

# THE HARVEY GRAMMAR SCHOOL



## Privacy Notice

Pupils/Parents/Carers

January 2023

## Introduction

We, The Harvey Grammar School are a data controller for the purposes of the General Data Protection Regulation (GDPR). We collect information from you and may receive information about you from third parties.

### The categories of pupil information that we collect, process, hold and share include:

- personal information (such as name, date of birth, unique pupil number, address and parental custody orders)
- photograph
- special categories of data including characteristics information (such as age, ethnic group, language, nationality, country of birth and free school meal eligibility, biometrics)
- attendance information (such as sessions attended, number of absences and absence reasons)
- assessment information (such as assessment results)
- medical information (such as disabilities, allergies or illnesses, emergency contacts)
- special educational needs information (such as care plans)
- behavioural information (number of exclusions)
- post 16 learning information

### The categories of parent/carer information that we collect, process, hold and share include:

- personal information (such as name, address, telephone numbers and legal orders)
- financial information (such as bank statement etc.)
- medical information (such as disabilities, illnesses)

## Why we collect and use this information

We use the pupil data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing
- to safeguard pupils
- to maintain our own accounts and records
- to support pupil's career guidance

We use the parent/carer data:

- to provide appropriate pastoral care
- to comply with the law regarding data sharing
- to safeguard pupils
- to maintain our own accounts and records
- to prove earnings /eligibility

## The lawful basis on which we process this information

We process this information under the following lawful basis:

- **Legal Obligation:** the processing is necessary for us to comply with the law
  - School Census – Statutory requirement under Section 537A of the Education Act 1996.
  - Safeguarding – Statutory requirement under Section 175 of the Education Act 2002 and Section 83 of the Children Act 1989.
- **Consent:** the data subject has given explicit consent to the processing of their personal data for one or more specific purposes
  - Photography and Images of Children – professional photographs taken of pupils to sell to parents/carers. Photographs of activities involving pupils for displays, in our school's prospectus or other printed publications that we produce, as well as on our website. We may also make video or webcam recordings for school-to-school conferences, monitoring or other educational use. Please note that photographs taken for ID purposes within school are processed in line with our legal obligation to safeguard students.

- Biometric Identification – biometric data is used for the purpose of the cashless catering system in the Diner.
- Off-site education and school representation – personal data, including medical information is processed for activities throughout the school year.
- **Public interest:** the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller
  - Publication of examination results – media, school marketing.
- **Legitimate interest:** the processing is necessary for the legitimate interests of an individual or a third party, unless there is a good reason to protect the individual’s personal data, which overrides those legitimate interests.
  - Online educational resources or advice – sourcing tailored support.
  - Claims for free school meals/bursaries etc

## Collecting information

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are required to provide this data or if you have a choice in this. In particular, parents, carers and pupils do have the right to decline to provide information on pupil nationality and country of birth.

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.

## Storing data

We hold personal data electronically on our internal computer systems. In addition, the school maintains hard copies of information which are stored securely until the pupil reaches the age of 25, in accordance with the Limitation Act 1980 (Section 2) or the age of 30, if the student was statemented or had an EHCP in order to protect against a “failure to provide a sufficient education” case. After this time the only information we hold is the pupil’s name, date of birth, email address, dates of attendance, examination results, destination, admission number and unique pupil number. This remaining data will be held for historical purposes and to enable ex-students to allow potential employers to check this information.

## Who we share pupil information with

We share pupil information with:

- schools/Further Education/Higher Education settings that the pupils apply to or attend after leaving us
- current, past or prospective employers
- our local authority, Kent County Council (KCC)
- the Department for Education (DfE) and central government
- The Folkestone School for Girls if Sixth Form pupils attend lessons there
- Offsite learning providers, careers and examining bodies
- the NHS and healthcare professionals
- family, associates and representatives of the person whose personal data we are processing
- third party professional services i.e. Social Services, Social Care Teams
- law enforcement organisation and courts
- business associates and other professional advisers (such as Work Experience providers)
- Innovate Services Ltd (school Catering)
- BioStore Ltd (Biometrics and software for school catering)
- financial organisations
- security organisations
- press and the media (in line with the consent provided)
- school trips organisations
- insurance company
- peripatetic agencies (music tuition)
- online educational resource and advice providers (such as online tailored support)
- third party service providers i.e. WisePay, Weduc

## Who we share parent/carer information with

We share parent/carer information with:

- schools/Further Education/Higher Education settings that the pupils apply to or attend after leaving us
- our local authority, Kent County Council (KCC)
- The Folkestone School for Girls if Sixth Form pupils attend lessons there
- the NHS and healthcare professionals
- family, associates and representatives of the person whose personal data we are processing
- third party professional services i.e. Social Services, Social Care Teams
- third party service providers i.e. WisePay, Weduc
- law enforcement organisation and courts
- business associates and other professional advisers (such as Work Experience providers)
- Innovate Services Ltd (school Catering)
- school trips organisations
- insurance company
- peripatetic agencies (music tuition)
- online educational resource and advice providers (such as online tailored support)

## Transfers

It may sometimes be necessary to transfer personal information overseas. When this is needed, information may be transferred to countries or territories around the world. Any transfers made will be in full compliance with all aspects of the GDPR.

## Why we share pupil information

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

### Department for Education (DfE)

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 the (DfE) under regulation 5 of The Education (Information about Individual Pupils) (England) Regulations 2013.

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>.

### Youth support services

#### Pupils aged 13+:

Once our pupils reach the age of 13, we also pass pupil information to our local authority 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.

We must provide both you and your parents'/carers' name(s) and address, and any further information relevant to the support services' role; this will include telephone contact details.

This enables them to provide services as follows:

- youth support services
- careers advisers

A Parent/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 16.

#### Pupils aged 16+:

We will also share certain information about pupils aged 16+ with our local authority (KCC) 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:

- post-16 education and training providers
- youth support services
- careers advisers

KCC has a legal responsibility to track all young people up to the age of 19 (and young adults with learning difficulties or disabilities up to the age of 25). The purpose of collecting this information is to assist the planning of education and training for young people and the support services they require. KCC will inform us of your current activity once you have left the school. This is in relation to education, training, employment with training you may be undertaking and whether you are NEET (not in Education, Employment or Training). Some of this information is then shared with the DfE who use the information to plan at a national level.

For more information about services for young people, please visit our local authority website

<http://www.kent.gov.uk/education-and-children>.

### **Learning Records Service**

#### **Pupils aged 14+:**

For pupils enrolling for post 14 qualifications, the Learning Records Service will give us a pupil's unique learner number (ULN) and may also give us details about the pupil's learning or qualifications.

### **The National Pupil Database (NPD)**

The NPD is owned and managed by the DfE 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-pupil-database-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>

## Requesting access to your personal data

Under data protection legislation, parents/carers 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 designated Data Protection Officer at [dpo@harveygs.kent.sch.uk](mailto:dpo@harveygs.kent.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
- claim compensation for damages caused by a breach of the Data Protection regulations
- 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 we are collecting or using your personal data, we ask 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/>

## Further information

If you would like to discuss anything in this privacy notice, please contact:

Data Protection Officer  
The Harvey Grammar School  
Cheriton Road  
Folkestone  
Kent  
CT19 5JY

[dpo@harveygs.kent.sch.uk](mailto:dpo@harveygs.kent.sch.uk)

01303 252131

**A copy of this privacy notice is available on our school intranet**