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Hevingham Under 5's Privacy Notice 2023

We at Hevingham and Marsham Primary Partnership are the Data Controller for the purposes of the Data Protection Act. We collect information from you. The categories of 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)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment information (national curriculum assessment results, teacher assessments)
- Medical conditions, allergies etc.
- SEND information
- Behavioural information
- Photographs (for identification purposes, as part of online learning journeys – Tapestry)

We may receive information about you from your previous school, Children's services, the police and the NHS. We hold this personal data and use it to protect pupil welfare:

- support pupils teaching, learning and development
- monitor and report on their progress
- provide appropriate pastoral care
- assess how well the school as a whole is doing
- to support your transition to high school
- complete statutory census returns

We collect and use pupil information under lawful basis from article 6:

- **Legal obligation:** the processing is necessary for you to comply with the law (not including contractual obligations).
- **Public task:** the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.

and under lawful basis from article 9:

- Processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

Our basis for using special category data

For 'special category' data, we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in UK data protection law:

- We have obtained your explicit consent to use your child's personal data in a certain way
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law
- We need to protect an individual's vital interests (i.e. protect your child's life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for the establishment, exercise or defence of legal claims
- We need to process it for reasons of substantial public interest as defined in legislation
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest

Consent

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.

If we do require your consent, this will be done separately to this privacy notice and will require your signature. If however you wish to withdraw your consent you have the right to do so.

Storing pupil data

We hold pupil data until they move onto high school at the end of Year 6 or move to a different school before this point. If children are home educated we will keep their information until they are 25 years old. Electronic data is kept for 3 years after a child has left us.

We use retention guidelines produced by the Information and Records Management Society to make sure we do not have possession of data for longer than is required.

Who we share pupil information with and why

This data may only be used or passed on for specific purposes as allowed by law. From time to time the school is required to pass on some of this data to:

- our local authority
- a school that a pupil attends after leaving us
- the 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).
- agencies that are prescribed by law - for example social services, early help, NHS and other agencies the school works with
- We also have to share data with after school club providers and residential settings. Some companies may pass on data they hold to third parties.

All these are data controllers in respect of the data they receive, and are subject to the same legal constraints in how they deal with the data. We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so.

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. 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>.

If you require more information about how the LA and/or DfE store and use this data please go to the following websites:

- <http://www.schools.norfolk.gov.uk/School-administration/Legal/Privacy-notice/index.htm>

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

If you are unable to access these websites, please contact the LA or the DfE as follows:

- Records & File Access Manager,
Children's Services,
County Hall,
Room 22,
Martineau Lane,
Norwich,
NR1 2DL
Email: info.management@norfolk.gov.uk
Tel: 01603 223839
- Ministerial and Public Communications Division
Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD
Contact form <https://www.gov.uk/contact-dfe>
Telephone 0370 000 2288
Fax 0161 600 1332

Please see appendix 1 for more information on the National Pupil Database. 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.

Requesting access to your personal data

Pupils, as data subjects, have certain rights under the Data Protection Act, including a general right to be given access to personal data held about them by any data controller. The presumption is that by the age of 12 a child has sufficient maturity to understand their rights and to make an access request themselves if they wish. A parent would normally be expected to make a request on a child's behalf if the child is younger.

If you wish to access your personal data, or that of your child, then please complete a subject access request from which can be found on the schools website. This then needs to be emailed or handed in to one of the school offices.

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 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. You can contact our Data Protection Officer as per below contact details:

Mrs Ané van den Berg avandenberg@aylshamhigh.norfolk.sch.uk
Telephone: 01263 733270

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

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

Appendix 1 –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-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>