PRIVACY NOTICE

YOUR DATA MATTERS

PUPILS, PARENTS AND CARERS

www.dpoforschools.co.uk

Introduction

At Hemington Primary School, we respect your need for privacy and protect any personal information, including, but not limited to any, 'personal data' defined under Data Protection Law. "Data Protection Law" means all legislation and regulations in force from time to time regulating the use of personal data and the privacy of electronic communications including, but not limited to, the retained EU law version of the General Data Protection Regulation (EU) 2016/679) (the "UK GDPR"), as it forms part of the law of England and Wales, Scotland, and Northern Ireland by virtue of section 3 of the European Union (Withdrawal) Act 2018 the Data Protection Act 2018 the Privacy and Electronic Communications Regulations 2003 as amended, and any successor legislation. Our practice, with respect to the use of your personal information, is as set forth below in this Privacy Notice.

As a condition of your child/children attending Hemington Primary School, you consent to the terms of the Privacy Notice as it may be updated from time to time. This Privacy Notice applies exclusively to Hemington Primary School.

Please find below a list of abbreviations we have used in this document:

- SEND Special Educational Needs and Disability
- DfE Department for Education
- GDPR- General Data Protection Regulation
- UK United Kingdom
- NPD National Pupil Database
- LA Local Authority
- NHS National Health Service

What we need

Whilst the majority of the personal data you provide to the school is mandatory, some is provided on a voluntary basis. When collecting data, the school will inform you whether you are required to provide this data or if your consent is needed. Where consent is required, the school will provide you with specific and explicit information with regards to the reasons the data is being collected and how the data will be used.

The categories of pupil information that the school collects, holds and shares includes, but is not restricted to:

- Personal information – e.g. names, pupil numbers and addresses, parent and carer information and pupil photos
- Characteristics – e.g. ethnicity, language, nationality, country of birth and free school meal eligibility
- Attendance information – e.g. number of absences and absence reasons
- Assessment information – e.g. national curriculum assessment results
- Relevant medical information
- Information relating to SEND
- Behavioural information – e.g. number of temporary exclusions
- Photographs and video – for educational and promotional use after consent

Why we need data and our legal basis for processing it

At Hemington Primary School, 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 or we need it to perform an official task in the public interest. We may also use a Data Subject's information to protect the individual's vital interests (or someone else's interests).

Less commonly, we may also process pupils' personal data in situations where we have obtained consent to use it in a certain way.

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 that justify our use of this data. When we use the data, we meet the legal requirements as set out in the UK-GDPR and UK law, including those in relation to the following:

- Education Act 1996
- Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013

In accordance with the above, the personal data of pupils and their families is collected and used for the following reasons:

- To support pupil learning
- To monitor and report on pupil progress
- To provide appropriate pastoral care
- To assess the quality of our service
- To comply with the law regarding data sharing
- To safeguard pupils
- To contact parents/carers with updates and/or news about the school

What we do with it

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

The school is required to share pupils' data with the DfE on a statutory basis. The NPD is managed by the DfE and contains information about pupils in schools in England. Hemington Primary School is required by law to provide information about our pupils to the DfE as part of statutory data collections, such as the school census; some of this information is then stored in the NPD. The DfE may share information about our pupils from the NPD with third parties who promote the education or wellbeing of children in England by:

- Conducting research or analysis
- Producing statistics
- Providing information, advice or guidance

The DfE has robust processes in place to ensure that the confidentiality of any data shared from the NPD is maintained. Hemington Primary School will not share your personal information with any third parties without your consent, unless the law allows us to do so. The school routinely shares pupils' information with:

- Educational portals (administration and educational purposes)
- Pupils' destinations upon leaving the school

- The LA
- The NHS
- The DfE
- Schools that the pupils attend after leaving us
- Other schools in our group
- Professional advisers and consultants
- Suppliers and service providers
- Our regulator, Ofsted (the organisation that supervises us)
- Other agencies that support your child's wellbeing

Artificial Intelligence

We use AI to help automate some of the manual tasks we need to complete. AI helps us with data driven decision making, repetitive and rule-based tasks, and predictive analytics. We do not routinely use personal data when using AI. If we do use personal data, we ensure a Data Protection Impact Assessment has been completed to identify any risks in the process for data subjects.

We do not allow our data to be used as part of the Large Learning Model powering the AI solution so that we can ensure any personal data remains within our control. No automated decisions are made using AI. Any AI outputs are verified by our school leaders to ensure accuracy and to identify bias.

No special category or sensitive data is used in AI activities. We have a policy in place and guidance for staff on how to use the technology safely and lawfully. This information is not shared with others and is purely for internal use. The school is the data controller, and the provider of AI technologies is the data processor. Our legal basis for using personal data for this purpose is that it is a task in the public interest. Any information regarding the pupil will be retained in line with our statutory pupil record. No personal information is routinely available outside of the UK. Should a transfer of personal information be necessary we will only do so where it is permitted by law and where appropriate safeguards are in place.

How long do we keep it?

Personal data relating to pupils at Hemington Primary School and their families is stored in line with the school's UK-GDPR Data Protection Policy. In accordance with the UK-GDPR, the school does not store personal data indefinitely; data is only stored for as long as is necessary to complete the task for which it was originally collected and in line with our Retention Policy.

What are your rights?

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold. This is called a Subject Access Request (SAR). To make a request for your personal information, or be given access to your child's educational record, please contact the school.

You also have the right to:

- Be informed about how Hemington Primary School uses your personal data
- Request that your personal data is amended if it is inaccurate or incomplete
- Request that your personal data is erased where there is no compelling reason for its continued processing
- Request that the processing of your data is restricted
- Object to your personal data being processed. Where the processing of your data is based on your consent, you have the right to withdraw this consent at any time

- Claim compensation for damages caused by a breach of the UK-GDPR

Contact details

If you have a concern about the way Hemington Primary School and/or the DfE is collecting or using your personal data, you can raise a concern with the school or you can also contact:

Our Data Protection Officer
Manjit Heer
350 Loughborough Road
Leicester
LE4 5PJ
TEL: 0845 519 1772
EMAIL: info@dpoforschools.co.uk

You may also contact the ICO:
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

They can be contacted on 0303 123 1113 Monday-Friday 9am-5pm.

Useful websites

www.ico.org.uk
In the search box at the top of the page type:

- UK-GDPR for schools
- Data Subject rights

www.gov.uk
In the search box at the top of the page type:

- UK-GDPR
- National Pupil Database
- How we use your data
- Data protection: how we share pupil and workforce data
- Data collection and censuses for schools
- Contact DfE

www.leicestershire.gov.uk
In the search box at the top of the page type:

- UK-GDPR
- Schools
- Education

Where can you find more information?

If you would like to find more information about how we and/or the DfE collect, use and store your personal data, please visit our website to download our UK-GDPR Data Protection Policy or request a copy from the school.