

Education Services

Our education services are registered with Ofsted and include; Hedleys Northern Counties School (Jesmond), Percy Hedley School (Killingworth), Hedleys College (Forest Hall and Killingworth).

Information collection

Information you give us.

Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis.

Upon enrolment at one of our schools or college, we will collect various personal information about you. This will include; full name, date of birth, address, contact telephone number, email address, emergency contact details, next of kin, any special interests, or previous qualifications and/or progress targets.

Due to the specialised nature of the health, wellbeing and medical support we provide to our children and young adults, we will also be required to collect personal information relating to your medical condition. Under data protection laws, this is classified as **Special Category data**. This information will include; specific medical condition, therapy needs medication requirements, family history and any behavioural needs (if applicable).

We may also require financially related information, for instance, your bank account information (if required) or any associated funding information to support education fees.

Information from third parties.

We also may need to contact other third parties, for instance, your GP, Social Worker, Local Authorities, NHS, Therapist (or similar) to request previous medical records, or associated health records relating to your health and wellbeing. This is to ensure we have all the relevant and up to date information relating to your medical and health history, so we can fully support your specific needs. We will ask your permission to do so prior to requesting this specific information.

We may also need to contact previous schools or colleges (or similar education settings) to gain copies of previous achievements, progress charts, and targets etc.

In cases where both we and the local authority (or similar) process the same personal information relating to you, we will be joint data controllers of your personal information.

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.

How we will use your information

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

- Personal information (such as name, unique pupil number and address)
- Characteristics (such as ethnicity, language, nationality, and country of birth)
- attendance information (such as sessions attended, number of absences and absence reasons)
- Special Category information (such as medical and health information)
- Personally identifiable information (such as your image)
- assessment information
- additional educational needs information

- behavioural information
- safeguarding and child protection information
- post 16 learning information

The information you give us and we collect from relevant third parties will be used to form your pupil record. For instance, your targets, progress, assessments, achievements, and annual reviews will be added to your records.

Additional relevant communications that contains key information relating to your education or wellbeing needs may also be added to your records, including records of telephone calls, email communications, or letters from parents or guardians, as well as third parties e.g. GP's, Therapists etc.

We will use this information to formulate our decision making process for your educational, health and wellbeing needs, to ensure we provide you with the best possible standards of teaching and required support.

For instance:

- to enable us to communicate with you and to fulfil your request for information or services appropriate to your needs to monitor and improve our performance in responding to your request
- to ensure we meet our regulatory and legal obligations
- to protect individuals from harm or injury
- to process financial transactions
- to allow the statistical analysis of data so we can plan the provision of services.

Legal basis for our processing

As the data controller when we collect your personal information, we will make sure this is only done in accordance with an appropriate legal basis, alongside an additional special category legal basis under data protection laws. This means we will never process your information without a legal basis to do so.

Percy Hedley schools and college are classified as Non-maintained Special Schools (NMSS) and have a legal obligation *to the Department for Education (DfE)*.

Our legal basis to process your **core personal education information** is - *processing is necessary for compliance with a **legal obligation** to which the controller is subject* (Article 6 (c) GDPR).

For the additional processing of your **health information**, it is due to obligations with local authorities with whom we contract with and therefore – our legal basis to process is - *processing is necessary for the **performance of a task** carried out in the public interest or in the exercise of official authority* (Article 6 (e) GDPR), and

Our additional **special category condition** for processing is - *processing is necessary for the purposes of preventive or occupational medicine, or the provision of health or social care or treatment or the management of health or social care.* (Article 9 (h) GDPR).

This is accordance with the DPA 2018 schedule 1 Condition; Part 1, Health or social care purposes. 2 (1) *This condition is met if the processing is (a) preventive or occupational medicine, (d) the provision of health care or treatment, (e) the provision of social care, or (f) the management of health care systems or services or social care systems or services.*

During assessment and enrolment at our schools or college we will ask you to disclose your **ethnicity, as well as any cultural requests** e.g. halal diet. This is for statistical purposes only and to support any dietary requirements, however, **this is not mandatory, and therefore you do not have to disclose this information.** If you do consent this information will be used for anonymised statistical purposes and to support you will any preferred meal plans.

Our legal basis for this processing is – *the data subject has given **consent** to the processing of his or her personal data for one or more specific purposes (Article 6 (a) GDPR), and*

Our additional **special category condition** for processing is - *The data subject has given **explicit consent** to the processing of those personal data for one or more specified purposes (Article 9 (a) GDPR)*

This is in line with the **DPA 2018 schedule 1 Condition; Part 2, Equality of opportunity or treatment.** 8 (1) This condition is met if the processing is (a)is of a specified category of personal data, and (b)is necessary for the purposes of identifying or keeping under review the existence or absence of equality of opportunity or treatment between groups of people specified in relation to that category with a view to enabling such equality to be promoted or maintained.

We also have a legal duty to complete various **data returns** to the DfE and local authorities, which may at times include health information. Our legal basis for processing your information remains *compliance with a **legal obligation** (Article 6 (c) GDPR), and*

Our condition for processing the **special category** data within that is; *processing is necessary for reasons of substantial **public interest** (Article 9 (g) GDPR).*

This is in line with the **DPA 2018 schedule 1 Condition; Part 2, Statutory etc. and government purposes.** 6(1)This condition is met if the processing is (a)is necessary for a purpose listed in subparagraph (2), and (b)is necessary for reasons of substantial public interest.

At times our schools and college may be involved in **Safeguarding** incidents and investigations which we have a legal duty to report to various third parties, who could include; CQC, Ofsted, LADO, Social workers, LAC Nurse, parent/carer.

Our legal basis for processing your information remains *compliance with a **legal obligation** (Article 6 (c) GDPR), and*

Our additional **special category condition** for processing is - *processing is necessary to protect the vital interests of the data subject or another natural person where the data subject is physically or legally incapable of giving consent (Article 9 (c) GDPR).*

This is in line with the **DPA 2018 schedule 1 Condition; Part 2, Safeguarding of children and of individuals at risk.** 18(1) *This condition is met if (a)protecting an individual from neglect or physical, mental or emotional harm, or (i)protecting the physical, mental or emotional well-being of an individual, or (b) the individual is (i)aged under 18, or (ii aged 18 or over and at risk,*

Images of our pupils play an important part of our education curriculum and we will use **consent** as our legal basis for processing any image of you. (Article 6 (a) GDPR).

Your consent will be gained via our Image Consent Form, which you will have received, signed, and returned to the school or college outlining your specific preferences of what images can, or cannot be processed.

Year 9 pupils onwards, as part of the education curriculum and our contracts with local authorities we are obligated to offer our pupils the opportunity to participate in work experience placements.

Our legal basis for processing your information remains compliance with a **legal obligation** (Article 6 (c) GDPR), and

Our condition for processing the **special category** data within that is - *processing is necessary for the assessment of the **working capacity of the employee** (Article 9 (h) GDPR).*

This is to ensure the appropriate support is in place in the workplace. We will keep you informed on the available options for work experience placements or similar from year 9 onwards, and let you know exactly what personal information we will be required to share with any third party.

This is accordance with the **DPA 2018 schedule 1 Condition; Part 2, *Support for individuals with a particular disability or medical condition.*** 16(1)*This condition is met if the processing is (a)is carried out by a not-for-profit body which provides support to individuals with a particular disability or medical condition, (b)is of a type of personal data falling within sub-paragraph (2) which relates to an individual falling within sub-paragraph (3),and (c)is necessary for the purposes of (i)raising awareness of the disability or medical condition, or (ii)providing support to individuals falling within sub-paragraph (3) or enabling such individuals to provide support to each other, (d)can reasonably be carried out without the consent of the data subject, and (e)is necessary for reasons of substantial public interest.*

Recipients and disclosing your personal information

Where appropriate, education services will share some of your personal information internally between relevant departments, and within the Foundation, for instance, therapy teams, residential services, finance.

We may also disclose your personal information external to the Foundation in the following circumstances:

- During inspections with Regulators, for example; Ofsted and/or private consultancy firms who we instruct to complete audits, as part of our legal and contractual arrangements.

Your personal information is only in these circumstances viewed on-site and is not removed.

- To third parties who provide a service to us and process your personal information on our behalf, for instance, organisations whose external systems we use for education purposes. These include;
 - Google Docs <https://www.google.co.uk/docs/about/>
 - SIMS (schools only) <https://www.capita-sims.co.uk/>
 - InVentry (Percy Hedley School) <https://inventry.co.uk/>
 - Databridge (college only) <https://databridgemis.net/>
 - iASEND (schools only) <https://www.lcp.co.uk/iasend>
 - CPOMS (schools only) <http://www.cpoms.co.uk/>
 - *Earwig (schools only) <https://earwig.uk.com/>

*As this system is image based, your information will only be processed in Earwig if you have given explicit consent, via our Image Consent Form.

- With third parties who also process your information, for instance, organisations you have a vested interest in your education, health and wellbeing. These include;
 - Department for Education (DfE)
 - Local Authorities
 - GP's
 - Social Workers
 - NHS

- External therapy and/or behavioural teams
- Schools that pupils attend after leaving us
- With trusted suppliers or service providers who provide products or services for your health and wellbeing needs. These include;
 - hoist suppliers
 - wheelchair suppliers
 - transport services (Local Authorities)
- Where we are under a duty to disclose your personal information in order to;
 - comply with any legal obligation (for example to a government body, including data sharing in relation to COVID-19, law enforcement agency), or
 - in order to enforce or apply our rights (including in relation to our website or other applicable terms and conditions), or
 - in order to protect our organisation, (for example in cases of suspected fraud or defamation), or
 - in order to protect your vital interest or the vital interests of another individual (for example in cases of abuse or suspected abuse).

We can assure you; we require third parties and suppliers we contract with to comply with data protection laws and have appropriate controls in place.

Data collection requirements

We share pupil's data with the Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

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

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

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 supporting services by informing us. This right is transferred to the child/pupil once he/she reaches the age of 16.

Pupils aged 16+

We will also share certain information about pupils aged 16+ with 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:

- post 16 education and training providers
- youth support services

- careers advisers

Looked after children

We are required by law, to provide information about our pupils to local authorities as part of our statutory data collections, such as the looked after children return. This return will apply to any child who is being looked after by their local authority (known as a **child** in care). They might be living: with foster parents, at home with their parents under the supervision of social services, or in residential children's homes.

To find out more about the pupil information we share with local authorities, and the purpose of the data collections, go to <https://www.gov.uk/guidance/children-looked-after-return>

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 for Education. 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.

We are required by law, to provide information about our pupils to the DfE as part of our 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 pupil information we share with the department, and the purpose of the 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-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 strict approval processes and based on detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of the data requested, and
- the arrangements in place to store and handle the data

To be granted access to pupil information, organisation 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 which organisation 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>.

Publication of exam results

Percy Hedley School publishes anonymised exam results on their school website. Please visit the following <http://phs.percyhedley.org.uk/data-dashboard/>

Northern Counties School and Hedleys College currently do not publish exam results but may choose to do so.

All our education services will share exam papers with external exam bodies for the purposes of marking and providing results only.

Keeping your personal information

We keep your personal information only for as long as required to operate the service in accordance with a legal, regulatory, or specific business purposes. Where your information is no longer required, we will ensure it is disposed of in a secure manner.

Any information that we are required to retain for archive purposes will be held securely, with limited access rights and this information will not be further processed.

Our school retention period for pupil records:

We will retain your pupil record until you turn 26 years old, in line with Ofsted regulations.

Our college retention period for pupil records:

We will retain your pupil record for a minimum of 3 years after you leave our college, in line with Ofsted regulations.

To find out more about Ofsted, go to <https://www.gov.uk/government/organisations/ofsted>

An exception to the above retention periods will occur, for any record relating to allegations of abuse or suspected abuse. These records will be retained for a period of 50 years, to comply with our insurance terms and conditions.

Our school and college retention period for pupil images:

Images that are not directly related to your pupil record will only be retained while you attend at our school or college.

Pupil records that may include images that evidence your progress and achievement of targets will form part of your learner journey and will need to be retained in line with Ofsted requirements as outlined above.

We have made a business decision to preserve our history and heritage by retaining some archive materials permanently. This may include some images of our pupils. Examples of categories of images that we can archive permanently are as follows (but not limited to):

- Award ceremonies, or similar
- Leavers balls/leavers assemblies, or similar
- Career/progression case studies, or similar
- Anniversary celebrations, or similar

ⁱ *Processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of generic data, biometric data for the purposes of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation (Article 9 Processing of special categories of personal data)*