Privacy Notice for Pupils

Introduction

We collect and use personal information about pupils so that we can operate effectively as a school.

This privacy notice explains how we collect, store and use (i.e. process) pupils' information, as well as what rights pupils have in relation to our processing of their information.

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

School Lead:	Meg Wilson (Headteacher) admin@olol.org.uk 01454 867160
Data Protection Officer:	Nicola Cook, SchoolsDPO Ltd nicola@schoolsdpo.com 01296 658502

1) The categories of pupil information we process includes:

- **Personal identifiers and contacts**, e.g. name, unique pupil number, contact details and address, identification documents, photographs and CCTV images
- **Characteristics**, e.g. ethnicity, language, pupil premium and free school meal eligibility
- **Attendance information**, e.g. sessions attended, number of absences and reasons, any previous schools attended
- **Assessment and attainment**, e.g. key stage 1 and phonics results. KS2 SATs.
- **Medical and administration**, e.g. child health, dental health, allergies, medication and dietary requirements, doctor's information
- **Special educational needs**, including details of the needs and ranking
- **Behavioural information**, e.g. behavioural incidents, exclusions and any alternative provision put in place

- **Safeguarding information**, e.g. court orders, professional involvement
- **Additional educational activity information**, e.g. involvement in school trips, after school clubs, sporting events.

2) Why we collect and use pupil information

The personal information we collect and use is essential for us to operate effectively as a school and meet our legal obligations.

We collect and use pupils' personal information for the following purposes:

a) Support pupil learning
b) Monitor and report on pupil attainment and progress
c) Provide appropriate pastoral care
d) Protect the welfare of pupils and others in our school
e) Meet our legal obligations
f) Administer school admissions
g) Run our school safely and effectively
h) Assess the quality of our services.

3) Collecting pupil information

We collect information about pupils before they join our school and keep this updated as necessary.

Most of the personal information we process is provided directly by parents when their child joins us. The majority of information provided by parents is mandatory, but some may be provided on a voluntary basis. Whenever we collect pupil information from parents, we will make it clear whether providing it is mandatory or optional.

We may also receive information via secure transfer from another school or setting, or from external professionals supporting a pupil (e.g. educational psychologists, speech therapy etc).

4) Storing pupil information

A significant amount of personal information is stored electronically, e.g. in our management information database and curriculum network. Some information may also be stored in hard copy format in lockable cupboard/cabinets.

We hold pupil information in line with our retention schedule, a copy of which can be obtained from the school office.

5) Who we share pupil information with

We routinely share pupil information with:

- Schools that pupils attend after leaving us
- Our local authority to support it in meeting its statutory duties, e.g. school admissions
- Department for Education (DfE), e.g statutory data collections (see Appendix One for information on how the DfE uses pupils' information)
- Companies providing services to our school, e.g catering, educational software, photography, communication services

From time to time, we may also share pupil information with third parties, including:

- NHS health professionals, including the school nurse
- Educational psychologists
- Education Welfare Officers
- Prevent teams to meet the Prevent Duty on schools
- Police and law enforcement agencies
- Courts, if ordered to do so
- Research organisations
- Charities and voluntary organisations.

We do not share information about our pupils with anyone without consent, unless the law and our policies allow us to do so.
When we share pupil information with third parties, we will always ensure that we share the minimum amount of information necessary for the purpose of the sharing. We will also require them to keep pupil personal information secure and to treat it in accordance with data protection law.

6) The lawful basis on which we use this information

Our school, as a data controller, needs to comply with the UK's General Data Protection Regulation (GDPR) and the UK Data Protection Act 2018. We are required to ensure we have a lawful basis under the GDPR for any processing we carry out on personal data.

Under Article 6 of the GDPR, the lawful bases we rely on for processing pupil information are:

1. We need to comply with a **legal obligation**, e.g. DfE data returns
2. We need to meet our **public task** of running our school and keeping everyone safe
3. We have a **legitimate interest**
4. We have obtained **consent** to use personal information in a certain way
5. We need to protect someone's life (**vital interests)** in an emergency.

Our lawful bases under the GDPR for the purposes listed in section 2 above are as follows:

a) Support pupil learning - **public task**
b) Monitor and report on pupil progress and attainment - **legal obligation, public task**
c) Provide appropriate pastoral care - **public task**
d) Protect the welfare of pupils and others in our school - **public task**
e) Meet our legal obligations - **legal obligation**
f) Administer school admissions - **legal obligation**
g) Run our school safely and effectively - **public task**
h) Assess the quality of our services - **legitimate interests**.

Some pupil information requires extra protection because it is considered more sensitive. This includes race, ethnicity, religious beliefs, medical conditions, genetic information and biometric data.

Under Article 9 of the GDPR, if we are processing special category data, we will also rely on one of the following lawful conditions:

- We have **explicit consent**
- To meet our obligations as a data controller, or those of data subjects, in connection with **employment, social security and social protection**
- To meet our **public interest** task of keeping pupils safe and ensuring **equality of opportunity/treatment**
- To establish, exercise or defend **legal claims**
- To protect someone's life (**vital interests**) in an emergency.

In addition, under the UK's Data Protection Act 2018, we rely on the processing conditions at Schedule 1 part 1, paragraphs 8 and 18. These relate to the processing of special category data for safeguarding and equality of opportunity/treatment. Our Appropriate Policy Document provides more information about this processing. This can be accessed on the school website by clicking on the following link: 38918173_page_file.pdf

7) The lawful basis of consent

Whenever we rely on consent as our lawful basis, it must be freely given, informed and clear. It can also be withdrawn at any time by contacting the school lead (details on the first page).

8) Pupils' Data Protection Rights

Under the GDPR pupils have the right to request access to the information about them that we process (a **subject access request)**.

Where a child does not have the maturity to understand their own data rights, a parent can make a subject access request on their behalf. It is generally considered that around the age of 12 a child is mature enough to understand and request access to their information.

Therefore, in our primary school, parents are able to make an access request on behalf of their child; although we will always consider this on a case by case basis.

To make a request for your child's information, please contact the school lead (details on first page).

Pupils (or parents on their behalf, as above) also have the right to:

- Have their personal data corrected if it is inaccurate or incomplete
- Request the deletion or removal of personal data where there is no compelling reason for its continued processing
- Restrict the processing of their personal data (i.e. permitting its storage but no further processing)
- 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 upon them.

For more information on how we handle subject access requests, please see our Data Protection Policy. This can be found on our school website by clicking on the following link:- 38918174_page_file.pdf

9) Parents' right to access their child's educational record

In our school, as a maintained school, parents have a separate right to access their child's educational record under the Education (Pupil Information, England) Regulations 2005.

The request must be made in writing and the information will be provided within 15 school days of receipt of the request. This is an independent legal right of parents and sits outside of the GDPR.

10) How you can help us

As a school, we have limited staff resources outside of term time. It is really helpful if parents can submit any requests for access to their child's information during term time and not too close to the end of term. This will support us in responding as quickly as possible to any requests, which we always want to do.

11) Any concerns

We take any concerns about our collection and use of personal information very seriously, so please contact us (details on first page) to raise any concerns in the first instance.

If you remain concerned, having done this, you have the right to raise your concerns with the Information Commissioner's Office and you can find more information about how to do this here.

12) Appendix One - Department for Education

(Information provided by the DfE)

Please see link below:-

Privacy notices: an explanation