



Hayes School

Hayes Road

Paignton

Devon

TQ4 5PJ

Telephone: 01803 557336 Fax: 01803 664829

Email: admin@hayes.torbay.sch.uk

Website: www.hayes.torbay.sch.uk

Headteacher M C Hanbury B.Ed (Hons)

Privacy Notice - (How we use pupil information)

We, Hayes School, are a data controller for the purposes of the Data Protection Act. We collect personal information from you and may receive information about you from your previous school and the Learning Records Service.

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

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

- Personal information (such as name, unique pupil number and address).
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility, special educational needs, medical information, exclusions and behavioural information).
- Attendance information¹ (such as sessions attended, number of absences and absence reasons).
- National curriculum assessment results.

The lawful basis on which we use this information

We collect and use pupil information under Article 6 of the General data Protection Regulations (GDPR), where processing is necessary for compliance with a legal obligation to which the school is subject; where processing is necessary to protect the vital interests of the data subject or of another natural person; and where 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 school.

We process personal data under Article 9 of the GDPR where:

- Processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the school;
- Processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent; and
- Processing is carried out in the course of the school's legitimate activities with appropriate safeguards.

¹ Attendance information is **NOT** collected as part of the Censuses for the Department for Education for the following pupils / children - a) in Nursery schools; b) aged under 4 years in Maintained schools; c) in Alternative Provision; and d) in Early Years Settings.

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.

Storing pupil data

We hold pupil data for the length of time your child attends our school.

Who we share pupil information with

We routinely share pupil information with:

- schools that the pupils attend after leaving us
- our local authority (LA)
- the Department for Education (DfE)
- the school nursing service
- the National Health Service

Why we share pupil 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 on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

We will not give information about you to anyone without your consent unless the law and our policies allow us to.

We are required to provide data to external agencies under the following Acts:

- [section 114 of the Education Act 2005](#)
- [section 537A of the Education Act 1996](#)
- [section 83 of the Children Act 1989](#)
- [Regulation 5 of The Education \(Information About Individual Pupils\) \(England\) Regulations 2013.](#)

The National Pupil Database (NPD)

The NPD is owned and managed by the Department for Education and holds information about pupils in schools in England. It provides evidence on educational performance for independent research and DfE studies. It is held in electronic format for statistical purposes. The information is securely collected from sources including schools, local authorities and awarding bodies.

We are required by law, to provide pupil information to the DfE through statutory data collections such as the school census and early years' census. Some of this information is stored in the NPD. To find out more about the NPD, see <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 data is maintained and there are strict controls regarding access and use of data. Decisions on whether DfE releases data to third parties are subject to an approval process and based on a detailed assessment of:

- who is requesting the data



Hayes School

Hayes Road

Paignton

Devon

TQ4 5PJ

Telephone: 01803 557336 Fax: 01803 664829

Email: admin@hayes.torbay.sch.uk

Website: www.hayes.torbay.sch.uk

Headteacher M C Hanbury B.Ed (Hons)

- 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 data, security arrangements and retention and use of data. For information about DfE's data sharing processes, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

<https://www.gov.uk/government/publications/national-pupil-database-requests-received>

Requesting access to your personal data

Under data protection legislation, parents and pupils have the right to access information held about them. To make a request for your personal information, or be given access to your child's educational record, contact the data protection officer at the school (contact details below).

You also have the right to:

- object to processing of personal data that is likely to cause/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 collect or use your personal data, please raise your concern with us in the first instance. Alternatively, contact 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: Mrs Allison Grant, Data Protection Officer, by email at: agrant@hayes.torbay.sch.uk or telephone: 01803 557336.

For more information about how the LA and DfE use your information, please see:

<http://www.education.gov.uk/researchandstatistics/datatdatam/privacynotices/b00212337/datause>

<http://www.torbay.gov.uk/council/policies/cs/privacy-notices/>

If you cannot access these websites, please contact the LA or DfE as follows:

School Improvement
Torbay Council
Tor Hill House, 1st Floor South
Torquay, TQ1 3DR
Tel: 01803 208916

Public Communications Unit,
Department for Education
Sanctuary Buildings, Great Smith Street
London, SW1P 3BT. www.education.gov.uk
Email: <http://www.education.gov.uk/help/contactus>
Telephone: 0370 000 2288

¹ Attendance information is **NOT** collected as part of the Censuses for the Department for Education for the following pupils / children - a) in Nursery schools; b) aged under 4 years in Maintained schools; c) in Alternative Provision; and d) in Early Years Settings.