

## **St Nicholas Owen Catholic Multi Academy Company Pupil Privacy Notice**

We St Nicholas Owen Catholic Multi Academy Company are the data controller for the purposes of Data Protection Law.

### **Why are we giving this to you?**

As your Academy we need to use information about you. We do this for a number of reasons. This policy tells you what information we use about you and why we use it. It is very important that information about you is kept safe

If you want to know anything about what we do with information about you then please ask your teacher, or speak to your parents/guardians and ask them to contact the school. The school wants you to feel free to raise any questions at all.

We also have a person called the Data Protection Officer working on behalf of the school. They can answer any questions you have about what the school does with your information. If you or your parents/guardian want to speak to them, then you can do at:

YourIG Data Protection Officer Service  
Dudley MBC  
The Council House  
Dudley  
West Midlands  
DY1 1HF  
Email: [YourIGDPOService@dudley.gov.uk](mailto:YourIGDPOService@dudley.gov.uk)

### **Why do we collect and use pupil information?**

We collect and use pupil information under the following Acts of parliament and associated legislation:

#### **Secondary Age Pupils:**

The Education Act, amendments and accompanying regulations - For example; Section 537A of the 1996 Act enables the education setting to collect information to perform the Department of Education's termly census.

#### **Primary age educational settings:**

Section 40(2)(a) of the Childcare Act 2006 - early years foundation stage and Section 87 of the Education Act 2002 - key stage 1 and key stage 2, enables primary age education settings to collect information for the assessing and reporting of the national curriculum.

There are various versions of the Education Act both proceeding and following the 1996 Act that have influence on what information is required and how it is processed such as: The Education Reform Act 1998, Further and Higher Education Act 1992, Education Act 1994, School Standards and Framework Act 1998, Teaching and Higher Education Act 1998, Education Act 2002, Higher Education Act 2004, Education Act 2005, Education and Inspection Act 2006 and Education Act 2011, The Education (Pupil Information) England Regulations 2005 and associated regulations and statutory instruments.

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Where appropriate we also rely on:

The Children Act and subsequent amendments  
The Common Law Duty of Care  
Health and Safety at Work Act  
Working together to Safeguard Children Guidelines (DfE)  
Equality Act 2010  
The Disability Discrimination Act,  
Special Educational Needs (SEN) Code of Practice  
Safeguarding Vulnerable Groups Act  
Limitation Act 1980

We collect and use pupil information, for the following purposes:

- to support pupil learning
- to monitor and report on pupil attainment progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to keep children safe (food allergies, or emergency contact details)
- to meet the statutory duties placed upon us for DfE data collections
- to comply with the law regarding data sharing

**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, gender, religion, date of birth, free school meal eligibility)
- Special educational needs (including the needs and ranking)
- Safeguarding information (such as court orders and professional involvement)
- Medical and administration (such as doctors information, child health, dental health, allergies, medication and dietary requirements)
- Attendance information (such as sessions attended, number of absences and absence reasons, any previous schools attended)
- Assessment and attainment information (such as EYFS, Key Stage or internal academic assessment information, post 16 courses enrolled for and any relevant results)
- Behavioural information (such as exclusions and any relevant alternative provision put in place)
- Imagery (Photographs, CCTV footage)
- Biometric Data (used for school meals)

For a further example of the information typically held by schools, please see the Department for Education (DfE) Common Basic Data Set, here:

<https://www.gov.uk/government/publications/common-basic-data-set-cbds-database>

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## **Collecting pupil information**

We get this information from:

- You
- Your parents/guardians
- Teachers and other staff
- People from other organisations, like previous school, doctors or the local authority for example

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 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 and we will tell you what you need to do if you do not want to share this information with us.

We intend to collect consent to process information for; photographs, videos and their use and association with a pupil, biometric data. Please note, you have a right to withdraw consent at any time and can contact the school designated data champion.

If you provide us with contact details of others, for example, in case of emergency or when you may not be available please ensure that they are aware their information has been passed to the school.

We will also receive the above types of personal information, where relevant, from the previous school/nursery and may also receive information from the Local Authority (LA) and the DfE.

## **Storing pupil data**

The information we collect, use and store about pupils and their parents/carers is retained on our computer systems and in paper files, either until it is updated/superseded or until the pupil leaves the school where it will be passed on to the receiving school in accordance with the Education (Pupil Information) England Regulations 2005. Records are retained by a Secondary school for the period of 25 years from the Date of birth of the Child. Further information on how long we retain information can be found within our Retention and Destruction Policy, found on the St Nicholas Owen Catholic Multi Academy Website; [www.stnicholasowen-mac.org.uk](http://www.stnicholasowen-mac.org.uk) (under Key Information/Data Protection).

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

- Relevant staff within the school/Academy
- Archdiocese of Birmingham
- Other schools or educational institutions you may attend or require support from Local Authorities, to assist them in the exercise of their responsibilities in relation to education and training, youth support and safeguarding purposes
- The Department for Education and/or ESFA as required by the law
- Health Services
- Examination Boards
- Contractors, to enable them to provide an effective service to the school, such as school meal providers, payment services (e.g. ParentPay) external tutors and careers advisors

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- Support service providers, including;
- Capita SIMS
- Microsoft (Office 365)
- Google (G Suite)
- MyMaths
- PurpleMash
- RM Education
- TestBase
- Oxford Owl
- Education City
- West Midlands Fire
- ReaderAware (Library Services)
- SafeGuard
- TargetTracker (Primary target tracking)
- SISRA (Secondary target tracking)
- Inentry (Signing in system)

We are committed to working with the local authority in protecting and safeguarding children and young people in the Borough's. As a consequence, we intend, where relevant to do so, share information with the Multi-Agency Safeguarding Teams which is a co-located arrangement of agencies including the local authority, Police, NHS Trusts and Probation Service. Following local authority safeguarding procedures as required.

Where a pupil/parent/carer has been involved in an accident, an Accident/Incident Report Form will be completed which will include details of the accident including information about you. This information will be passed to the Corporate Health and Safety Team at the local authority and may be shared with others to allow us to comply with our statutory duties.

### **Aged 14+ qualifications**

For pupils enrolling for post 14 qualifications, the Learning Records Service will give us a pupil's unique learner number (ULN) and may also give us details about the pupil's learning or qualifications

### **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 the (DfE) under regulation 5 of The Education (Information About Individual Pupils) (England) Regulations 2013.

### **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>.

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### Our pupils aged 16+

We will also share certain information about pupils aged 16+ with our local authority and / or provider of youth support services as they have responsibilities in relation to the education or training of 13-19 year olds under section 507B of the Education Act 1996.

This enables them to provide services as follows:

- post-16 education and training providers
- careers advisers

A child / pupil once they reach they reach the age of 16 can object to only name, address and date of birth is passed to their local authority or provider of youth support services by informing us.

For more information about services for young people, please visit our local authorities:

<http://www.dudley.gov.uk>

<http://www.worcestershire.gov.uk>

<http://www.birmingham.gov.uk>

### Local Authorities

We may be required to share information about our pupils with the local authority to ensure that they can conduct their statutory duties under

- the Schools Admission Code, including conducting Fair Access Panels

### 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.

### 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 your school designated data champion

If you want to know anything about what we do with information about you then please ask your teacher, or speak to your parents/guardians and ask them to contact the school

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designated data champion.

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
- a right to seek redress, either through the ICO, or through the courts

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.

#### **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 the school designated data champion.

#### **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 on 18th September 2019

#### **Contact:**

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

YourIG Data Protection Officer Service  
Dudley MBC  
The Council House  
Dudley  
West Midlands  
DY1 1HF

Email: [YourIGDPOService@dudley.gov.uk](mailto:YourIGDPOService@dudley.gov.uk)

Tel: 01384 815607

#### **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.

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- 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/dfE-external-data-shares>

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**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 on the following website:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

To contact DfE: <https://www.gov.uk/contact-dfe>

**\* List of St Nicholas Owen Catholic Multi Academy Designated Data Champions**

- St Nicholas Owen Catholic Multi Academy Company - Amanda Hodder
- Hagley Catholic High School - Dean Jones
- Our Lady of Fatima Primary School - Claire Billingham
- St Ambrose Catholic Primary School - Kate Fish
- St Joseph's Catholic Primary School - Debbie Faux-Conduit
- St Mary's Catholic Primary School - Dawn Beese
- St Wulstan's Catholic Primary School - Dawn Beese