



## PRIVACY NOTICE PARENTS/CARERS

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about **students**.

We, Hodgson Academy, are the 'data controller' for the purposes of data protection law.

Our Data Protection Officer is Mr M Pickles (see 'Contact us' below).

### The personal data we hold

Personal data that we may collect, use, store and share (when appropriate) about students includes, but is not restricted to:

- Contact details, contact preferences, date of birth, identification documents
- Results of internal assessments and externally set tests
- Student and curricular records
- Characteristics, such as ethnic background, eligibility for free school meals, or special educational needs
- Behavioural and exclusion information
- Details of any medical conditions, including physical and mental health
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV images captured in school

We may also hold data about students that we have received from other organisations, including other schools, local authorities and the Department for Education (DfE).

### Why we use this data

We use this data to:

- Support student learning
- Monitor and report on student attainment and progress
- Provide appropriate pastoral care

- Protect student welfare
- Assess the quality of our services
- Administer admissions waiting lists
- Carry out research
- Comply with the law regarding data sharing
- Meet the statutory duties placed upon us for DfE data collections

### **Our legal basis for using this data**

We only collect and use student's personal data when the law allows us to. Most commonly, we process it where:

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest

Less commonly, we may also process student's personal data in situations where:

- We have obtained consent to use it in a certain way
- We need to protect the individual's vital interests (or someone else's interests)

Under the General Data Protection Regulation (GDPR), the lawful bases we rely for processing information will be:

#### Article 6 Paragraph 1

(a) the data subject has given consent to the processing of his or her personal data for one or more specific purposes;

(c) processing is necessary for compliance with a legal obligation to which the controller is subject;

(d) processing is necessary in order to protect the vital interests of the data subject or of another natural person;

or

(e) 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

In addition, concerning special category data:

#### Article 9 Paragraph 2

(c) 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;

(g) 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;

(j) processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article 89(1) based on 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.

Where we have obtained consent to use student's personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using student's personal data overlap, and there may be several grounds which justify our use of this data.

### **Collecting this information**

We collect student information via our admissions processes, data collection forms, Common Transfer File (CTF) and secure file transfer from previous schools.

Student data is essential for the schools' operational use. While the majority of information you provide and we collect is mandatory, some of it requested on a voluntary basis.

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.

### **How we store this data**

We keep personal information about students while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations. Our Records Management Policy sets out how long we keep information about students.

A copy of our Records Management Policy may be requested from our Data Protection Officer (see 'Contact Us' below).

### **Data sharing**

We do not share information about students with any third party without consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about students with:

- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- The Department for Education (DfE)
- The student's family and representatives
- Educators and examining bodies
- Suppliers and service providers – to enable them to provide the service we have contracted them for

- Health authorities
- Health and social welfare organisations

### **National Pupil Database**

We are required to provide information about students to the Department for Education as part of statutory data collections such as the school census.

Some of this information is then stored in the National Pupil Database (NPD), which is owned and managed by the Department 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.

### **Youth support services**

Once our students reach the age of 13, we are legally required to pass on certain information about them to Lancashire County Council, 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 students 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 Lancashire County Council.

### **Department for Education**

The Department for Education (DfE) collects personal data from educational settings and local authorities via various statutory data collections. We are required to share information about our students with the Department for Education (DfE) either directly or via our local authority for the purpose of those data collections, under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

All data is transferred securely and held by DfE under a combination of software and hardware controls, which meet the current government security policy framework.

For more information, please see 'How Government uses your data' section.

### **Transferring data internationally**

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

## Parents and students' rights regarding personal data

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe.

Parents and students have a right to make a '**subject access request**' to gain access to personal information that the school holds about them.

Parents and students also have the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used to send direct marketing
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing

To exercise any of these rights, please contact our Data Protection Officer.

## Complaints

We take any complaints about our collection and use of personal information very seriously.

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.

To make a complaint, please contact our Data Protection Officer.

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

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

## Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our **Data Protection Officer**:

Mr M Pickles  
Data Protection Officer  
Hodgson Academy  
Moorland Road  
Poulton le Fylde  
FY6 7EU

**20<sup>th</sup> June 2022**