Ormiston Academies Trust

Pupil and Parent/Carer Privacy Notice

This privacy notice has been written to inform parents/carers and pupils of Ormiston Academies Trust (OAT) about how and why we process their personal data.

Who are we?

Ormiston Academies Trust is a 'Data Controller' as defined by Article 4 (7) of GDPR. This means that we determine the purposes for which, and the manner in which, your personal data is processed. We have a responsibility to you and your personal data and will only collect and use this in ways which are compliant with data protection legislation.

The Trust has appointed Alexandra Coughlan to be its Data Protection Officer (DPO). The role of the DPO is to ensure that the Trust is compliant with GDPR and to oversee data protection procedures. The contact details are:

dpo@ormistonacademies.co.uk

1 Victoria Square
Birmingham
B1 1BD

*Please ensure you include the name of the school in all correspondence with the DPO where appropriate.

What information do we collect and why do we require it?

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

- personal information of pupils and their family members e.g. name, pupil number, date of birth and address
- educational achievement
- free school meal eligibility
- attendance information
- assessment information
- behavioural information
- safeguarding information

We will also process certain 'special category' data about our pupils including:

- relevant medical information - please note that where the pupil has a severe allergy or is thought to be at risk of needing emergency care for a medical issue then this will be shared with all the staff. We may do this in the form of photo identification in the staff room to ensure that all staff are aware of the issues should an emergency situation arise
- if they are looked after by their local authority
- Special Educational Needs and Disabilities information
- race, ethnicity and religion
- at relevant schools, biometric data e.g. digital finger scans.

The trust will ensure that this data has extra protection to ensure against accidental loss or destruction.

We use the information we collect:

- to support pupil learning
- to monitor and report on pupil achievement
- to provide appropriate pastoral and welfare care
- to assess the quality of our services

Who do we obtain your information from?

Much of the information we process will be obtained directly from you (pupils and parents/ carers). We will also process information received from:

- Department for Education (DfE)
- local authorities
- previous schools attended
- National Health Service bodies
- private fostering agencies.

Who do we share your personal data with?

Your name, contact details, and address will be held at individual school level so that we can contact you and also easily identify you should you contact us. Employees of the trust may only access your personal data if they require it to perform a task. There are procedures and checks in place to ensure that employees do not use your data for their own personal benefit. Only employees of the school which you or your child attends will have routine access to your information. On some occasions attendance and family support services and “back office” functions, such as administration, may be shared across the trust in order to provide a more efficient service to you in which case other employees in the trust may have limited access to your personal information. Our appointed governors and directors/trustees may also require your personal data for the governing of the school and trust. Personal data will only be disclosed to these individuals if there is a legitimate governing purpose to do so.

Third Party Processors - In order to deliver the best possible service the trust often uses third party organisations. These organisations will sometimes require access to your personal data in order to complete their work. If the trust does use a third party organisation it will always have an agreement in place to ensure that the other organisation keeps your data secure and only uses it for the agreed purpose(s).

Other Organisations - Occasionally the Trust is required to pass your data to other organisations. This could be because of a legal requirement or because a court orders the trust to do so. For example, the trust may need to share information with the police to help prevent or detect a crime. The trust may not have to tell you if we do share with other organisations.

We routinely share pupil information with:

- Department for Education (DfE)
- local authorities
- schools that pupils attend after leaving us
- National Health Service bodies
- if relevant, exam boards and testing agencies

For more information on information sharing with the DfE (including the National Pupil Database and Census) please go to: https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information. We will not share any information about you outside the school without your consent unless we have a lawful basis for doing so.

Internal Compliance Functions - The trust's internal auditors, data protection officer, health and safety advisers, insurers and external auditors may also have access to your personal data in order to complete their work.

Secondary schools only: Once our pupils reach the age of 13, we also pass information to the local authority and/or provider of youth support services as stipulated under section 507B of the Education Act 1996. The information provided includes names and addresses of pupil and parents/carers, pupil date of birth and any other information necessary for the provision of the service including gender or ethnicity. A parent or guardian can request that only their child's name, address and date of birth is passed to their local authority or provider of youth support services by informing us. This right is transferred to the child/pupil once he/she reaches the age 16. For more information regarding services for young people please visit the relevant local authority's website.

Do you transfer my data outside of the UK?

Generally the information that the school holds is all held within the UK. However, some information may be held on computer servers which are held outside of the UK. We will take all reasonable steps to ensure your data is not processed in a country that is not seen as 'safe' by the UK government. If the trust does need to send your data out of the European Economic Area it will ensure it has extra protection from loss or unauthorised access. If you or your child moves to a school outside of the European Economic Area then the Trust will seek your explicit consent prior to transferring your personal information to that school.

How long do we keep your personal data for?

We will keep your data in line with our Records Retention Policy. Most of the information we process about you will be retained as determined by statutory obligations. Any personal information which we are not required by law to retain will only be kept for as long as is necessary to fulfil our organisational needs.

What is our lawful basis for processing your personal data?

Any personal data that we process about our pupils and parents is done so in accordance with Article 6 and Article 9 of GDPR:

Our legal basis for processing your personal data, in line with Article 6(1)(c) includes but is not limited to:

- Education Act 1944,1996,2002
- Education and Adoption Act 2016
- Education (Information About Individual Pupils)(England) Regulations 2013
- Education (Pupil Information) (England) Regulations 2005
- Education and Skills Act 2008
- Children Act 1989, 2004
- Children and Families Act 2014
- Equality Act 2010
- Education (Special Educational Needs) Regulations 2001

We also process information in accordance with Article 6(e) and Article 9(2)(g) as part of the official authority vested in us as Data Controller and for reasons of substantial public interest. Such processing, which is not mandatory but is considered to be in our pupils' interests, includes:

- school trips
- before and after school provision
- extra curricular activities

Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. When we do process this additional information we will ensure that we ask for your consent to process it.

What rights do you have over your data?

Under UK GDPR, individuals have the following rights in relation to the processing of their personal data:

- to be informed about how we process your personal data. This notice fulfils this obligation
- to request access to your personal data that we hold, and be provided with a copy of it
- to request that your personal data is amended if inaccurate or incomplete
- to request that your personal data is erased where there is no compelling reason for its continued processing
- to request that the processing of your personal data is restricted
- to object to your personal data being processed

You can exercise any of these rights by contacting: dpo@ormistonacademies.co.uk.

If you have any concerns about the way we have handled your personal data or would like any further information, then please contact our DPO on the address provided above.

If we cannot resolve your concerns you may also complain to the Information Commissioner's Office (the Data Protection Regulator) about the way in which the Trust has handled your personal data. You can do so by contacting:

First Contact Team
Information Commissioner's Office
Wycliffe House, Water Lane
Wilmslow Cheshire
SK9 5AF

casework@ico.org.uk | 0303 123 1113