

FHS Privacy Notice for Pupils and Parents

This policy applies to:

Francis Holland Regents Park Francis Holland Sloane Square Francis Holland Prep

Where there are differences between the schools these have been clearly highlighted.

Policy owner	Trust: Chief Operating Officer
Type of policy	Regulatory – N/A Informative – Provide information to both pupils and parents as to how their personal information is stored and used.
Last reviewed / approved by / date	SLTs: 31 st October 2023
Next school review due	Autumn 2024
Next council review due	Governance and Nominations Spring 2025
This version published	13 th September 2024
Circulation	<ul style="list-style-type: none"> ✓ Trust Website ✓ Schools' Websites ✓ Schools' Sharepoints <input type="checkbox"/> FHS People <p>All policies are available from the Trust Office, Francis Holland Schools Trust, 35 Bourne Street, London, SW1W 8JA</p>
Linked Policies	Data Protection Policy

Revision History	
This section should be completed by the reviewer each time this policy is reviewed	
Changes made [Brief description of edits]	Date
New policy	Autumn 2023
Format change	Autumn 2024

FHS PRIVACY NOTICE FOR PUPILS AND PARENTS

INTRODUCTION

This privacy notice describes how Francis Holland Schools Trust (FHST) collect and use personal information about pupils, in accordance with the UK General Data Protection Regulation (UK GDPR), section 537A of the Education Act 1996 and section 83 of the Children Act 1989.

Following Brexit, Regulation (EU) 2016/679, General Data Protection Regulation (GDPR) is retained EU law and known as UK GDPR. The UK GDPR sits alongside an amended version of the Data Protection Act 2018 that relates to general personal data processing, powers of the Information Commissioner and sanctions and enforcement. The GDPR as it continues to apply in the EU is known as EU GDPR.

This notice applies to all pupils and parents.

WHO COLLECTS THIS INFORMATION?

Francis Holland Schools Trust (FHST) is a “data controller.” This means that FHST are responsible for deciding how FHST hold and use personal information about pupils and parents. Under data protection legislation, FHST are required to notify you of the information contained in this privacy notice. This notice does not form part of any contract to provide services and it may be updated at any time.

It is important that you read this notice with any other policies mentioned within this privacy notice, so that you are aware of how and why FHST are processing your information, what your rights are under data protection legislation and the procedures FHST take to protect your personal data.

DATA PROTECTION PRINCIPLES

FHST will comply with the data protection principles when gathering and using personal information, as set out in our data protection policy.

CATEGORIES OF PUPIL INFORMATION FHST COLLECT, PROCESS, HOLD AND SHARE

FHST may collect, store and use the following categories of personal information about you:

- Personal information such as name, pupil number, date of birth, gender and contact information;
- Emergency contact and family lifestyle information such as names, relationship, phone numbers and email addresses;
- Characteristics (such as language, and free school meal eligibility);
- Attendance details (such as sessions attended, number of absences and reasons for absence);
- Performance and assessment information;
- Behavioural information (including exclusions);
- Images of pupils engaging in school activities, and images captured by the School’s CCTV system;
- Information about the use of our IT, communications and other systems, and other monitoring information;
- Financial details;
- Post 16 learning information;
- Recordings of pupils and/or parents from the school’s video conferencing platform (Teams).

FHST may also collect, store and use the following more sensitive types of personal information:

- Information about your race or ethnicity, religious or philosophical beliefs
- Information about your health, including any medical conditions and sickness records.
- Special educational needs information;

COLLECTING THIS INFORMATION

Whilst most information you provide to us is mandatory, some of it is provided to us on a voluntary basis. To comply with the UK General Data Protection Regulation, FHST will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

It is important that the personal information FHST hold about you is accurate and current. Please keep us informed if your personal information changes during your relationship with us.

HOW FHST USE YOUR PERSONAL INFORMATION

FHST hold pupil data and use it for:

- Pupil selection (and to confirm the identity of prospective pupils and their parents);
- Providing education services and extra-curricular activities to pupils, and monitoring pupils' progress and educational needs;
- Informing decisions such as the funding of schools;
- Assessing performance and to set targets for schools;
- Safeguarding pupils' welfare and providing appropriate pastoral (and where necessary medical) care;
- Support teaching and learning;
- Giving and receive information and references about past, current and prospective pupils, and to provide references to potential employers of past pupils;
- Managing internal policy and procedure;
- Enabling pupils to take part in assessments, to publish the results of examinations and to record pupil achievements;
- To carry out statistical analysis for diversity purposes;
- Legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with legal obligations and duties of care;
- Enabling relevant authorities to monitor the school's performance and to intervene or assist with incidents as appropriate;
- Monitoring use of the school's IT and communications systems in accordance with the school's IT security policy;
- Making use of photographic images of pupils in school publications, on the school website and on social media channels;
- Security purposes, including CCTV; and
- Where otherwise reasonably necessary for the school's purposes, including to obtain appropriate professional advice and insurance for the school;
- To provide support to pupils after they leave school.

THE LAWFUL BASES ON WHICH FHST USE THIS INFORMATION

FHST will only use your information when the law allows us to. Most commonly, FHST will use your information in the following circumstances:

- Consent: the individual has given clear consent to process their personal data for a specific purpose;
- Contract: the processing is necessary for a contract with the individual;
- Legal obligation: the processing is necessary to comply with the law (not including contractual obligations);
- Vital interests - the processing is necessary to protect someone's life;
- Public task: the processing is necessary to perform a task in the public interest or for official functions, and the task or function has a clear basis in law; and
- The Education Act 1996: for Departmental Censuses 3 times a year. More information can be found at <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

FHST need all the categories of information in the list above primarily to allow us to comply with legal obligations. Please note that FHST may process information without knowledge or consent, where this is required or permitted by law.

HOW FHST USE PARTICULARLY SENSITIVE PERSONAL INFORMATION

Special categories of particularly sensitive personal information, such as information about your health, racial or ethnic origin or sexual orientation require higher levels of protection. FHST need to have further justification for collecting, storing and using this type of personal information. FHST has in place an appropriate policy document and safeguards which FHST is required by law to maintain when processing such data. FHST may process special categories of personal information in the following circumstances:

- In limited circumstances, with your explicit written consent;
- Where FHST need to carry out our legal obligations in line with our data protection policy;
- Where it is needed in the public interest, such as for equal opportunities monitoring;

- Where it is necessary to protect you or another person from harm.

Less commonly, FHST may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

SHARING DATA

FHST may need to share your data with third parties where it is necessary. There are strict controls on who can see your information. FHST will not share your data if you have advised us that you do not want it shared unless it's the only way FHST can make sure you stay safe and healthy, or FHST are legally required to do so. FHST share pupil information with:

- the Department for Education (DfE) - on a statutory basis under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013;
- Independent Schools Inspectorate (ISI);
- Other Schools that pupils have attended/will attend;
- NHS;
- Welfare services (such as social services);
- Law enforcement officials such as police, HMRC;
- Local Authority Designated Officer;
- Professional advisors such as lawyers and professional advisers;
- Support services (including insurance, IT support, information security);
- Providers of software such as [O365, SOCS and Evolve];
- The Local Authority;
- Higher education providers;
- other schools within the Federation/Trust.

The Department for Education request regular data sharing on pupil attendance to help support those vulnerable students and to assist with intervention strategies. Further information on how the Department for Education collects this data will be made available on the school website. Information will be provided to those agencies securely or anonymised where possible.

The recipient of the information will be bound by confidentiality obligations, FHST require them to respect the security of your data and to treat it in accordance with the law.

FHST may transfer your personal information outside the UK and the EU. If FHST do, you can expect a similar degree of protection in respect of your personal information.

WHY FHST SHARE THIS INFORMATION

FHST do not share information about our pupils with anyone without consent unless otherwise required by law. For example, FHST share students' data with the DfE on a statutory basis which underpins school funding and educational attainment. To find out more about the data collection requirements placed on us by the DfE please go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

STORING PUPIL DATA

Francis Holland Schools (FHS) keep information about pupils on computer systems and sometimes on paper. Except as required by law, FHS only retains information about pupils for as long as necessary in accordance with timeframes imposed by law and our internal policy. Full details on how long FHST keep personal data for is set out in our data protection policy, this can be found on the schools' website.

AUTOMATED DECISION MAKING

Automated decision making takes place when an electronic system uses personal information to decide without human intervention. FHST are allowed to use automated decision making in limited circumstances. Pupils will not be subject to automated decision-making, unless FHST have a lawful basis for doing so and FHST have notified you.

RETENTION PERIODS

Except as otherwise permitted or required by applicable law or regulation, FHST only retains personal data for as long as necessary to fulfil the purposes they collected it for, as required to satisfy any legal, accounting or reporting obligations, or as necessary to resolve disputes. Full details on how long FHST keep personal data for is set out in our Data Protection Policy, this can be found:

SECURITY

FHST have put in place measures to protect the security of your information (i.e., against it being accidentally lost, used, or accessed in an unauthorised way).

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. FHST are required by law to provide information about our pupils 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 Pupils) (England) Regulations 2013. To find out more about the NPD, see link below:

<https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The department may share information about our pupils 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 Department 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 pupil 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 department'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 department has provided pupil information, (and for which project), please visit the following website:

<https://www.gov.uk/government/publications/national-pupil-database-requests-received>

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

Under data protection legislation, parents and pupils have the right to request access to information about them that FHST holds. To make a request for your personal information, or be given access to your child's education record, contact dpc@fhst.org.uk.

REQUESTING ACCESS TO YOUR PERSONAL DATA

FHST may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

YOUR RIGHT TO WITHDRAW CONSENT

In circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact dpc@fhst.org.uk. Once FHST has received notification that you have withdrawn your consent, FHST will no longer process your information for the purpose or purposes you originally agreed to, unless FHST have another legitimate basis for doing so in law.

CONTACT

If you would like to discuss anything within this privacy notice or have a concern about the way FHST collects or uses your personal data, FHST requests that you raise your concern with Geoff Wilmot in the first instance. FHST have appointed a data protection officer (DPO) to oversee compliance with data protection and this privacy notice. If you have any questions about how FHST handle your personal information which cannot be resolved by Geoff Wilmot, the Chief Operating Officer, then you can contact the DPO on the details below:

Data Protection Officer:	Judicium Consulting Limited
Address:	72 Cannon Street, London, EC4N 6AE
Email:	dataservices@judicium.com
Web:	www.judiciumeducation.co.uk
Lead Contact:	Craig Stilwell

You have the right to make a complaint at any time to the Information Commissioner's Office, the UK supervisory authority for data protection issues at [Make a complaint | ICO](#)

CHANGES TO THIS PRIVACY NOTICE

FHST reserves the right to update this privacy notice at any time, and FHST will provide you with a new privacy notice when FHST makes any substantial updates. FHST may also notify you in other ways from time to time about the processing of your personal information.