



# **POLICY DOCUMENT**

## **GDPR Privacy Notice (Pupils)**

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## Introduction

You have a right to be informed about how the Wise Owl Trust and your Academy uses any personal information that we have about you. To comply with this, we provide this 'privacy notice' to you where we are processing your personal data which can also be found on our Academies websites.

This privacy notice explains how we collect, store and use your personal data.

We, the Wise Owl Trust, are the 'data controller' for the purposes of data protection law. Our Trust data protection officer is Sheryl Cardwell (s.cardwell@wiseowl.com)

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

- personal identifiers and contacts (such as name, unique pupil number, contact details and address)
- characteristics (such as ethnicity, language and free school meal eligibility) – removed nationality & country of birth.
- attendance information (such as sessions attended, number of absences, absence reasons and previous schools attendance)
- assessment & attainment information (such as test results; Key Stage 1 phonics results; SATs; RESPECT framework assessment)
- medical information (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- SEND information (such as Educational Psychology reports; Individual Education Plans, needs and ranking)
- exclusions/behavioural information (such as exclusions and any relevant alternative provisions put in place, Individual Behaviour Plans; Pastoral Support Plans; Boxhall Profile)
- safeguarding information (such as information shared with External Agencies; referrals to Children's Services, court orders and professional involvement)
- photographs
- CCTV images
- video images (ie as used with IRIS's video based learning platform for teachers)

In relation to Children in Need and Looked after Children:

- personal information (such as name, date of birth and address)
- characteristics (such as gender, ethnicity and disability)
- episodes of being a child in need (such as referral information; assessment information; Section 47 information; Initial Child Protection information and Child Protection Plan information)
- episodes of being looked after (such as important dates; information on placements)
- outcomes for looked after children (such as whether health and dental assessments are up-to-date; strengths and difficulties questionnaire scores and offending)
- adoptions (such as dates of key court orders and decisions)
- care leavers (such as their activity and what type of accommodation they have)
- Personal Education Plans
- Looked After Children reviews



This list is not exhaustive, to access the current list of categories of information we process please see <https://www.wiseowltrust.com/retentionschedule>

## Why we collect and use this information

We collect use pupil information, for the following purposes:

- 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 keep our children safe and ensure their well-being
- to ensure our children's medical needs are being met
- to get in touch with parents or carer's if we need to do so
- to track how well your academy as a whole is performing
- to meet the statutory duties placed upon us for DFE data collections

In relation to Children in Need and Looked after Children

- support these children and monitor their progress
- provide them with pastoral care
- assess the quality of our services
- evaluate and improve our policies on children's social care

## The lawful basis on which we process this information

Under the UK General Data Protection Regulation (UK GDPR) we will only collect and use your information when the law allows us to. Most often, we will use information where:

- we need to comply with the law
- we need to use it to carry out a task in the public interest (in order to provide you with an education)

Sometimes, we may also use your personal information where:

- you, or your parents/carers have given us permission to use it in a certain way
- we need to protect your interests (or someone else's interest)

Where we have got permission to use your data, you or your parents/carers may withdraw this at any time. We will make this clear when we ask for permission, and explain how to go about withdrawing consent.

Some of the reasons listed above for collecting and using your information overlap, and there may be several grounds which mean we can use your data.

## Collecting this information

We collect pupil information via registration forms and/or Common Transfer File (CTF) or secure file transfer from the previous school.

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 at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this. If you must provide the data, we will explain what might happen if you don't.

## Holding pupil data

We hold pupil data securely for the period during which you remain a pupil of an academy within the Wise Owl Trust. We may also keep it after you have left the academy, where we are required to by law.

We have a Retaining Records Schedule which sets out how long we must keep information. This is available on your academy website. <https://www.wiseowltrust.com/trust-documents>

## Who we share pupil information with

We do not share personal information about you with anyone outside the academy without permission from you or your parents/carers, unless the law and our policies allow us to do so.

Where it is legally required, or necessary for another reason allowed under data protection law, we may share personal information about you with:

- other academies within the Wise Owl Trust
- other schools and academies which you have attended either before joining us or after leaving us
- our Local Authority to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions/attendance information
- the Department for Education (DfE) – this is statutory and underpins funding and educational attainment policy and monitoring
- your family and representatives
- educators and examining bodies (such as the Standards and Testing Agency)
- our regulator, Ofsted and other professional bodies
- suppliers and service providers – to enable them to provide the service we have contracted them for (ie football clubs; parent pay etc)
- ICT systems (Arbor)
- survey and research organisations
- Security Organisations (Inventory systems)
- health and social welfare organisations (such as school nurse)
- professional advisers and consultants
- charities and voluntary organisations
- police forces, courts, tribunals

## 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.

### Department of 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.

In relation to Children in Need and Looked after Children; we are required to share information about our pupils with the DfE on a statutory basis under Section 83 of 1989 Children's Act, Section



7 of the Young People's Act 2008 and also under section 3 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.

### **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)

In relation to Children in Need & Looked After Children:

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

- develop national policies
- manage local authority performance
- administer and allocate funding
- identify and encourage good practice

### **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>.

In relation to Children in Need and Looked After Children; to find out more about the data collection requirements placed on us by the Department for Education go to:

Children in need: <https://www.gov.uk/guidance/children-in-need-census>

Children looked after: <https://www.gov.uk/guidance/children-looked-after-return>

### **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.

We are required by law, to provide information about 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 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.

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

- schools 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/dfе-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>.

## Transferring data internationally

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law

## Your rights

### Requesting access to your personal data

Under data protection legislation, parents/carers 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 Sheryl Cardwell ([s.cardwell@wiseowl.com](mailto:s.cardwell@wiseowl.com))

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

If you have a concern or complaint 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/>.

For further information on how to request access to personal information held centrally by DfE, please see the 'How Government uses your data' section of this notice.

### How to access personal information we hold about you

You can find out if we hold any personal information about you, and how we use it, by making a 'subject access request', as long as we judge that you can properly understand your rights and what they mean.

If we do hold information about you, we will:

- give you a description of it
- tell you why we are holding and processing it, and how long we will keep it for
- explain where we got it from, if not from you
- tell you who it has been, or will be shared with
- let you know if we are using your data to make an automated decisions (decisions being taken by a computer or machine, rather than a person)
- give you a copy of the information



You may also ask us to send your personal information to another organisation electronically in certain circumstances.

If you want to make a request, in the first instance, please contact your Principal.

### **Your other rights regarding your data**

You have other rights over how your personal data is used and kept safe, including the right to:

- say that you don't want it to be used if this would cause, or is causing, harm or distress
- stop it being used to send you marketing materials
- say that you don't want it used to make automated decisions (decisions made by a computer or machine, rather than a person)
- have it corrected, deleted or destroyed if it is wrong, or restrict our use of it
- claim compensation if the data protection rules are broken and this harms you in some way

### **Withdrawal of consent and the right to lodge a complaint**

We take any complaints about how we collect and use your personal data very seriously, so please let us know if you think we've done something wrong. 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 Sheryl Cardwell ([s.cardwell@wiseowl.com](mailto:s.cardwell@wiseowl.com))

You can also complain to the Information Commissioner's Office <https://ico.org.uk/concerns/>.

## **Notice Last updated**

We may need to update this privacy notice periodically so we recommend that you revisit this information from time to time. This version was last updated in April 2024.

## **Further information**

If you would like to discuss anything in this privacy notice, please contact Sheryl Cardwell ([s.cardwell@wiseowl.com](mailto:s.cardwell@wiseowl.com))

*\*This notice is based on the Department for Education's model privacy notice for the school workforce, amended to reflect the way we use data in the Wise Owl Trust*