



Oakmeadow CE Primary School Privacy Notice

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 parents, carers and students.

We, Oakmeadow CE Primary & Nursery School, are the "data controller" for the purposes of data protection law.

Our data protection officer is:

Mr Mansel Davies

Privacy Notice (How we use pupil information)

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

- Personal information (such as name, unique pupil number and address)
- Family information and contact details
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment information
- Relevant medical information
- Special educational needs information
- Exclusions/behavioural information
- CCTV images captured in school
- Safeguarding information
- Photographs

We may also hold data about pupils that we have received from other organisations, including other schools, Local Authorities and the Department for Education.

Why we collect and use this information

We only collect and use pupils' personal data when the law allows us to. Most commonly, we process it where:

- Contact parents or carers when we need to
- Support pupil learning
- Monitor and report on pupil progress, and track the progress of the school as a whole
- Celebrate success / achievements of our students
- Protect pupil welfare
- to provide appropriate pastoral care
- to assess the quality of our services
- administer admissions waiting lists
- to comply with the law regarding data sharing

Our legal basis for using this data

- We only collect and use pupils' personal data when the law allows us to. Most commonly, we process it where:

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest

Less commonly, we may also process pupils' personal data in situations where:

- We have obtained consent to use it in a certain way

We need to protect the individual's vital interests (or someone else's interests)

Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

- Some of the reasons listed for collecting and using pupils' personal data overlap, and there may be several grounds which justify our use of this data.

We collect and use pupil information for general purposes under the lawful basis of Consent, as outlined under Article 6 of the General Data Protection Regulation (GDPR)

from 25 May 2018. Pupils under the age of thirteen cannot provide consent and therefore those classed with legal parental responsibility will be the 'individual' to provide data.

By asking for consent;

- We have checked that consent is the most appropriate lawful basis for processing.
- We have made the request for consent prominent and separate from our terms and conditions.
- We ask people to positively opt in.
- We don't use pre-ticked boxes or any other type of default consent.
- We use clear, plain language that is easy to understand.
- We specify why we want the data and what we're going to do with it.
- We give individual ('granular') options to consent separately to different purposes and types of processing.
- We name our organisation and any third party controllers who will be relying on the consent.
- We tell individuals they can withdraw their consent.
- We ensure that individuals can refuse to consent without detriment.
- We avoid making consent a precondition of service.
- If we offer online services directly to children, we only seek consent if we have age-verification measures (and parental-consent measures for younger children) in place.

Recording consent

- We keep a record of when and how we got consent from the individual.
- We keep a record of exactly what they were told at the time.

Managing Consent

- We regularly review consents to check that the relationship, the processing and the purposes have not changed.
- We have processes in place to refresh consent at appropriate intervals, including any parental consents.
- We consider using privacy dashboards or other preference-management tools as a matter of good practice.

- We make it easy for individuals to withdraw their consent at any time, and publicise how to do so.
- We act on withdrawals of consent as soon as we can.
- We don't penalise individuals who wish to withdraw consent.

We process data classified as special category data under the lawful basis of Consent, as outlined under Article 9 of the GDPR. Special category data is personal data which the GDPR says is more sensitive and so needs more protection. This can include information such as an individual's:

- Race
- Ethnic origin
- Religion
- Health

We will process data classified as special category data under the following condition as listed in Article 9 (2) of the GDPR:

"The data subject has given explicit consent to the processing of those personal data for one or more specified purposes, except where Union or Member State law provide that the prohibition referred to in paragraph 1 may not be lifted by the data subject;"

Collecting pupil information

Whilst the majority of pupil information you provide 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 you whether you are required to provide certain pupil information to us or if you have a choice in this.

Storing pupil data

We keep personal information about pupils while they are attending our school.

We are required by law to hold pupil data information for "Date of Birth of the pupil + 25 years" at which point it is securely shredded and/or electronically permanently deleted. For further information please see <http://irms.org.uk/page/SchoolsToolkit>
<https://www.legislation.gov.uk/ukpga/1980/58/section/2>

Data sharing

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

Where it is **legally required**, or **necessary** (and it complies with data protection law) we may share personal information about pupils with:

We routinely share pupil information with:

- schools that the pupil's attend after leaving us
- The Local Authority (which includes the Education Welfare Officer and the Shropshire Music Service)
- the Department for Education (DfE)
- the Standards & Testing Agency (STA)
- Ofsted (to maintain standards across the schools)
- The schools' websites, newsletters, school play programmes, etc. which may be visible to members of the general public (use of names and/or photographs to celebrate achievements, acknowledge participation in events, etc. where parental consent has been obtained. Consent to this use of data may be withdrawn at any time by contacting the Data Protection Officer.
- The schools' PTA organisations (to keep you up to date of events and fund-raisers which are held in aid of the school)
- Suppliers and service providers (to enable them to provide the service we have contracted them for, including, but not limited to: Capita SIMS, PE Passport, Teachers to Parents, Parents Evening System, Seesaw, 2 simple, Purple Mash, EES (Target Tracker), electronic signing in system, Chaffinch confidential waste collection, and e-schools.
- Capita SIMs – school database
- the Department of Health
- Shropshire Community Health NHS Trust
- South Staffordshire & Shropshire Healthcare NHS Foundation Trust
- Shrewsbury & Telford Hospital NHS Trust
- Skills Funded Agency
- Organisations that require access to data in the Learner Records Service

- The LA may share information about individuals where this is likely to enable a beneficial intervention from the other public sector agencies.

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 our local authority (LA) and the Department for Education (DfE) under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

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-collection-and-censuses-for-schools>.

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/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>

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;

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

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/>

Contact

If you would like to discuss anything in this privacy notice, please contact:

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