

PRIVACY NOTICE - PUPILS

OWN TRUST



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REVISIONS

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1. Who we are

OWN Trust is the employer for all schools within the Trust. For the purposes of Data Protection legislation, OWN Trust is the Data Controller. This means it is in charge of personal data about applicants.

The postal address of the Trust is:

OWN Trust
t/a Nene Valley Primary School,
Sugar Way
Peterborough
PE2 9RT

The Data Protection Officer for the Trust can be contacted at dpo@own-trust.education.

In this policy 'we' and 'us' means OWN Trust.

We take the privacy of our pupils seriously and this notice outlines what sort of personal data we collect, why we do this, how long we store it and who we share it with.

Access to personal data is only available to those who need it for a specific purpose.

2. Keep us up to date

As parents/carers, it is important that you let us know if there are any changes to your situation or personal details.

This is so that we can manage and protect your child, their data and communicate with you safely and quickly.

Please let us know straight away if any of these change:

- Your name;
- Address;
- Phone number (including mobile);
- Email address.

We will contact emergency contacts using the most recent address, email or phone number you have given us. If you don't tell us promptly about a change in your details, you may not receive information that could be important – or it could fall into the wrong hands.

Where you have provided an e-mail address we will use this for important messages that relate to you or your child.

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

- Personal information (such as name, unique pupil number, address, family details and contact information);
- Characteristics (such as ethnicity, language, gender, nationality, country of birth and free school meal eligibility);
- Attendance information (such as sessions attended, number of absences and absence reasons);
- Exam/Assessment information (including national curriculum results);
- Relevant medical information;
- Special Educational Needs information;
- Behavioural/Exclusions information;
- Information to enable educational trips;
- Images of pupils through photographs;
- Images of pupils through CCTV at various locations around the sites that have CCTV;
- Personal information about a pupil's parents and/or relatives (such as name, contact details;
- relationship to child)
- We may monitor or record telephone calls for training and quality assurance purposes.

4. Why we collect and use this information

We use the data:

- to support pupil learning;
- to monitor and report on pupil progress;
- to provide appropriate pastoral care/safeguarding of students;
- to assess the quality of our services;
- to comply with the law regarding data sharing;
- to enable the use of parent payment systems;
- to enable the use of our finance and education systems;

- to share data for statutory inspections and audit purposes;
- for detection/prevention of crime (CCTV footage);
- to improve the teaching and learning process at school.

OWN Trust may make use of limited personal data relating to pupil, parents/guardians for fundraising, marketing and promotional purposes such as school prospectus and to maintain relationships with pupils of the academy.

5. The lawful basis on which we use this information

We collect and use pupil information under:

- Education Act 1996 – this information can be found in the guide documents on the following website
<https://www.gov.uk/education/data-collection-and-censuses-for-schools>
- The Education (Pupil Registration) (England) Regulations;
- The School Standards and Framework Act 1998;
- The School Admissions Regulations 2012;
- Children and Families Act 2014;
- The Special Educational Needs and Disability Regulations 2014;
- Data Protection Act (1998) (until 25 May 2018);
- General Data Protection Regulation (from 25 May 2018);
 - Article 6(1)(a) – consent;
 - Article 6(1)(c) – legal obligation;
 - Article 6(1)(e) – public task;
 - Article 9(2)(a) – explicit consent;
 - Article 9(2)(g) – substantial public interest.

The DfE process census data under the various Education Acts – further information can be found on their website:

<https://www.gov.uk/education/data-collection-and-censuses-for-schools>

Our disclosure of personal data is lawful for the following reasons:

- OWN Trust is under a legal obligation to disclose the information or disclosing the information is necessary for us to meet legal requirements imposed upon us such as our duty to look after our pupils and protect them from harm;
- It is necessary for us to disclose information for the purposes of our functions in providing schooling. This is a function which is in the public interest.
- We have a legitimate interest in disclosing information because it is necessary in order to provide our pupils with education and pastoral care and connected purposes as outlined above.
- We will not usually need consent to disclose your information. However, if at any time it appears to us that we would need consent then this will be sought before a disclosure is made.

6. Collecting Pupil Information

Whilst the majority of pupil information provided to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform parents and pupils whether they are required to provide certain pupil information to us or if they have a choice in this. We may also receive information from previous schools, the local authority and the Department of Education (DfE).

7. Storing pupil data

Personal data will be kept secure whilst it is being stored, used and when it is being shared with others. We hold pupil data until the pupil reaches the age of 25 or until they leave the school and their records are transferred. After this time the paper records are securely shredded and the electronic files are deleted. CCTV footage is overwritten on a rolling approximately 7 week schedule unless exported for evidential purposes in line with our ICO registered purposes (detection and prevention of crime).

We do not normally transfer information to a different country which is outside the European Economic Area. This would only happen if a parent lives abroad or if the pupil moves to a new school abroad. If this happens we will be very careful to make sure that it is safe to transfer the information. We will look at whether that other country has good data protection laws for example. If we cannot be sure that it is safe then we will talk to the pupil and parent about it and make sure that you are happy for us to send the information. As this is not something we normally do, and we don't know which country we might need to send information to, we cannot provide more information about it now but if we want to transfer data to a different country then we will tell parents and pupils whether or not we think it is safe and why we have decided that.

8. Who we share pupil information with

We treat all information we hold about you (Pupils, Parents and other emergency contacts) as private and confidential to our organisation. We will not reveal any personal details concerning you to anyone not connected with OWN Trust or listed below unless:

- You ask use to provide information, or we have your consent to do so;
- We are required or permitted to do so by law;
- It is required by law enforcement;
- There is a duty to the public to reveal the information, e.g.: regulatory bodies, tax authorities, the department for education or education funding agency;

We routinely share pupil information with:

- schools that the pupil attends after leaving us;
- our local authority:
Peterborough City Council

<https://www.peterborough.gov.uk/council/council-data/data-protection-privacynotice/>

- the Department for Education (DfE);
- OWN Trust

We share specific pupil information, as necessary, with:

- School Nurse;
- CAMHS (Child and Adolescent Mental Health Service);
- Governors/Trustees;
- Support professional such as counsellors;
- Travel companies for school trips;
- Companies including GL Assessment and Insight for assessment data comparisons;
- Suppliers including those for photography services, cashless systems, management information systems and parent finance systems.

Additional third party disclosures can be found within our Data Protection Policy.

We use a selection of cloud hosted solutions throughout the Trust to provide educational services. We only use providers who have a GDPR policy, have undertaken a self-

certification process and are on the DfE's approved cloud services list. We will only use cloud services where we can be confident that our data is processed within the UK or EU and subject to the GDPR requirements.

The latest version of the policy can be downloaded from our website

– www.own-trust.education

The information disclosed to these people / services will include sensitive personal information about the pupil. Usually this means information about health and any special educational needs or disabilities. We do this because these people need the information so that they can support the pupil.

We will also provide information about pupils to parents or main carers. Where appropriate, we will listen to pupil views first. We will also take family circumstances into account, where a Court has decided what information a parent/carers is allowed to have.

When you give us information about another person, you need to ensure you have permission from them to provide us with their information.

9. Why we share pupil information

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

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

We are required to share information about our pupils with the DfE under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013. We also share information with OWN Trust to monitor and support pupil progress.\

10. 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-collectionand-censuses-for-schools>.

11. 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. We 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, go to

<https://www.gov.uk/government/publications/nationalpupil-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;
- 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>

12. Requesting access to your personal data

Information about your children will be held by us in both paper form and on our IT systems and will be kept in line with our retention procedures.

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 the Data Protection Officer at OWN Trust, by email dpo@own-trust.education or write to Data Protection Officer, t/a Nene Valley Primary School, Sugar Way, Peterborough. PE2 9RT.

We will need to see proof of identity to ensure we are not releasing data to the wrong person.

There may be a small charge for this service – if so, we will make this clear.

You also have the right to:

- ask us to correct any information we have about you if you think it is wrong;
- ask us to erase information about you (although we may have good reasons why we cannot do this);
- ask us to limit what we are doing with your information;
- object to what we are doing with your information;

- ask us to transfer your information to another organisation in a format that makes it easy for them to use.

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

13. Automated Decision Making Processes

We do not employ any automated decision making processes within our trust. If we did, you would have the right to:

- Give written notice requiring us to not take any automated decision using your personal data;
- Be informed of when an automated decision is taken;
- Ask us to reconsider a decision taken by automated means.

If, in the future, we move to using automated decision making processes, we will notify you of this and of your rights under the regulations.

If at any time you are not happy with how we are processing your personal information, then you may raise the issue with the Data Protection Officer and if you are not happy with the outcome you may raise a complaint with the Information Commissioner's Office:

Information Commissioner's Office
 Wycliffe House
 Water Lane
 Wilmslow
 Cheshire
 SK9 5AF
 Tel: 0303 123 1113 (local rate)
 or 01625 545 745 if you prefer to use a national rate number.

14. Contact

There is more information in our Data Protection Policy which can be downloaded from our website – www.own-trust.education

If you would like to discuss anything in this privacy notice, please contact:
 Data Protection Officer at OWN Trust, by email dpo@own-trust.education
 or write to Data Protection Officer, t/a Nene Valley Primary School, Sugar Way,
 Peterborough. PE2 9RT.