PRIVACY NOTICE: Parents' & Pupils' Data

INTRODUCTION

Heathfield Community College is a 'data controller' for the purposes of the Data Protection Act (2018) & UK GDPR as amended by the Data Use & Access Act 2025. We collect information from you and may receive information about you from your previous school and the Learning Records Service. If you are enrolling for post-14 qualifications, the Learning Records Service will give us your unique learner number (ULN) and may also give us details of any learning you have done in the past or any qualifications you have.

We ensure that your personal information is:

- processed legally & fairly
- correct
- stored safely
- kept for no longer than needed (see our retention schedule on the College website http://www.heathfieldcc.co.uk/?page_id=1595711)
- is deleted as soon as possible after the expiry of the retention period

This document describes:

- why we collect data about you and you children
- what data we collect
- what we do with the data we collect
- what your rights are.

HOW DO WE COLLECT YOUR INFORMATION?

We intend to use an application called Arbor to collect the data that we have to collect. This allows parents / guardians to enter data about themselves and their children, check that it is correct and change it if it is wrong. The app is confidential so that only you can see it UNLESS you share it with someone else.

WHY DO WE COLLECT INFORMATION ABOUT PARENTS / GUARDIANS AND PUPILS?

Data is essential for the schools' operational use. 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 law, we will inform you, at the point of collection, whether you are required to provide certain information to us or if you have a choice in this. If we are entering into a contract with you, eg for a school trip, it will be necessary for us to process your data for this purpose. If we believe there is another legal basis for processing your personal data we will advise you of this at the time we collect the data from you. If we decide we need your consent to process your data we will contact you separately about this.

Where we keep records and information containing personal data for a longer time, we do this for archiving purposes in the public interest. We keep these records to preserve the school's history, key events and collective memory. We will provide access to these records for research or statistical purposes, taking reasonable measures to protect the personal data they may contain.

We collect and hold information about parents / guardians to:

- provide pupils with better education, including during College closures
- provide pupils with better pastoral care
- report on the progress of their children
- facilitate payments for activities and other things that are optional
- help you judge how good the College is
- facilitate the smooth organisation and payments for the College iPad for all pupils' scheme
- facilitate smooth running of the College during a College closure eg bad weather, pandemic
- preserve the College's history and collective memory
- provide parents with the information that the college is legally obliged to send them eg attendance related text messages / emails

- provide parents with information about emergencies eg emails / text messages about school closures

We collect and hold information about pupils to:

- support their teaching and learning eg in planning better lessons, including during College closures
- provide parents with accurate and timely information about the progress of their child as well as whether or not the set work is being completed to an acceptable standard, especially through third party processors eg Sparx Maths & Sparx Reader
- provide pupils with pastoral care and monitor and report on how well they are doing
- help us judge how well the College is doing so that we can improve it
- make sure that pupils are kept safe
- provide pupils with access to post 16 training providers, youth services & careers advisers
- maintain high quality communication with existing and future students and their families during a College closure eg bad weather, pandemic
- preserve the College's history and collective memory

THE LAWFUL BASIS ON WHICH WE PROCESS THIS INFORMATION

The legal reasons why we collect & hold data, including special category data, about parents / guardians are to:

- meet our legal obligations, for example, we have a duty, under section 11 Children Act 2004 to safeguard and promote the welfare of children.
- act in the public interest and exercise our official authority
- complete public tasks
- meet contractual obligations with regard to activities and other things that are optional eg the College iPad scheme
- comply with your consent. We will let you know if we need your consent
- comply with legal requirements for reasons of "public health", for example during a pandemic

The legal reasons why we collect and hold data, including special category data, about pupils is to:

- meet our legal obligations, for example, to transfer data to East Sussex County Council Local Education Authority and the Department for Education (DfE) under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013
- act in the public interest and exercise our official authority
- complete public tasks, in particular to fulfil a public duty under the Children Act 2004 to safeguard and promote your welfare
- to facilitate legitimate reasons for processing your data where we are not harming any of your rights and interests
- to act in the substantial public interest (when processing special category data)
- comply with your consent (for personal data) and to comply with your explicit consent (for special category data). We will let you know if we need your consent.
- comply with legal requirements for reasons of "public health", for example during a pandemic

Please see the school's Special Category Data policy for more information about how we process this type of data. This policy can be found on the College Data Protection website page here: http://www.heathfieldcc.co.uk/?page_id=1595711 .

WHAT INFORMATION DO WE COLLECT ABOUT PUPILS AND THEIR PARENTS / GUARDIANS?

Detail on this can be found in Appendices A & B The following are the categories of data that we Collect:

- Personal & medical information about the child (such as name, unique pupil number, address, as doctor's information, child health, dental health, allergies, medication and dietary requirements)
- Personal information about the child's parent/s or carer/s (such as name and contact details in order to contact you about your child) and any previous schools attended)
- Characteristics & special needs information (such as ethnicity, language, types of special needs &

their ranking and free school meal eligibility)
- Attendance information (eg sessions attended, number of absences and absence reasons and any previous schools attended)
- Assessment information
- Behaviour and safeguarding information (such as exclusions and any relevant alternative provision put in place, court orders and professional involvement)
- Student images, video recordings, CCTV
- Biometric Data

DATA COLLECTION REQUIREMENTS:

To find out more about the data collection requirements placed on us by the Department for Education go to https://www.gov.uk/education/data-collection-and-censuses-for-schools . More information about the National Pupil Database (NPD) can be found in Appendix H.

HOW DO WE STORE PARENT / GUARDIAN OR PUPIL DATA AND FOR HOW LONG?

Your data is stored securely in line with our policies on data protection and online safety and IT security. We keep your data only for as long as we need to process it. The document that guides how long we keep specific types of data is called our retention schedule. The retention schedule can be found on the Data Protection page of the College website (http://www.heathfieldcc.co.uk/?page_id=1595711). Some parent & pupil data, for example, may be held in "cloud" storage such as Google Drive or on the servers of 3rd party software providers. This includes our management information system (Arbor), surveys held at parents' evenings, student voice data, recordings of video conferences and some assessment data, for example, in class quizzes (such as, but not limited to, Kahoot) and internet-based assessments (such as, but not limited to, those provided by Hodder Education).

We will keep a limited and reasonable amount of personal information for a longer time, where it appears in records that are of historic value or it is in the public interest to keep as part of the school's history and collective memory. We store these records securely in our school archive for permanent preservation. / We transfer these records to the local archive at East Sussex and Brighton and Hove Record Office (based at The Keep) for permanent preservation.

DO WE SHARE PARENT / GUARDIAN OR PUPIL INFORMATION?

We may use Artificial Intelligence (AI) tools to help us work more efficiently with your personal data. When we do so, we only use those tools that do not include the user inputs as part of their learning processes.

- We will not give information about parents / guardians or about pupils to anyone outside the College **without their permission unless required by law to do so or we have a legal reason for doing so that is within our policy on data sharing eg fulfilling a public task.**
- The legal reasons why we have to share parent /guardian data are in Appendix C. The other reasons for which we may share your data are in Appendix D
- The legal reasons why we have to share pupil data are listed in Appendix E
- The other reasons why we can share the data of pupils legally are listed in Appendix F
- For Information on how the government uses your data, please see Appendix H
- Other circumstances where we share pupil information legally are listed in Appendix I

TRANSFERRING DATA INTERNATIONALLY

Some of the data that we store about you may be stored or transferred outside of the College. Our Management Information System (Arbor), some online assessment tools, our virtual learning environment, questionnaire tools, video conferencing software all use cloud storage and/or AI enhanced tools, some of which will transfer your data outside of the UK. In the case of AI tools, the data will be temporarily transferred to the USA before being deleted by the AI tool. All incoming emails are received by us after having been transferred to a malicious email filtering system that may involve a temporary transfer of all emails outside of the UK and EEA. We do this to reduce the

risk of the College IT systems being attacked by malicious outside forces. We never use such services unless their privacy policies for doing this are compliant with UK law. Where other cloud based data is stored outside of the UK we also ensure that that personal data is protected in the same way that it is in UK law.

WHAT DO WE USE DIGITAL STILL AND VIDEO IMAGES OF STUDENTS FOR?

We use images of students in the ways listed in Appendix G. We will:

- never use an image of a pupil if we do not have permission to do so
- never use an image of a pupil if we believe that doing so will lead to any kind of harm
- inform you and ask for permission if we start using pupil images for other reasons

WHAT ARE YOUR RIGHTS?

There are circumstances when these rights don't apply, eg if a law says we need to keep specific pieces of information, or if not processing the data places a student in danger. Your rights are:

- **The right of access** (a "Subject Access Request"). This means you can ask for a copy of the data we hold about you. If a pupil is aged over 13 years old and wants to see the information we hold about them then they need to contact the college Data Protection Officer in writing, at the address below. The pupil's parent or carer can make a request on a pupil's behalf, with the pupil's permission. However, parents will only be able to see all the information about a pupil if the pupil is unable to act on their own behalf or if the pupil has given explicit consent. Once a request is received, we will comply within ONE calendar month.
- **The right to be informed.** This means that we will tell you when we are collecting data about you and what it is being used for.
- **The right to rectification**. This means you can ask us to fix omissions and errors in your data
- **The right to erasure**. This means that you have the right to have information we hold deleted as long as there is no compelling reason for its continued processing.
- **The right to restrict processing**. This means we can still hold the data, but can't use it.
- **The right to object**. This means you can object to processing of personal data under certain circumstances. If we had to ask for your consent, you are under no obligation to provide your consent. You can withdraw consent at any time. Consent can be withdrawn by writing to the address below.

There are legitimate reasons why we may refuse your information rights request, which depends on why we are processing it. For example, some rights will not apply:

- the right to erasure does not apply when the lawful basis for processing is legal obligation or public task.
- the right to portability does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests.
- the right to object does not apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't have the right to object, but you have the right to withdraw consent

If you have a concern about the way we are collecting or using your data, please contact us in the first instance. If you remain concerned you may go directly to the Information Commissioner's Office at https://ico.org.uk/concerns/

If you need to know more about how the DfE store and use pupil information please contact them:
DFE: https://www.education.gov.uk/help/contactus

HEATHFIELD COMMUNITY COLLEGE DATA PROTECTION OFFICER CONTACT INFORMATION

Data Protection Officer contact details: Sarah Oxenbury, Children's Services, East Sussex County Council. Schools.dpo@eastsussex.gov.uk

REQUESTING ACCESS TO YOUR PERSONAL DATA

In the first instance, you should **contact the Data Protection Lead** in writing at the address below. Subject access and other information requests should be made on the appropriate form and you will need to provide appropriate identification. Forms and guidance can be found on the Data Protection page of the website - here.

If you wish to contact us by email, please email DataProtection@heathfieldcc.co.uk . Please DO NOT contact the main office email address as we cannot guarantee your email will reach its intended destination in a timely way.

The Head Teacher / Data Protection Lead
Heathfield Community College
Cade St
Heathfield
East Sussex
TN21 8RJ
Tel: 01435 866066

Appendix A: The data that we collect about pupils

The data that we collect and hold about pupils are:

- identifiers like the pupil name, unique pupil number
- contact details and the contact details of close family
- subject & attitude to learning assessment results, including external examinations
- attendance information
- information about behaviour & exclusions
- where you go after you leave us,
- information about your characteristics and background
- information about special educational and disability needs
- whilst on site personal images may be recorded on our CCTV
- pupil images are recorded and stored for our Management Information System and, potentially, our video conference software
- biometric data. This is only used for automated systems like cashless payments for food. Detail of what this biometric data is and how it is used can be found in our Data Protection policy but in summary:
  - Biometric data is only taken, kept & stored with written consent from at least 1 parent
  - An image of a fingerprint is not stored.
  - The biometric information is only used for the college's automated systems
  - Biometric information is never shared with anyone outside of the College's automated systems
  - Biometric data is securely deleted if consent is withdrawn in writing OR when leaving the college

Appendix B: The data that we collect about parents / guardians

The information we collect and hold includes:

- identifiers
- contact details
- details of parental responsibility
- details of family court / other court judgements regarding access rights or other issues related to children.
- parent evening attendance records

- all home-school communication
- whilst on site your image may be recorded on our CCTV

Appendix C: Reasons why we have to share parent data by law

We are required by law to pass some information to East Sussex County Council (ESCC). We may also be required to share information with the police in relation to any relevant investigation.

Appendix D: Other ways in which we may use / share parents' data

Where it is needed we ask for your consent. Only one of the following require your consent:

- participating in the DfE Daily Attendance Data Initiative for supporting students to attend, complete and achieve their potential within their statutory education entitlement
- Sharing attendance and related data with Educational Welfare Services in order to improve pou=r attendance monitoring and improvement services
- facilitate the parent consultation evening booking system
- facilitate the operation of the cashless catering system
- facilitate parental access to our online homework setting system
- allow access to other support materials for your child's learning
- contact you about opportunities for your child
- contact you about your child's progress or the extent to which set tasks are being completed
- share other information about the College, for example, in the parent Newsletter, which may sometimes contain classified advertising.

Appendix E: Reasons why we have to share pupil data by law

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. We are required by law:

- to pass some pupil information to the local education authority, the Department for Education (DfE), any school that you attend after leaving us (section 3 of The Education [Information About Individual Pupils] [England] Regulations 2013). The Local Authority may share limited information with the NHS to provide appropriate health care services.
- to pass on information about 13-19 year olds to their destination educational institutions after they have left us (under section 507B of the Education Act 1996)
- We may also be required to share pupil information with the police if they ask us to and it is relevant to an investigation.

Appendix F: Other reasons why we share pupil information legally

We will share certain types of pupil information for the following reasons:

- participating in the DfE Daily Attendance Data Initiative for supporting students to attend, complete and achieve their potential within their statutory education entitlement
- to facilitate effective care by the NHS and school nurse
- to enable Youth Support Services to effectively support pupils (pupils aged 13+). More detail can be found in Appendix I
- to allow formative and summative online assessment tools designed to assess potential, ability and / or progress made
- to enable the documentation and checking of risk assessments for school organised educational & cultural trips
- to enable a reply to a reference request from an employer

- to facilitate the efficient working of our parents' evening booking system
- to ensure that the pupil is kept safe
- to facilitate use of learning platforms or software providers used by the school to support education provision eg the iPad management software, eg Sparx Maths
- to facilitate the use of cloud based software eg Google / Apple / Microsoft education workspaces and software. In some cases, eg Google additional services such as YouTube & Google Photos, we will ask for your consent as this is required by the cloud provider.
- to enable education to continue during College closures
- to publish programmes for sports events that contain the College records for each event and the name of the student that achieved each record
- to enable the engraving of trophies or the printing of awards
- to enable traded services purchased by the College through the LA (e.g. for Legal, Human Resources or Information Governance Support)

Appendix G: What we use images of students for

The purposes for using digital images of students can be put into TWO categories: those uses for which we do not need consent; and those uses for which we do need consent. We will never use an image of a pupil, which requires consent, if we do not have your prior consent to do so.[1] In the Autumn term, we conduct an annual data collection which asks for consent for use of images in these ways AND asks for consent to publish the student's full name alongside the image.

Uses of student images for which we do not need consent:

- to identify students to keep them safe
- to facilitate safe educational trips

Uses of student images for which we do need consent:

- to submit as part of exam coursework for specific subjects (English, PE, Drama, Dance, Media)
- to aid learning eg recording activities that involve practical skills being developed, eg recording video conferences of live lessons / tutorials
- to aid college publicity, including promotional information and event materials, eg performance programmes, eg student year books, eg the college (online & hard copy) prospectus, eg internal noticeboards, eg farewell assemblies, eg about Year 11 & Year 13 prom, eg the College website
- to aid the College website & print and digital versions of the college newsletter
- to contribute to professional & best practice publications
- to contribute to press releases about the activities and achievements (or similar) going to print and online versions of both local and national press, mainstream media and social media, including the websites of partner organisations eg Rotary Club, eg Apple via Issuu.com, eg Duke of Edinburgh
- to contribute to the College's social media eg Twitter, eg Facebook, eg YouTube
- using recordings of live lessons / video conference meetings, if you have given us your consent in advance by giving consent eg on the College Network User Agreement, to help students that have missed online lessons or to train teachers in how to use the live lesson technology.
- to allow parents to purchase images of their child from a commercial website that allows only Heathfield parents to view the images eg Proms eg Drama performances & other College events
- to facilitate high quality communication about the operation, activities and achievements of the college with current & future students and their families, especially (but not restricted to) during a College closure, pandemic
- to allow students to enter video essay / lecture style competitions, where videos may be uploaded to the College website or as unlisted YouTube videos or to a competition website.

[1] Please note that where images are posted online, either as part of an online page or within another online document, we cannot prevent viewers from copying and using images as they wish.

- college with current & future students and their families, especially (but not restricted to) during a College closure, pandemic
- to allow students to enter video essay / lecture style competitions, where videos may be uploaded to the College website or as unlisted YouTube videos or to a competition website.

Appendix H: 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. This information is securely collected from a range of sources including schools, local authorities and awarding bodies. The data in the NPD is provided as part of the operation of the education system and is used for research and statistical purposes to improve, and promote, the education and well-being of children in England. The evidence and data provide DfE, education providers, Parliament and the wider public with a clear picture of how the education and children's services sectors are working in order to better target, and evaluate, policy interventions to help ensure all children are kept safe from harm and receive the best possible education.

To find out more about the NPD, go to https://www.gov.uk/government/publications/national-pupil-database-npd-privacy-notice/national-pupil-database-npd-privacy-notice

Sharing by the Department

The law allows the Department to share information about our pupils from the NPD 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

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. 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 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)
- monitors pupil progress, admissions and attendance . As of August 2024, attendance data is collected by the DfE from schools on a daily basis, this is a statutory requirement under The School Attendance (Pupil Registration) (England) Regulations 2024. Child level data will be shared back with the school, and either the Local Authority or Academy Trust responsible for the school. This sharing is to help them identify any potential issues with attendance and if needed, enable timely support to help children stay in 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

How to find out what personal data the Department for Education (DfE) holds about you

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department for Education (DfE):

- 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 for Education (DfE), you should make a 'subject access request'. See the guide for details:

https://www.gov.uk/government/publications/requesting-your-personal-information/requesting-your-personal-information#your-rights

Further information on what personal information the Department for Education (DfE) holds about you published in the privacy notices for early years foundation stage to key stage 3, and key stage 4 and 5 and adult education. These are available below:

https://www.gov.uk/government/publications/privacy-information-early-years-foundation-stage-to-key-stage-3
https://www.gov.uk/government/publications/privacy-information-key-stage-4-and-5-and-adult-education

To contact the Department for Education (DfE): https://www.gov.uk/contact-dfe

Appendix I: Sharing Data with Youth & FE Support Services

Pupils aged 13+ & Pupils aged 16+

Once our pupils reach the age of 13, we also pass pupil information to our local authority and / or provider of youth support services, such as a Further Education (FE) College as they have responsibilities in relation to the education or training of 13-19 year olds under section 507B of the Education Act 1996 and KCSIE - Keeping children safe in education - GOV.UK (www.gov.uk). This enables them to provide services as follows:

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

The information shared is limited to the child's name, address and date of birth. However, where a parent or guardian provides their consent, other information relevant to the provision of youth support services will also be shared. If the child meets the definition of being a "vulnerable child / young person" then we can also share special category data such as special needs and learning support information with FE providers in advance of the young person starting at the FE provider. The parent can object to this and we will stop doing so. This right is transferred to the pupil once they reach the age of 16 unless they are considered not understand the meaning of such consent. Data is securely

transferred to the youth support service via encrypted files on secure email systems and is stored in compliance with the law. It is held for the minimum amount of time required for the provision of those services. See our retention schedule on the College Data protection website page for detail and the individual retention schedules of each Further Education & youth support service provider.