**The Oaktree School - Privacy Notice**

# Pupil Information

**This privacy notice explains how we collect, store and use personal data about pupils at The Oaktree School.**

# Name of Data Controller: The Oaktree School, Gorsewood Road, Woking, GU21 8WT

# Name of our Data Protection Officer: Aidan Relf: dpo@oaktree.surrey.sch.uk

## What information do we collect, hold and share about our pupils?

* 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 (such as periodic teacher judgements on progress etc. and also examination results)
* Medical information (any relevant medical conditions or treatments and a log of any incidents/illnesses that we are aware of that occurred in school)
* Behaviour (record of behaviour events associated with a child)
* SEN (record of any Special Education Needs along with associated observations, strategies and learning plans)
* Images of pupils engaging in school activities, and images captured by the school’s CCTV system (in accordance with the school’s Visual Images Policy)
* Dietary Requirements
* Mode of Travel
* Safeguarding Information

## 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
* Protect pupil welfare
* Administer admissions waiting lists

## The lawful basis on which we process this information

We collect and use pupil information under section 537A of the Education Act 1996 and Section 83 of the Children Act 1989. We also comply with Article 6 (1) (c) and Article 9 (2) (b) of the General Data Protection Regulation (GDPR).

## Collecting this information

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 whether you are required to provide certain pupil information to us or if you have a choice in this.

## Storing this data

In accordance with the GDPR the school does not store personal data indefinitely; data is only stored for as long as is necessary to complete the task for which it was originally collected.

## Who we share this information with

Where it is legally required or necessary (and it complies with data protection law) we may share personal information about pupils with:

* Schools that the pupils attend after leaving us
* Our local authority
* The Department for Education (DfE)
* Health Professionals (school nurse, educational psychologist, occupational therapists, speech and language, CAMHS, NHS)
* SEND professionals or educational settings
* The pupil’s family and representatives
* Our regulator - Ofsted
* Suppliers and service providers – to enable them to provide the service we have contracted them for
* Financial organisations such as Tucasi
* Professional advisers and consultants
* Police Forces, Courts, Tribunals

## Why we share this 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>.

## 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 our 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 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>

## 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.

## Requesting access to your personal data and your rights as a data subject

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 our Data Protection Officer (details at the beginning of this document).

If you make a subject access request, and if we do hold information about you or your child, 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 or your child
* Tell you who it has been, or will be, shared with
* Let you know whether any automated decision-making is being applied to the data, and any consequences of this
* Give you a copy of the information in an intelligible form

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact our Data Protection Officer.

You also have the right to:

* Object to processing where we are relying on legitimate interests as the legal basis for processing; in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed;
* Object to decisions being taken by automated means.
* Object to the use of your personal data if it would cause, or is causing, damage or distress
* Prevent your data being used to send direct marketing
* In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
* 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 ask 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/>

## Complaints

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our Data Protection Officer.

Alternatively, you can make a complaint to the Information Commissioner’s Office:

* Report a concern online at <https://ico.org.uk/concerns/>
* Call 0303 123 1113
* Or write to: Information Commissioner’s Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

## Further information

If you would like to discuss anything in this privacy notice, please contact our Data Protection Officer (details at the beginning of this document).