)
- the Department for Education (DfE)
- our registered national examination and assessment services
- relevant health and social care agencies where appropriate

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

We share pupils'/students' data with the Department for Education (DfE) on a statutory basis. This data sharing underpins HHELC funding and educational attainment policy and monitoring.

We are required to share information about our pupils/students with our local authority (LA) and the Department for Education (DfE) under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

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)

The NPD is owned and managed by the Department for Education and contains information about pupils/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 pupils/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 pupil/student information we share with the department, for the purpose of data collections, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

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

The department may share information about our pupils/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 our 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 pupil 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 pupil 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 personal data

Under data protection legislation, parents/carers 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 school Data Protection Officer on

dpo@hhe.nottingham.sch.uk

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress unless we have a legitimate reason to continue
- 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
- seek redress for damages caused by a breach of the Data Protection regulations

If you have a concern 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 our Data Protection Officer Mrs L Chambers on dpo@hhe.nottingham.sch.uk.