



Kings Langley School

Unlocking Potential for Life

Privacy Notice for Students



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KINGS LANGLEY SCHOOL

PRIVACY NOTICE FOR STUDENTS

Kings Langley School (called the Data Controller) collects data and information about our pupils (called the Data Subjects) so that we can run effectively as a school. This privacy notice explains how and why we collect pupils' data, what we do with it and what rights parents and pupils have.

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

- a. Personal information (such as name, unique pupil number and address);
- b. Characteristics (such as ethnicity, language, medical conditions, and free school meal eligibility);
- c. Biometric data about pupils (for Cashless catering, printing and library systems).
- d. Attendance information (such as sessions attended, number of absences and absence reasons)
- e. Assessment information (such as grades, targets, and teachers comments for pupil reports)
- f. Examinations information (such as Unique Candidate number, internal and public examination entries and results)
- g. Medical information (such as Doctor details, medical conditions, medication, medical history, allergy / dietary information)
- h. Special educational needs information (such as Learning Needs classification, support needed, review information)
- i. Behavioural information (such as Achievement and Behaviour incidents, detentions recorded, exclusions information)
- j. Learning information (such as courses studied, timetables, class groups, Post 16 learning information in the Sixth form)
- k. Welfare information (such as adoption / care information, child protection information)
- l. Contact information (such as telephone, e mail and postal addresses of emergency and parental contacts of the pupil)

From time to time and in certain circumstances, we might also process personal data about pupils, some of which might be sensitive personal data, including information about criminal proceedings / convictions, information about sex life and sexual orientation, child protection / safeguarding. This information is not routinely collected about pupils and is only likely to be processed by the school in specific circumstances relating to particular pupils, for example, if a child protection issue arises or if a pupil is involved in a criminal matter. Where appropriate, such information may be shared with external agencies such as the child protection team at the Local Authority, the Local Authority Designated Officer and / or the Police. Such information will only be processed to the extent that it is lawful to do so and appropriate measures will be taken to keep the data secure.

Why do we collect and use pupil information?

We use the pupil data to support our statutory functions of running a school, in particular:

- a. to decide who to admit to the school;
- b. to support pupil learning;
- c. to monitor and report on pupil attainment progress;
- d. to provide appropriate pastoral care;
- e. to assess the quality of our services;
- f. to comply with the law regarding data sharing;
- g. for the protection and welfare of pupils and others in the school;
- h. for the safe and orderly running of the school;
- i. to promote the school;
- j. to communicate with parents / carers.

The lawful basis on which we use this information

We collect and use personal data in order to meet legal requirements and legitimate interests set out in the GDPR and UK law, including those in relation to the following:



- ☐ Article 6 and Article 9 of the GDPR
- ☐ Education Act 1996
- ☐ Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013

Where the personal data we collect about pupils is sensitive personal data, we will only process it where:

- a. we have explicit consent;
- b. 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 / or
- c. processing is necessary for reasons of substantial public interest, on the basis of UK 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.

Please see our Data Protection Policy (4.13 & 5.3) on the school website for a definition of sensitive personal data.

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. Where appropriate, we will ask parents / pupils (Year 8 and above) for consent to process personal data where there is no other lawful basis for processing it, for example where we wish to use photos or images of pupils on our website, in our school prospectus or on social media to promote school activities. Parents / pupils (Year 8 and above) may withdraw consent at any time by contacting the Data Protection Officer at the school.

In addition, the School uses CCTV cameras around the school site for security purposes and for the protection of staff and pupils. CCTV footage may be referred to during the course of disciplinary procedures (for staff or pupils) or to investigate other issues. CCTV footage involving pupils will only be processed to the extent that it is lawful to do so. Please see our CCTV policy for more details.

Storing pupil data

We hold pupil data securely for the timescales referred to in our School Records Management policy.

Who do we share pupil information with?

We routinely share pupil information with:

- education settings that pupils attend after leaving us;
- our local authority Hertfordshire County Council;
- a pupil's home local authority (if different);
- the Department for Education (DfE);
- school governors / trustees;
- exam boards;

From time to time, we may also share pupil information with other third parties including the following:

- the Police and law enforcement agencies;
- NHS health professionals including the school nurse, educational psychologists,
- Education Welfare Officers;
- Courts, if ordered to do so;
- the National College for Teaching and Learning;
- the Joint Council for Qualifications;
- Prevent teams in accordance with the Prevent Duty on schools;
- other schools, for example, if we are negotiating a managed move and we have your consent to share information in these circumstances;
- our HR providers, for example, if we are seeking HR advice and a pupil is involved in an issue;



- UCAS
- our legal advisors;
- our insurance providers / the Risk Protection Arrangement;

Some of the above organisations may also be Data Controllers in their own right in which case we will be jointly controllers of your personal data and may be jointly liable in the event of any data breaches. In the event that we share personal data about pupils with third parties, we will provide the minimum amount of personal data necessary to fulfil the purpose for which we are required to share the data.

Aged 14+ qualifications

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.

Why we share pupil information

We do not share information about our pupils with anyone without consent unless the law allows us to do so.

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.

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.

This enables them to provide services as follows:

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

A parent / guardian 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.

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

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 pupils 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.

Requesting access to your personal data

Under data protection legislation, pupils, and in some circumstances, parents, have the right to request access to information about them that we hold ("Subject Access Request"). From the age of 13, we generally regard pupils as having the capacity to exercise their own rights in relation to their personal data. This means that where we consider a pupil to have sufficient maturity to understand their own



rights, we will require a Subject Access Request to be made by the pupil and not their parent(s) on their behalf. This does not affect any separate statutory right parents might have to access information about their child.

Subject to the section below, the legal timescales for the School to respond to a Subject Access Request is one calendar month. As the School has limited staff resources outside of term time, we encourage parents / pupils to submit Subject Access Requests during term time and to avoid sending a request during periods when the School is closed or is about to close for the holidays. This will assist us in responding to your request as promptly as possible. [For further information about how we handle Subject Access Requests, please see our Data Protection Policy].

Parents of pupils who attend academies have a separate statutory right to receive an annual written report setting out their child's attainment for the main subject areas which are taught. This is an independent legal right of parents rather than a pupil's own legal right which falls outside of the GDPR, therefore a pupil's consent is not required even if a pupil is able to make their own decisions in relation to their personal data, unless a court order is in place which states otherwise.

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

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Last updated

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated on 20th February 2019.

Contact:

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

- Mrs E Hughes, Database and Admissions Coordinator.
- Mrs D Bell, Data Protection Officer

E Mail address: admin@kls.herts.sch.uk

How Government uses your data

The pupil data that we lawfully share with the DfE through data collections:

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school.
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Pupil Progress measures).
- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school)

Data collection requirements

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>



The National Pupil Database (NPD)

Much of the data about pupils in England goes on to be held in 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.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

Sharing by the Department

The law allows the Department to share pupils' personal data with certain third parties, including:

- schools and local authorities
- researchers
- organisations connected with promoting the education or wellbeing of children in England
- other government departments and agencies
- organisations fighting or identifying crime

For more information about the Department's NPD data sharing process, please visit:

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

Organisations fighting or identifying crime may use their legal powers to contact DfE to request access to individual level information relevant to detecting that crime. Whilst numbers fluctuate slightly over time, DfE typically supplies data on around 600 pupils per year to the Home Office and roughly 1 per year to the Police.

For information about which organisations the Department has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website: <https://www.gov.uk/government/publications/dfe-external-data-shares>

How to find out what personal information DfE hold about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the Department, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/departments-for-education/about/personal-information-charter>

To contact DfE: <https://www.gov.uk/contact-dfe>