



## **Privacy Notice for pupils and families**

### **The categories of pupil information that we process:**

- Personal information (such as name, unique pupil number and address)
- 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 Education Needs information
- Exclusions/behavioural information
- Personal information about a pupil's parents and/or other relatives (such as name, contact details, relationship to child, parental responsibility)
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs
- 3<sup>rd</sup> and 4<sup>th</sup> contacts
- CCTV images captured on the academy site

### **Why we collect and use this information**

We use the pupil data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing
- To share data for statutory inspections and audit purposes

### **The lawful basis on which we use this information**

We collect and use pupil information under

- The Education Act (various years)
- 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

- Article 6, and Article 9 (GDPR) – from 25 May 2018 (includes special category data)

Article 6, and Article 9 (GDPR)

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Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent and explain how consent can be withdrawn.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 above for collecting and using pupils' personal data overlap, and there may be several grounds which justify our use of this data.

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>

### **Collecting pupil information**

Pupil data is essential for the academy's 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

We collect pupil information via admission forms when your child first starts at the academy, registration forms at the start of the school year or Common Transfer File (CTF) or secure file transfer from previous school/academy.

We hold (on your behalf) additional contacts 3 & 4 that we may use in an emergency, should we be unable to contact either parent/carer.

From you about other people:

If you provide information on behalf of anyone else, then in doing so you are confirming that you have explained to them how their information may be used by us and they have given you permission to do so. You will also contact us immediately if they no longer wish their data to be held by us or their data needs to be updated.

### **Storing pupil data**

We hold pupil data securely for the set amount of time shown in line with our Retention Schedule. If you would like more information about this, please contact the Academy Office.

Pupil records will only be retained whilst the child is attending Ocker Hill Academy, thereafter the records will be forwarded to either another primary school/academy or secondary school/academy, as appropriate.

## **Who we share pupil information with**

We routinely share pupil information with:

- schools/academies that the pupil's attend after leaving us
- The pupil's family and representatives – *so they are aware of the progress that pupils are making, pastoral care they may receive, any additional support to meet an SEN*
- our local authority authority (Sandwell)
- the Department for Education (DfE)
- NHS and Health organisations
- Educational Resource providers -*to enable them to provide the contracted service*
- Survey and research organisations – *to ensure the attainment, progress, health and wellbeing of groups of pupils*
- Health authorities – *to ensure the health, safety and wellbeing of a pupil*
- Professional advisers and consultants – *to ensure the attainment and progress of all children and different groups of children.*
- Charities and voluntary organisations - *to ensure the attainment, progress, health and wellbeing of groups of pupils*
- Police forces, courts, tribunals – *where this affects the safety and wellbeing of pupils*
- Professional bodies - *to ensure the attainment, progress, health and wellbeing of groups of pupils*

If you require a full list of organisations, please contact the Academy Office.

## **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.

### **Department for Education**

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.

### **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 Stephanie Boughton, Business Manager, 0121 556 0445 or [office@ockerhill.academy](mailto:office@ockerhill.academy).

You also 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

### **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 Stephanie Boughton, Business Manager, 0121 556 0445 or [office@ockerhill.academy](mailto:office@ockerhill.academy).

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/>.

### **Last updated**

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time.

### **Contact**

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

Ocker Hill Academy  
Gospel Oak Road  
Tipton  
DY4 0DS

Tel: 0121 556 0455

[office@ockerhill.academy](mailto:office@ockerhill.academy)

or The DPO centre

## How Government uses your data

The pupil data that we lawfully share with the DfE through data collections:

- underpins school/academy funding, which is calculated based upon the numbers of children and their characteristics in each school/academy.
- informs 'short term' education policy monitoring and school/academy. 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/academy.)

### 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/academies 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/academy 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>.

### Sharing by the Department

The law allows the Department to share pupils' personal data with certain third parties, including:

- schools/academies 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's 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 DfE to request access to individual level information relevant to detecting that crime.

For information about which organisations the Department 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>.

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>

### **How to find out what personal information DfE hold about you**

Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- 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, you should make a 'subject access request'. Further information on how to do this can be found within the Department's 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 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 the academy office.

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/>

**May 2022.**