



PRIVACY NOTICE

How we use pupil and young adult information

This notice is to help you understand how and why we collect your personal information and what we do with that information. It also explains the decisions that you can make about your own information. Hillside Specialist School and College is the Data Controller of the pupil personal information you provide to us. This means that the school determines the purposes for which, and the manner in which, any personal data relating to pupils and their families is to be processed.

The School Business Manager is the Data Protection Officer (DPO). The DPO role is to oversee and monitor the school's data protection procedures; with the support of the Senior Leadership Team and to ensure school practices regarding data are compliant with the General Data Protection Regulations (GDPR). The DPO can be contacted on 01772 782205 or email dpo@hillside.lancs.sch.uk.

Further information regarding the GDPR, and the commitment by Hillside Specialist School and College to be data protection compliant, can be found in the Schools Data Protection Policy – a copy of this can be found on the school website -

The categories of pupil and young adult information that we collect, hold and share include (list not exhaustive):-

- Personal information (such as name, unique pupil number, unique learning number, contact details of parent/carers including address, views through parent questionnaires and safeguarding data)
- Characteristics (such as ethnicity, language, nationality, country of birth, free school meal eligibility and pupil premium eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Medical information given to us by parents and other third parties such as NHS Trusts, GPs and allied medical professionals (eg Speech and Language, Occupational Therapy).
- Behavioural information (such as behaviour charts, behaviour support plans and positive handling plans)
- Special Educational Needs and Disability information (such as EHCP and professionals involved with pupil)
- Assessment information (such as record of achievements, qualification and accreditation information, record of exams taken and results gained)

Why we collect and use this information:

We use pupil data to ensure we provide the right educational provision within school and the wider curriculum:-

- to support teaching and learning;
- to meet legal requirements and legitimate interests

- to monitor and report pupil progress
- to provide an adequate level of support to access the curriculum
- to assess the quality of our services
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing
- for identification and safeguarding purposes
- to provide pupils with a voice
- to tailor individual needs of pupils, such as medical, behaviour and care plans.

The lawful basis on which we use this information

On 25 May 2018 the Data Protection Act 1998 was replaced by the General Data Protection Regulations (GDPR). The conditions for processing data under GDPR are stated below.

Article 6

1. Processing shall be lawful only if and to the extent that **at least one** of the following applies:

- We have **consent**
- Processing is necessary for compliance with a **legal obligation** to which the controller is subject.
- Processing is necessary for the performance of a **contract**.
- Processing is in our **vital interests**, eg to protect someone's life.
- It is necessary to perform a **public task** or official functions which have a clear basis in law.
- Processing is necessary for our **legitimate interests**.

The Education Act 1996 – Section 537A – states that we provide individual pupil information as the relevant body such as the Department for Education.

The Children's Act 1989 – Section 83 – places a duty on the Secretary of State or others to conduct research.

Collecting pupil information

Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

How long do we keep your data?

Data relating to pupils at Hillside Specialist School and College and their families is stored in line with the school's Data Protection Policy and Retention and Destruction Schedule.

In accordance with 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. We do not collect or store any biometric data.

Sharing Pupil Information

We routinely share pupil information with:

- Schools that the pupil's attend after leaving us
- Our Local Authority and Local Authorities as applicable
- School Nurse
- Approved contractors such as Education Transport Providers and ICT Support
- The Department for Education (DfE)
- Childrens Social Care
- Child, Adolescent Mental Health Service (CAMHS)
- Lancashire Care NHS Trust
- School Spider
- CPOMS
- Wonde (free school meal voucher provider)
- EdenRed (free school meal voucher)
- BSquared Assessment Tool
- Speech and Language Therapy
- Occupational Therapy Services
- Respite providers
- Pearson/ASDAN – qualifications and external moderation/examinations boards
- Professionals involved with research and development at Higher Educational Establishments. Pupil data will only be shared for research and development purposes where the parent/legal guardian has given unambiguous consent.

Why we share pupil and young adult information

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

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

We are required to share information about our pupils 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-collectionand-censuses-for-school>

Youth Support Services

Pupils aged 13+

Once pupils reach the age of 13 we pass pupil information to our Local Authority

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and/or provider of youth support services as they have responsibilities in relation to the education or training of 13-19 year olds under section 507B of the Education Act 1996. This enables them to provide services as follows:

- Youth support services
- Careers advice

A parent or carer can request that **only** their child's name, address and date of birth is passed to their Local Authority or provider of youth support services by informing us. This right is transferred to the child/pupil once he/she reaches the age of 16 where they are deemed to have the mental capacity to understand and make this decision.

Pupils/Young Adults aged 16+

We will also share certain information about pupils aged 16+ with our Local Authority and/or provider of youth support services as they have responsibilities in relation to the education or training 13-19 year olds under section 507B of the Education Act 1996.

This enables them to provide services as follows:

- Post-16 education and training providers
- Youth support services
- Careers advice

For more information about services for young people, please visit our Local Authority website – <https://www.lancashire.gov.uk>

Parent and Pupil Rights

Parents and pupils have the following rights in relation to the processing of their personal data. You have the right to:

- Be informed about how Hillside Specialist School and College uses your personal data.
- Request access to the personal data that Hillside Specialist School and College holds.
- 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.

If you have a concern about the way Hillside Specialist School and College and/or the DfE is collecting or using your personal data, you can raise a concern with the Information Commissioner's Office (ICO). The ICO can be contacted on 0303 123 1113, Monday-Friday 9am-5pm.

Access to Personal Data

Under data protection legislation, 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 our School Business Manager.

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
- claim compensation 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, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

The National Pupil Database (NPD)

The NPD is owned and managed by the Department for Education and contains information about pupils 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 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 NPD, go to <https://www.gov.uk/government/publications/national-pupildatabase-user-guide-and-supporting-information> The department may share information about our pupils 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>