

Ormiston Academies Trust

## Privacy notice for pupils

### Policy version control

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Author	Sonia Pressure (Data Protection Officer)
In consultation with	Data Strategy and Information Governance Board.
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Description of changes	<p>Policy reformatted to current OAT brand guidelines and contents page added.</p> <p><u>Changes to the following sections:</u></p> <ol style="list-style-type: none"> <li>1. Who are we: following sentence added; "If there are parts of this privacy notice that you do not understand, please contact your class teacher, who will be able to explain it to you".</li> <li>2. How do we use your information: following bullet point added to the list; "to meet the statutory duties placed upon us by the Department for Education."</li> <li>4. Why do we collect, process or share your information?: bullet point has been amended; "It is in your <b>or another's</b> vital interests for your personal information to be passed to these people or services, <b>to the extent that it is necessary to save someone's life.</b>"</li> </ol>

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## Privacy notice for pupils and about pupils

This document is about how we use information about you and what we do with it. We call this information about you 'personal data' or 'personal information'.

### 1. Who are we?

Ormiston Academies Trust is the organisation which is in charge of your personal information. This means they are called the **Data Controller**.

The postal address of the Academy Trust is:

**Ormiston Academies Trust  
Ormiston House  
144, Newall Street  
Birmingham  
B3 1RY.**

If you want to contact us about the data we control, please contact the **Data Protection Officer, Sonia Pressure**. She can be contacted via [dpo@ormistonacademies.co.uk](mailto:dpo@ormistonacademies.co.uk) or on 0121 262 4725. If there are parts of this privacy notice that you do not understand, please contact your class teacher, who will be able to explain it to you.

### 2. What information do we collect?

This information will include your contact details; unique pupil number; emergency contact details; national curriculum assessment results; attendance information; any behaviour or exclusion information; where you go after you leave us, and personal characteristics such as your ethnic group, any special educational needs you may have as well as relevant medical or safeguarding information.

We will also use CCTV, photographs of you and video recordings. More details about this are in our photograph policy. These can be found on our Website. Most of the time we ask you for permission to use images of you for different situations. For the purposes of identifying, safeguarding and making sure that our academies can function we do keep individual pupil photographs on our academies management systems.

For pupils enrolling for post 14 qualifications, the Learning Records Service will give us the unique learner number (ULN) and may also give us details about your learning or qualifications.

When we collect personal information on our forms, we will make it clear whether there is a legal requirement for you/your parents to provide it, whether there is a legal requirement to collect it. If there is no legal requirement, then we will explain why we need it and what the consequences are if it is not provided.

### 3. How do we use your information?

The Trust and its academies collect and hold personal information relating to you and may also receive information about you from your previous school(s), local authority and/or the Department for Education (DfE). We use this personal data to:

- support your learning;

- monitor and report on your learning, attainment and progress;
- provide appropriate care for you and keep you safe;
- assess and improve the quality of our services;
- comply with the law about sharing personal data;
- to support you in your transition to a post-16 provider of education or training;
- organise activities and other learning that may take place outside the academies' premises;
- for fundraising, promotional and marketing purposes.;
- to meet the statutory duties placed upon us by the Department for Education.

#### 4. Who do we share your information with?

We are required, by law, under regulation 5 of the Education (Information about Individual Pupils) England Regulations 2013, to pass information about you to the Department for Education (DfE). This is the part of the Government which is responsible for schools. This information may then be made available for use by the Local Authority for each of the Trust's academies.

For more information about data collections and the DfE, go to: <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

The DfE may also share information about you, that we give to them, with other people or organisations. This will only take place where the law, including the law about data protection allows it. Some of this information is then stored in the National Pupil Database.

The National Pupil Database (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.

To find out more about the NPD, go to [National pupil database: user guide and supporting information - GOV.UK](#).

The department may share information about you 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 secure processes in place to ensure the confidentiality of your data is maintained and there are strict controls in place regarding access and use of the data. Decisions on whether DfE releases data to third parties have 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 given access to your 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>

We will also disclose your personal data to:

- Your new school if you move from the academy
- School nurse and NHS
- School Counsellor
- CAMHS (Child and Adolescent Mental Health Service)
- Careers advisors
- Data processors working under data sharing agreements with the Trust, such as ICT suppliers
- Disclosures connected with Special Educational Needs support
- Disclosures connected with safeguarding issues/concerns
- Post-16 education and training providers

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

Once you reach the age of 13, the law requires us to pass on certain information to the local provider of Youth Support Services in your area who 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
- NHS and health agencies

A parent / guardian can request that only their child's name, address and date of birth be passed to the local provider of Youth Support Services in your area by informing the relevant academy's Data Protection Lead. This right is transferred to you when you reach the age 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

We will not give information about you to anyone without your consent, unless the law and our policies allow us to do so. If you want to receive a copy of the information, about you, that we hold, please contact your academy Data Protection Lead.

We will also normally give information about you to your parents or your main carer. Where appropriate and where the law allows, we will listen to your views first. We will also take family circumstances into account, in particular where a court has decided what information a parent is allowed to have.

## 5. Why do we collect, process or share your information?

When we collect, process or share your information, as detailed above, it is lawful for at least one of the following reasons:

- The Academy Trust is under a legal obligation to collect your information and share it so that we meet legal requirements imposed upon us such as our duty to look after you and protect you from harm.
- It is necessary for us to disclose your information so that we can provide you with an education and look after you. This is known as being in the public interest and means we have real and proper reasons to use your information.
- It is in your or another's vital interests for your personal information to be passed to these people or services, to the extent that it is necessary to save someone's life.
- We will not usually need to ask if we can use your information. However, if at any time it appears to us that we would like to use your personal data in a way which means that we would need your permission then we will explain to you what we want to do and ask you for consent. This is most likely to be when involved in activities which are not really part of our job as an Academy Trust / School but we because we think it would benefit you, such as extra-curricular clubs. If you give your consent, you may change your mind at any time. If we think that you will not understand what we are asking then we will ask your parent or carer instead. Usually, we will involve your parents even if you can make your own decision. By law we won't always need their consent, if you can give it, but parents like to be involved because it is part of looking after you. Before you are old enough to understand we will ask your parents to consent for you.

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

## 6. How long do we store your information?

We only keep your information for as long as we need to or for as long as the law requires us to. Most of the information we have about you will be in your pupil file. We usually keep these until your 25<sup>th</sup> birthday unless you move to another school in which case we send your file to your new school. We have a policy which explains how long we keep information. It is called a Records Retention Policy and you can find it in the documents and policies section of the Ormiston Academies Trust website [http://www.ormistonacademiestrust.co.uk/documents\\_and\\_policies](http://www.ormistonacademiestrust.co.uk/documents_and_policies) or ask for a copy at reception.

## 7. What are your rights?

- You can ask us for a copy of the information we have about you
- You can ask us to correct any information we have about you if you think it is wrong
- You can ask us to erase information about you (although we may have good reasons why we cannot do this)
- You can ask us to limit what we are doing with your information
- You can object to what we are doing with your information
- You can ask us to transfer your information to another organisation in a format that makes it easy for them to use.

There is more information in our Data Protection Policy, that can be found in the documents and policies section of the Ormiston Academies Trust website [http://www.ormistonacademiestrust.co.uk/documents\\_and\\_policies](http://www.ormistonacademiestrust.co.uk/documents_and_policies) or you can ask for a copy at your academy's reception.

You can complain about what we do with your personal information. If you are not happy with our answer to your complaint then you can complain to 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.