Privacy notice for parents/carers

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’ (sometimes called ‘fair processing notices’) to individuals where we are processing their personal data.

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

We, Kingsley High School, Whittlesea Road, Harrow HA36ND, are the ‘data controller’ for the purposes of data protection law.

Our data protection officer is Nicky Rai (see ‘Contact us’ below).

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:

- Personal identifiers, contacts and characteristics (such as name, unique pupil reference number, date of birth, contact details, address)
- Characteristics (such as ethnicity, language and free school meal eligibility)
- Safeguarding information (such as court orders and professional involvement)
- Medical and administration regarding physical and mental health (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- Attendance information (such as sessions attended, reasons for any absence, previous schools attended)
- Results of assessments and external accreditation (such as ASDAN and Equals)
- Behavioural information (including personal plans, risk assessments, exclusion information)
- Social care information (such as any care packages, short breaks, plans and support providers)

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

Why we use this data

We use this data to:

a) Support pupil learning
b) Monitor and report on pupil progress
c) Provide appropriate pastoral care
d) Assess the quality of our services
e) Keep children safe (food allergies, emergency contact details, emergency medical protocols)
f) Meet the statutory duties placed on us

Our legal basis for using this data

We only collect and use pupils’ personal data when the law allows us to. Most commonly, we process it where:

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest
Less commonly, we may also process pupils’ personal data in situations where:

- We have obtained consent to use it in a certain way
- We need to protect the individual’s vital interests (or someone else’s interests)

Where we have obtained consent to use pupils’ personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using pupils’ personal data overlap, and there may be several grounds which justify our use of 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)
  - regulations 5 and 8 School Information (England) Regulations 2008
  - the Education (Pupil Registration) (England) (Amendment) Regulations 2013

In addition, concerning any special category data: conditions a, b, c and d of GDPR - Article 9

**Collecting pupil information**

We obtain pupil information via registration forms at the start of each academic year. In addition, when a child joins us from another school we are sent a secure file containing relevant information. Pupil data is essential for the schools’ operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis, such as permission for photographs. In order to comply with GDPR 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 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 in order to comply with our legal obligations and in accordance with the Information and Records Management Society’s toolkit for schools. The data is stored securely with hard copies stored in locked filing cabinets or cupboards in a secure office and/or as electronic copies which will be accessible via password protected log-ins. We keep hard copies to a minimum and securely dispose of records which are no longer required.

**Data sharing**

We do not share information about pupils 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 pupils. We routinely share data with:

- Our local authority – to meet our legal obligations to share certain information with it, such as Education Health Care Plan reviews, safeguarding concerns and exclusions
- The school a pupil attends after leaving us
- The Department for Education- to meet legal obligations for statistical returns
A pupil’s family and representatives – to share information about progress
Educators and accrediting bodies (e.g. ASDAN) – to record attainment

We may also share data with:

- Our regulator, Ofsted, to support school evaluation
- The local authority finance team to carry out audit functions
- Health authorities to keep pupils well
- Police forces, courts, tribunals as required to fulfil legal obligations

**National Pupil Database**

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 data collections, under:

- Section 537A of the Education Act 1996
- Education Act 1996 s29(3)
- Regulations 5 and 8 School Information (England) Regulations 2008
- Education (Pupil Registration) (England) (Amendment) Regulations 2013

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. 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. (See ‘How Government uses your data’ section below.)

The Department for Education may share information from the NPD with other organisations which promote children’s education or wellbeing in England. Such organisations 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.

You can also contact the Department for Education with any further questions about the NPD.

**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 (for example, attendance 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.

**Sharing**

The law allows the DfE 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, 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 Department 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

Youth support services

Once our pupils reach the age of 13, we are legally required to pass on certain information about them to Harrow Local Authority 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/carerers, 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 Harrow Local Authority.

Transferring data internationally

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

CCTV

The entrances to the school are continuously monitored by CCTV as part of the external site security. This is managed by Kier under the terms of the PFI contract with the local authority. The images of people entering and leaving the school may be recorded but individuals, including pupils, cannot be identified. The tapes are routinely erased on a regular cycle and over-recorded. Access is limited by password protection following a legitimate request to view e.g. by the police.

Photographs

We take photographs in school to support the public task of monitoring pupil achievement. These are kept securely in pupils' files. The pupil admissions form requests permission for other purposes.

Parents and pupils' rights regarding personal data

Under GDPR, 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 Nicky Rai or email www.office@kingsley.harrow.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
• 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, 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/

Parents/carerers 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 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:

• 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.

Parents/carers also have a legal right to access to their child’s educational record. To request access, please contact www.office@kingsley.harrow.sch.uk

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 the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used to send direct marketing
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact our data protection officer, Nicky Rai.

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.

To make a complaint, please contact our data protection officer.

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

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

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:

- Nicky Rai 0208 421 3676

This notice is based on the Department for Education’s model privacy notice for pupils, amended for parents and to reflect the way we use data in this school.