

Privacy notice for parents/carers, October 2019

Under data protection law, individuals have a right to be informed about how the academy 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 **pupils and families**.

Olive Academies MAT, 95 Ditchling Road, Brighton, BN1 4ST is the 'data controller' for the purposes of data protection law.

Our data protection officer is Adam Tedesco (see 'Contact us' below).

The personal data we hold

Personal data that we may collect, use, store and share (when appropriate) about pupils includes, but is not restricted to:

- personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- characteristics (such as ethnicity, language, and free school meal eligibility)
- safeguarding information (such as court orders and professional involvement)
- special educational needs (including the needs and ranking)
- medical and administration (such as doctor's information, child health, dental health, allergies, medication and dietary requirements)
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended)
- assessment and attainment (such as key stage 1 and phonics results, post 16 courses enrolled for and any relevant results)
- behavioural information (such as exclusions and any relevant alternative provision put in place)

We may also collect, store and use information about pupils and families that falls into "special categories" of more sensitive personal data. This includes information about (where applicable):

- characteristics, such as ethnicity, languages spoken and eligibility for certain benefits
- family circumstances
- physical and mental health, including medical conditions
- support received, including care packages, plans and support providers

Personal data that we may collect, use, store and share (when appropriate) about parents/carers includes, but is not restricted to:

- contact details and contact preferences
- bank details
- photographs
- CCTV images captured in school

Use of your personal data for marketing purposes

Where you have given us consent to do so, Olive Academies may send you marketing information by email or text promoting school events, campaigns, charitable causes or services that may be of interest to you. You can withdraw consent or 'opt out' of receiving these emails and/or texts at

any time by clicking on the 'Unsubscribe' link at the bottom of any such communication, or by contacting our data protection officer.

Why we use this data

The personal data collected is essential, for the academy to fulfil its official functions and meet legal requirements.

We use this data to:

- a) to support pupil learning
- b) to monitor and report on pupil attainment progress
- c) to provide appropriate pastoral care
- d) to assess the quality of our services
- e) to keep children safe (food allergies, or emergency contact details)
- f) to meet the statutory duties placed upon us by the Department for Education (DfE)

The lawful basis for processing personal data we rely on is:

Under the General Data Protection Regulations (GDPR), the legal basis we rely on for processing personal information for general purposes is outlined in GDPR Article 6 and where data processed is special category data this is outlined in Article 9. <https://gdpr-info.eu/art-9-gdpr/>

We only collect and use 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, e.g. use of photos
- we need to protect the individual's vital interests (or someone else's interests).

Collecting this information

We collect pupil information via registration forms completed at the beginning of a pupil's time at the academy and/or secure file transfer from a previous school.

While the majority of information we collect is mandatory, there is some information that can be provided voluntarily. Whenever we seek to collect information from you or your child, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

How we store this data

We keep personal information about pupils while they are attending our academy. We may also keep it beyond their attendance at our academy if this is necessary in order to comply with our legal obligations. Our data retention policy sets out how long we keep information about pupils. It is available on the academy website or from the academy office.

Data sharing

We do not share information about pupils and their families 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:

- our local authority – to meet our legal obligations to share certain information with it to ensure they can conduct their statutory duties under the Schools Admission Code, including conducting Fair Access Panels

- the Department for Education (see below)
- the pupil's family and representatives
- educators and examining bodies, for example in situations of exam misconduct
- security organisations, for safeguarding and fire evacuation purposes where relevant
- health and social welfare organisations, for any safeguarding purposes
- police force, courts, tribunals to provide data for civil or criminal prosecution
- youth support services (pupils aged 13+ and 16+) (see below)
- schools

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. All data is transferred securely and held by DfE under a combination of software and hardware controls, which meet the current [government security policy framework](#). For more information, please see 'How Government uses your data' section at the end of this document.

Youth support services

Once our pupils reach the age of 13, we are legally required to pass on certain information about them to the local authority as it has legal responsibilities regarding the education or training of 13-19-year-olds. This information enables it to provide youth support services, post-16 education and training services, and careers advisers. Parents/carers, or pupils once aged 16 or over, can contact our data protection officer to request that we only pass the individual's name, address and date of birth to the local authority.

Requesting access to your personal data

Under GDPR, 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 our DPO Adam Tedesco.

Depending on the lawful basis above, you may 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
- a right to seek redress, either through the ICO, or through the courts

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

Withdrawal of consent, contact 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 Adam Tedesco, Data Protection Officer, adam.tedesco@oliveacademies.org.uk

How Government uses your data

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

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

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)

Much of the data about pupils in England goes on to be held in 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.

To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-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
- 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. Whilst numbers fluctuate slightly over time, DfE typically supplies data on around 600 pupils per year to the Home Office and roughly 1 per year to the Police.

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/df-external-data-shares>

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>