



**PRIVACY NOTICE: Secondary Academies**

**ADOPTED: June 2023**

**REVIEW PERIOD: Annually**

**REVIEWER: C. Bolton**

## **Privacy Notice – (How we use pupil information)**

Hawkley Hall High School is the data controller for information it uses and that is used by the Trust: To run the Academies and help learning and achievement, the school collects and uses information about pupils. In this document the school is referred to as 'We' or 'Ours'. Pupils are referred to as 'You' or 'Your'

Much of the information we collect is classed as 'personal data' and our use of it is covered by a set of rules called the General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.

This document tells you more about:

- The information we collect
- What we use the information for
- How your information is stored and how long we keep it
- What rights you have to the information

### **What Information do we collect and use about pupils?**

We collect many different categories of information, for example:

- Personal details
- Contact details
- Family details
- Admission records
- Attendance records
- Pupil and curricular records
- Absence details
- Behaviour records
- Behaviour management records
- Academic progress
- Examinations details
- Trips and visits
- Extra-curricular activities
- Photographs of you
- Images from CCTV
- Files, messages, documents and artwork you have produced
- Records of discussions with members of staff
- Records of your use of school IT systems

In some cases, we will also have:

- Information about consultation with other professionals
- Information about supporting for your learning
- Records of any school equipment loaned to you
- Information about plans for career or post 16 education choices

Some of the personal data we keep is given greater protection and is known as special category personal data.

Special category data that we collect and use about you includes

- Information about health conditions
- Information about sickness related absences
- Information about your ethnic origin
- Eligibility for free school meals
- Safeguarding information

[If you use any form of biometric based systems (for example, fingerprint scanning for school meals)]

- Biometric data used to identify you

### **Why we collect and use this information**

We use the information

- To support the admissions process
- To support your learning
- To keep children safe (food allergies, or emergency contact details)
- To monitor and report on your academic progress
- To enable you to take part in exams
- To provide appropriate pastoral care
- To help us manage any health conditions that may affect your learning
- To comply with our legal obligations to share information
- To check the quality of our services

### **The legal basis for using this information**

Depending on the purpose, our use of your information will be legal due to one of the following:

- Informed consent given by you or your parent or legal guardian [Article 6(1)(a)]  
For example: The use of your photographs on our website
- To meet a legal requirement [Article 6(1)(c)]  
For example: Providing information for the Education Department Census
- To protect the vital interests of you or someone else [Article 6(1)(d)]  
For example: Giving your family details to emergency services
- Delivering a public task [Article 6(1)(e)]  
For example: Recording your attendance at school each day

Where we use special category data, our use is legal due to one of the following reasons:

- Explicit informed consent given by you or your parent or legal guardian [Article 9(2)(a)]  
For example: Using your fingerprints to identify you to our IT systems
- We are legally obliged to collect and use it [Article 9(2)(b)]  
For example: Information about your ethnic origin or any disability

- To protect the vital interest of you or someone else [Article 9(2)(c)]  
For example: Giving detail of health conditions to the emergency services
- Because it is part of delivering a public service [Article 9(2)(g)]  
For example: Holding data on any medical condition so that we can help you manage it

### **Collecting this information**

We collect pupil information via:

- Data provided by the local authority
- Data collection through the pupil registration documents
- Through the Common Transfer File (CTF) from previous school

While the majority of information we collect about pupils is mandatory, there is some information that can be provided voluntarily. Whenever we seek to collect information from you or your child, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

### **Storing your personal data**

Most of the personal data that we collect, and use is added to your Educational Record. This record is kept while you attend School. If you leave **an School**, then the record will be:

If you move to another school, we will transfer a copy of your records to the new school.

We retain a full copy of your record until your 25<sup>th</sup> birthday. After this we will dispose of all the records securely.

If your record contains information about SEND requirements, then your file will be retained until your **[35<sup>th</sup>]** birthday.

Some personal data is kept for different lengths of time. For example.

- Records of your admission to the school are kept permanently. We do this as pupils often ask us to confirm the dates they attended an School.
- Detailed information about your daily attendance is kept for three years
- Information about free school meals is kept for the current year and 6 years afterwards

If you'd like to know how long we keep a specific piece of personal data, please contact the Data Protection Officer whose details can be found at the end of this Privacy Notice.

### **Sharing your personal data**

At times we will share your personal data with other organisations and people. We will only do this when we are legally required to do so, when our policies allow us to do so or when you have given your consent.

Examples of people we share personal data with are:

- Local Education Authority (LEA); to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions.
- Family, associates and representatives of the person whose personal data we are processing who are authorised to receive the data
- The Department for Education
- The National Pupil Database
- Examining bodies
- Our regulator Ofsted: to meet our statutory obligations to report information such as census data and assessment data.
- Health authorities and organisations such as CAHMS, Speech and Language, School Nurse and other NHS services - to meet our legal obligations to share certain information, including safeguarding or as vital interest.
- Police forces and Courts
- Voluntary and charitable organisations
- Our suppliers and service providers
- Financial organisations e.g., the Educational Skills and Funding Agency – to enable us to meet our statutory requirements for finance and audit, for reporting purposes.
- Press and the media
- Youth Support Services (Over 13 years)
- Careers service
- School trusts

Where we share your personal data with someone who is a supplier or service provider, we have taken steps to ensure that they treat your personal data in a way that meets the requirements of the GDPR.

**Youth support services** – pupils aged 13+

Once our pupils reach the age of 13, we are legally required to pass on certain information about them to the Local Authority in which the school is located, as it has legal responsibilities regarding the education or training of 13–19-year-olds.

This information enables it to provide youth support services, post-16 education and training services, and careers advisers.

Parents/carers, or pupils once aged 16 or over, can contact our data protection officer to request that we only pass the individual’s name, address and date of birth to the Local Authority.

**Youth support services** – pupils 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 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

A child / pupil once they reach the age of 16 can object to only their name, address and date of birth is passed to their local authority or provider of youth support services by informing us.

Data is securely transferred to the youth support service via secure methods and is stored securely and held for the time as defined in our Data Retention Policy.

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

National Pupil Database We are required to provide information about pupils to the Department for Education as part of statutory data collections such as the school census and early year's census under.

### **National Pupil Database**

We are required to provide information about pupils to the Department for Education as part of statutory data collections such as the school census and early year's census under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

Some of this information is then stored in the [National Pupil Database \(NPD\)](#), which is owned and managed by the Department of Education and provides evidence on school performance to inform research.

The database is held electronically so it can easily be turned into statistics. The information is securely collected from a range of sources including schools, local authorities and exam boards.

The Department for Education may share information from the NPD with other organisations which promote children's education or wellbeing in England. Such organisations must agree to strict terms and conditions about how they will use the data.

For more information, see the Department's webpage on [how it collects and shares research data](#). You can also [contact the Department for Education](#) with any further questions about the NPD.

### **Your rights to your personal data**

You have rights relating to the personal data that we collect and use. The rights you have depend on the legal basis of us using the information. If we are using your personal data based on your consent, you can withdraw that consent and we will stop using that personal data. Withdrawing your consent will need to be recorded in writing, please contact the Data Protection Officer.

#### **The right to be informed:**

If you ask us, we must tell you if we are collecting or using your personal data.

If we are collecting or using your personal data, you have:

### **The right of access to your personal data**

You have the right to view the personal data that we hold about you, to receive a copy of the data and to be given more information about the data including any transfer to countries who do not fall under the requirements of the GDPR.

Some information we hold cannot be accessed in this way. If you ask for information that is not available, there may be other ways of accessing it and we can help you.

To have access to your personal data we will need to collect details of what you want and in the first instance you can contact the Data Protection Officer whose details can be found at the end of this Privacy Notice.

### **Other rights**

You also have rights to ask us to correct inaccurate personal data, to ask us to stop using it or to object to us using it. For some data you may have the right to ask us to erase it, to provide it in an electronic format that you can give to someone else. For some personal data if we are subjecting it to automated decision making then you have the right to object to this and request that a person is involved.

You will be given full details of these rights if you request access to your personal data or you can ask the Data Protection Officer.

### **Parents or Guardian's rights to access your personal data**

For pupils in Year 7, we will usually ask your parents or guardian to confirm that you can access the personal data. We will also provide your personal data to your parents or guardian if they request it.

Once you reach Year 8, we will usually consider that you can make decisions about your personal data. This means that in most cases you can request access to your personal data and we will not ask your parents for their permission. It also means that we will not normally release your personal data to your parents or guardian without your permission.

There may be occasions where we need to provide personal data to your parents or guardian without your consent. These are likely to occur if there is a concern about your safety. We may also release personal data if your behaviour creates concern for the safety or progress of others.

We will still need to ask permission from your parents or guardian for you to take part in some school and extra-curricular activities. The requirement for this permission overrides the protection of your personal data.

We are required to provide your parents or guardian with an annual report of your progress at school. We will offer the opportunity for your parents or guardian to come into school to discuss this report with your teachers and other members of staff.

At the start of each school year, we will ask you if you are willing for these reports to be sent more often, but you do not have to give this permission.

**Who to contact:**

The School has the responsibility to ensure that your personal data is protected. It is called the **data controller**. All members of staff work for the data controller.

We recommend that you contact the data protection administrator:

Name of Person: Stephen Holt  
Email address: dpl@hhhs.net  
Contact number: 01942 204 640  
Contact address: Hawkley Hall High School, Carr Lane, Wigan. WN3 5NY

Trusts are also required to have someone called a Data Protection Officer or DPO. The DPO advises the Trust about issues to do with data protection, but can also help you, if you have a problem.

Our Data Protection Officer is:

Name of DPO: GDPR Sentry Limited  
email address: support@gdprsentry.com  
Contact number: 0113 804 2035  
Contact address: Unit 434 Birch Park, Thorp Arch Estate, Wetherby, West Yorkshire, LS23 7FG

If you have any questions about this privacy notice, please contact the data protection administrator or the Data Protection Officer.

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/> or call 0303 123 1113.