

### **\*\*\*School\*\*\***

## **GDPR privacy notice for pupils and their families**

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them, we comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data. This privacy notice explains how we collect, store and use personal data about **pupils and their families**.

### **Who processes your information?**

**Mrs S Patton** is the data controller of the personal information you provide to us. This means the school determines the purposes for which, and the manner in which, any personal data relating to pupils and their families is to be processed. **Mrs Bertram** acts as a representative for the school with regard to its data controller responsibilities; he/she can be contacted on **01302 770330 or at admin@soa.dsat.education**.

In some cases, your data will be outsourced to a third party processor; however, this will only be done with your consent, unless the law requires the school to share your data. Where the school outsources data to a third-party processor, the same data protection standards that St Oswald's C of E Academy upholds are imposed on the processor.

**Clare Sturman** is the data protection officer. Her role is to oversee and monitor the school's data protection procedures, and to ensure they are compliant with the GDPR. The data protection officer can be contacted on **01709 718640 or csturman@dsat.education**

### **Why do we collect and use your information?**

St Oswald's C of E Academy holds the legal right to collect and use personal data relating to pupils and their families, and we may also receive information regarding them from their previous school, LA and/or the DfE. 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:

Any personal data that we process about our pupils and parents is done so in accordance with Article 6 and Article 9 of UK GDPR. Our legal basis for processing your personal data, in line with Article 6(1)(c) (legal obligation) includes (but not necessarily limited to):

- Article 6 and Article 9 of the GDPR
- Education Act 1994, 1996, 2002, 2011
- Education and Adoption Act 2016
- Regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013
- Education and Skills Act 2008
- Children Act 1989, 2004
- Children and Families Act 2014

- Education (Special Educational Needs) Regulations 2001

In accordance with the above, the personal data of pupils and their families is collected and used for the following reasons:

- a) to support pupil learning
- b) to monitor and report on pupil attainment progress
- c) to provide appropriate pastoral care
- d) to assess the quality of our services
- e) to keep children safe (food allergies, or emergency contact details)
- f) to meet the statutory duties placed upon us for the Department for Education (DfE) data collections

### **Which data is collected?**

The categories of pupil information that the school collects, holds and shares include the following:

- personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- characteristics (such as ethnicity, language, and free school meal eligibility)
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)
- medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- assessment and attainment (such as key stage 1 and phonics results, post 16 courses enrolled for and any relevant results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)

We may also hold data about pupils that we receive from other organisations, including other schools, local authorities and the Department for Education.

### **The lawful basis for processing this information is under Article 6 of the GDPR:**

- Article 6(e) Public task
- Article 6(a) Consent

### **Where special categories of data are collected under Article 9 of the GDPR:**

- Article 9 (2)(a) Explicit consent where applicable
- Article 9 (2)(g) Reasons of substantial public interest

We collect pupil information via registration forms or Common Transfer File (CTF).

Pupil data is essential for the schools' operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a

choice in this.

### **How long is your data stored for?**

We hold pupil data securely for the set amount of time shown in our data retention schedule;  
**DSAT Trust Retention Schedule.**

### **Will my information be shared?**

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.

### **Local Authorities**

We may be required to share information about our pupils with the local authority to ensure that they can conduct their statutory duties under

- the [Schools Admission Code](#), including conducting Fair Access Panels.

We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so. The school routinely shares pupils' information with:

- Pupils' destinations upon leaving the school
- The LA (Local Authority)
- The NHS (including the School Nursing Team)
- O Track (Data tracking system)
- Catering contractor
- CPOMS (Child Protection Online Monitoring System)
- Teachers 2 Parents (Text and Parents Evening System)
- The DfE (Department for Education)
- Arbor
- Class Dojo
- Wonde
- Tapestry
- Braiswick Photographers
- Online curriculum/assessment tools – Bug Club, Times Tables Rockstars, My Maths, Rising Stars

The information that we share with these parties includes the following:

- Personal information – e.g. names, pupil telephone numbers, email addresses and postal addresses.
- Characteristics – e.g. ethnicity, languages spoken at home, nationality, country of birth and free school meal eligibility.
- Attendance information – e.g. number of absences and reasons for absence.
- Assessment information – e.g. national curriculum assessment results, PE and Maths Tracking
- Relevant medical information.
- Information relating to SEND
- Behavioural information e.g. number of temporary exclusions.
- Levels of attainment (O-track).
- Updates on Early Years Development

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

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's educational record, contact **Clare Sturman (DPO) or the school directly.**

You have the right to:

- to ask us for access to information about you that we hold
- to have your personal data rectified, if it is inaccurate or incomplete
- to request the deletion or removal of personal data where there is no compelling reason for its continued processing
- to restrict our processing of your personal data (i.e. permitting its storage but no further processing)
- to object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not to be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

If you have a concern or complaint 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/>

For further information on how to request access to personal information held centrally by the Department for Education (DfE), please see the 'How Government uses your data' section of this notice.

### **Withdrawal of consent and the right to lodge a complaint**

Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting **Clare Sturman, Data Protection Officer on 01709 718 640 or [csturman@dsat.education](mailto:csturman@dsat.education)**

## **How Government uses your data**

The pupil data that we lawfully share with the Department for Education (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 (DfE) (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 (DfE) 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 (DfE).

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 for Education (DfE)**

The law allows the Department for Education (DfE) 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 for Education's (DfE) 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 the Department for Education (DfE) to request access to individual level information relevant to detecting that crime.

For information about which organisations the Department for Education (DfE) 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 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'. Further information on how to do this can be found within the Department for Education's (DfE) personal information charter that is published at the address below:

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

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

## 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 **31/10/22**.

## Contact

If you would like to discuss anything in this privacy notice, please contact: **Clare Sturman, Data Protection Officer on 01709 718 640 or [csturman@dsat.education](mailto:csturman@dsat.education)**

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## Declaration

**Pupil Name:** \_\_\_\_\_ **Year:** \_\_\_\_\_

I, ....., declare that I understand:

- **St Oswald's C of E Academy** has a legal and legitimate interest to collect and process my personal data in order to meet statutory requirements.
- How my data is used.
- **St Oswald's C of E Academy** may share my data with the DfE, and subsequently the LA.
- **St Oswald's C of E Academy** will not share my data to any other third parties without my consent, unless the law requires the school to do so.
- **St Oswald's C of E Academy** will always ask for explicit consent where this is required, and I must provide this consent if I agree to the data being processed.
- My data is retained in line with the school's **GDPR Data Protection Policy**.
- My rights to the processing of my personal data.
- Where I can find out more information about the processing of my personal data.

**Name:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

