



## Privacy Notice/Policy

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Responsibility for review: C Belchem

## Privacy Policy

Headstart School considers the privacy of its users to be a serious issue. Please read the following to learn more about our privacy policy. Headstart School is a business based in the United Kingdom

### What this privacy policy covers

This policy covers how Headstart School treats personal information that Headstart School collects and receives, including information to your past use of our website. Personal information is information about you that is personally identifiable like your name, address, email address or phone number, and that is not otherwise publicly available.

This policy does not apply to the practices of companies that we do not own or control or to people that we do not employ or manage.

### Information collection and use

#### General

Headstart School collects personal information whenever a user chooses to contact us via the web form within the contact us section.

When contacting us using this method we ask for information such as your name, e-mail address and telephone number.

Headstart School automatically receives and records information on our server logs from your browser, including your IP address, Headstart School cookie information, and the page you request.

We use information for the following general purposes: to customise the content you see, fulfil your requests and for technical web site administration purposes.

### Why do we collect and use information|?

Parent/student information:

We collect and use student information under the following lawful basis:

- Where we have the consent of the data subject
- Where it is necessary for compliance with a legal obligation
- Where processing is necessary to protect the vital interests of the data subject or another person
- Where it is necessary for performance of a task carried out in the public interest or in the exercise of official authority vested in the controller

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

- We have explicit consent

- Processing is necessary to protect the vital interest of the data subject or another natural person where the data subject is physically or legally incapable of giving consent

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

- to support student learning
- to monitor and report on student progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing
- for the protection and welfare of students and others in the School
- for the safe and orderly running of the School
- for the administration and business functions of the School
- for external trips and visits

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

- Personal information (such as name, unique student number, address, gender and date of birth)
- Parent details (such as name, address, telephone number, email, relationship to student, divorced, court order in place etc)
- Characteristics (such as ethnicity, language, medical conditions, nationality, country of birth, dietary requirements)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Admission information (such as application and registration paperwork)
- Emergency contact details
- Medical Information (such as medical condition, medication, internal healthcare plans, doctor's details and hospital details)
- SEN and Disability Information (such as EHC plan and internal educational plans)
- Student record from previous setting
- Educational information (such as IEPs, school books, school work, internal assessments, internal educational tracking data, pupil premium eligibility – Looked After Children)
- School Report
- Behaviour information (such as IBPs, incidences of challenging behaviour, records of physical intervention)
- Correspondence relating to the student with parents and external agencies

From time to time and in certain circumstances, we might also process personal data about students, some of which might be sensitive personal data, including child protection/safeguarding. This information is not routinely collected about students and is only likely to be processed by the School in specific circumstances relating to particular students, for example, if a child protection issue arises or if a student 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.

We collect information about students when they join the school and update it during their time on the roll as and when new information is acquired. We may also ask you to review some of the personal information we hold to ensure that it is accurate.

### Information sharing and disclosure

We do not rent, sell or share personal information about you with other people or non-affiliated companies except to provide products or services you've requested, when we have your permission.

We will use reasonable efforts to ensure that your personal data is not disclosed to regional/national institutions and authorities, unless required by law or other regulations.

### Collecting student information

Whilst the majority of student information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the GDPR, we will inform you whether you are required to provide certain student information to us or if you have a choice in this. Where appropriate, we will ask parents 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 students on our website to promote school activities. Parents may withdraw consent at any time.

Where it is appropriate and possible, when students are deemed to be old enough to make their own decisions in relation to their personal data, we will also ask the student for their consent in these 3 circumstances. We wish to take a collaborative approach so we will keep parents informed when we are approaching students for consent up to the age of 16. Students with the capacity to make their own decisions about their personal data may withdraw consent if consent has previously been given.

### Who do we share student information with?

The student information and data we are provided with is shared with staff at the School where necessary.

We routinely share student information with:

- schools that students attend after leaving us
- a student's home/funding local authority
- the Department for Education (DfE)
- The Governing Advisory Board
- External accreditation organisations
- Other educational settings attended by our students such as St Catherines
- Off-site activities run by external providers

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

- Prevent teams in accordance with the Prevent Duty on schools
- the Police and law enforcement agencies
- Social Care and other external agencies
- Courts, if ordered to do so
- other schools, for example, if we are negotiating a managed move and we have your consent to share information in these circumstances
- health professionals including speech & language therapists, educational psychologists
- any legal representations for and on behalf of the School

In the event that we share personal data about students 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.

#### Why we share student information:

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

We are required to share information about our students with the DfE under regulation 5 of The Education (Information About Individual Students) (England) Regulations 2013.

- Data collection requirements

To find out more about the data collection requirements placed on us by the DfE (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

- The National Student Database (NPD)

The NPD is owned and managed by the DfE and contains information about students in schools in England. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the DfE. It is held in electronic format for statistical 4 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 students 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 Students) (England) Regulations 2013.

To find out more about the student information we share with the Dfe, for the purpose of data collections, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

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

The DfE may share information about our students 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 DfE 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 student 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 DfE'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 DfE has provided student information, (and for which project), please visit the following website: <https://www.gov.uk/government/publications/nationalstudent-database-requests-received>

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

## **Staff**

We collect and use your information under the following lawful basis:

- a. where we have the consent of the data subject
- b. where it is necessary for compliance with a legal obligation
- c. where processing is necessary to protect the vital interests of the data subject or another person
- d. where it 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

Where the personal data we collect about you 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 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.

### We use staff data to:

Support our statutory functions of running a school and in order to meet responsibilities, in particular:

- enable the development of a comprehensive picture of the workforce and how it is deployed
- inform the development of recruitment and retention policies
- to ensure the health, safety and wellbeing of staff
- enable individuals to be paid
- for the protection and welfare of students and others in the School
- or the safe and orderly running of the School
- for the administration and business functions of the School

The categories of staff information that we collect, hold and share includes:

- personal information (such as name, address, employee or teacher number, national insurance number)
- characteristics information (such as gender, age, ethnic group)
- contract information (such as start date, hours worked, post, roles and salary information)
- work absence information (such as number of absences and reasons)
- qualifications (and, where relevant, subjects taught)
- medical information
- payroll information

### Collecting staff information

Workforce data is essential for the school's operational use. Whilst the majority of personal information you provide to us is mandatory, some of it is requested on a voluntary basis. In order to comply with GDPR, 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.

We collect personal information via:

- staff contracts
- personal information forms

Who we share staff information with:

- the Department for Education (DfE)
- Aequitas (payroll provider)
- Accountant

### Why we share school staff information

We do not share information about our workforce members with anyone without consent unless the law and our policies allow us to do so.

- Department for Education

The Department for Education (DfE) collects personal data from educational settings via various statutory data collections. We are required to share information about our workforce with the Department for Education (DfE) for the purpose of those data collections, under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

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.

How Government uses your data:

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

- informs departmental policy on pay and the monitoring of the effectiveness and diversity of the school workforce
- links to school funding and expenditure
- supports 'longer term' research and monitoring of educational policy

Sharing by the Department:

The Department may share information about school employees with third parties who promote the education or well-being of children or the effective deployment of school staff in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department has robust processes in place to ensure that the confidentiality of personal data is maintained and there are stringent controls in place regarding access to it and its use. Decisions on whether DfE releases personal 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 securely store and handle the data

To be granted access to school workforce information, organisations must comply with its strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

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

### **Governing Advisory Board**

We collect and use your information under the following lawful basis:

- a) where we have the consent of the data subject
- b) where it is necessary for compliance with a legal obligation
- c) where processing is necessary to protect the vital interests of the data subject or another person

d) where it 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

Where the personal data we collect about you 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 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.

We use your data to support our statutory functions of running a school and in order to meet responsibilities, in particular:

- a. for the protection and welfare of students and others in the School
- b. for the safe and orderly running of the School
- c. for the administration and business functions of the School

The categories of Governor/Advisor member information that we collect, hold and share includes:

- a. Personal information (such as name, address, email contact details, Business Interest Declarations for both members and their close relatives)
- b. Photographs taken for the School website (if applicable)
- c. Recording of DBS date issued and number

Collecting information about Governors/Advisors:

Most of the information you provide to us is on a voluntary basis. In order to comply with the GDPR, we will inform you whether you are required to provide certain information to us or if you have a choice in this. Where appropriate, we will ask you to consent to processing personal data where there is no other lawful basis for processing it. Where you have given consent for the processing of personal information for a specific purpose, you are entitled to withdraw consent at any time.

Who do we share Governors' information with?

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

- Disclosure and Barring Service

In the event that we share your personal data 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.

Why we share your information:

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

**Storing and keeping parent/student, staff and governor data**

We hold parent/student, staff and governor data in accordance with the School's GDPR policy

A significant amount of personal data is stored electronically, for example, on our database, information management systems and IT systems. Some information may also be stored in hard copy format.

Data stored electronically will be saved on premises as part of a Local Area Network and within the Cloud Platform on EU based servers and on servers hosted in UK Data Centres. The School's contract with Principal contains the necessary provisions to ensure the security of personal data.

### **Requesting access to your personal data**

Under data protection legislation, parents/students, staff and governors have the right to request access to information about them that we hold ("Subject Access Request"). Where a child does not have the capacity/maturity to make their own requests for personal data, parents may do so on their behalf. To make a request for your child's personal data, or be given access to your child's educational record, contact Caroline Belchem ([cbechem@headstartschool.co.uk](mailto:cbechem@headstartschool.co.uk)); although any written request for personal data will be treated as potential a Subject Access Request.

Where we consider a student to have sufficient capacity/maturity to understand their own rights, we will require a Subject Access Request to be made by the student 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 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/students, staff and governors 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 where possible. This will assist us in responding to your request as promptly as possible.

#### 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 our data protection responsibilities

If you have a concern about the way we are collecting or using student data, you should raise your concern with us in the first instance by contacting the School's Data Protection Lead ([cbechem@headstartschool.co.uk](mailto:cbechem@headstartschool.co.uk) ). Alternatively, you can contact directly the Information Commissioner's Office at <https://ico.org.uk/concerns/>

#### **Contact:**

If you have any queries regarding this notice or the use of parent/student, staff or governor personal information, please write to [cbelchem@headstartschool.co.uk](mailto:cbelchem@headstartschool.co.uk)

### Changes to this privacy policy and Notice

We may update this policy. We will notify you about significant changes in the way we treat personal information by placing a prominent notice on our web site.

### Privacy support and contact information

If you have any questions or suggestions, please contact us.

**Please note** - The term “parent” is widely defined in education law to include the natural or adoptive parents (regardless of whether parents are or were married, whether a father is named on a birth certificate or has parental responsibility for the student, with whom the student lives or whether the student has contact with that parent), and also includes non-parents who have parental responsibility for the student, or with whom the student lives. It is therefore possible for a student to have several “parents” for the purposes of education law.