Privacy Notice for Pupils

1. Introduction

You have a legal right to be informed about how our School uses any personal information that we hold about you. To comply with this, we provide a 'privacy notice' to you where we are processing your personal data.

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

Olive Academies Independent Schools Board, Training & Development Centre, Inskip Drive, Hornchurch, RM11 3UR is the 'data controller' for the purposes of UK data protection law.

Our data protection officer is Kuda Mika (see 'Contact us' below).

2. The personal data we hold

We hold some personal information about you to make sure we can help you learn and look after you at the School.

For the same reasons, we get information about you from some other places too – like other academies, the local council and the government.

This information includes:

- your contact details
- your test results
- your attendance records
- details of any behaviour issues, and any suspensions/exclusions

We may also collect, use, store and share (when appropriate) information about you that falls into 'special categories' of more sensitive personal data. This includes, but is not restricted to:

- your characteristics, like your ethnic background or any special educational needs
- any medical conditions you have
- photographs
- CCTV images
- Education, Health and Care Plans (EHCPs), annual reviews, and associated local authority funding agreements.
- Professional specialist assessments (including Educational Psychology, Speech and Language Therapy, and Occupational Therapy reports).
- Clinical or therapeutic information, including risk assessments and multi-agency safety plans.

We may also hold data about you that we have received from other organisations, including other schools and local authorities.

3. Why we use this data

We use this data to help run the School, including to:

- get in touch with you and your parents when we need to

- check how you are doing in exams and work out whether you or your teachers need any extra help
- track how well the School as a whole is performing
- look after your wellbeing and keep you safe
- make sure our computers and other school systems and equipment are used appropriately, legally and safely
- answer your questions and complaints
- publish statistics, for example, about the number of pupils or learners in academies
- meet legal requirements placed upon us

We will only use your personal information for the purposes for which we have collected it, unless we reasonably consider that we need to use it for any other reason and that reason is incompatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and explain the legal basis that allows us to do so.

Please note that we may process your personal information without your knowledge or consent in compliance with the above rules where this is required or permitted by law.

3.1 Use of your personal data for marketing purposes

Where you have given us consent to do so, we may send you messages by email or text promoting school events, campaigns, charitable causes or services that you might be interested in.

You can take back this 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 us (see 'Contact us' below).

3.2 Use of your personal data in automated decision making and profiling

We do not currently put your personal information through any automated decision making or profiling process. This means we do not make decisions about you using only computers without any human involvement.

If this changes in the future, we will update this notice in order to explain the processing to you, including your right to object to it.

3.3 Use of your personal data for filtering and monitoring purposes

While you're in school, we may monitor what material you access on our computers and other IT and communication systems. We do this so that we can:

- Comply with health and safety law and other laws
- Comply with our policies (e.g. child protection policy, IT acceptable use policy)
- Keep our network(s) and devices safe from people who aren't allowed to access them, and prevent harmful software from damaging our network(s)
- Protect your welfare

4. Our lawful basis for using this data

We will only collect and use your information when the law allows us to. Most often, we will use your 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 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.

4.1 Our basis for using special category data

For 'special category' data (more sensitive personal information), we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in UK data protection law:

- We have obtained your explicit consent to use your information in a certain way
- We need to use your information under employment, social security or social protection law
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you are physically or legally incapable of giving consent
- The information has already been made obviously public by you
- We need to use it to make or defend against legal claims
- We need to use it for reasons of substantial public interest as defined in legislation
- We need to use it for health or social care purposes, and it is used by, or under the direction of, a professional obliged to confidentiality under law
- We need to use it for public health reasons, and it is used by, or under the direction of, a professional obliged to confidentiality under law
- We need to use it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the use is in the public interest

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in UK data protection law. Conditions include:

- We have obtained your consent to use it in a specific way
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you are physically or legally incapable of giving consent
- The data concerned has already been made obviously public by you
- We need to use it as part of legal proceedings, to obtain legal advice, or to make or defend against legal claims
- We need to use it for reasons of substantial public interest as defined in legislation

5. Collecting this data

While in most cases you, or your parents/carers, must provide the personal information we need to collect, there are some occasions when you can choose whether or not to provide the data.

Whenever we want to collect information from you, we make it clear if you have to give us this information (and if so, what the possible consequences are of not doing that), or if you have a choice.

Most of the data we hold about you will come from you, but we may also hold data about you from:

- Local councils

- Government departments or agencies
- Police forces, courts, tribunals
- Other schools or trusts
- Department for Education (DfE)

6. How we store this data

We will keep personal information about you while you are a pupil at our School. We may also keep it after you have left the School, where we are required to by law.

We have security measures in place to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We will dispose of your personal data securely when we no longer need it.

7. Who we share data with

We do not share personal information about you with anyone outside the School 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 (and it complies with UK data protection law), we may share personal information about you 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)
- your family and representatives
- educators and examining bodies, for example in situations of exam misconduct.
- emergency services, 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
- Health and therapeutic professionals contracted by or working with the school (including Educational Psychologists, Speech and Language Therapists, Occupational Therapists, and CAMHS).
- Local Authority SEND Teams responsible for commissioning and monitoring pupil placements and EHCPs.

7.1 National Pupil Database

We are required to provide information about you to the Department for Education (a government department) as part of data collections such as the School census.

Some of this information is then stored in the National Pupil Database, which is managed by the Department for Education and provides evidence on how academies are performing. This, in turn, supports research.

The database is held electronically so it can easily be turned into statistics. The information it holds is collected securely from academies, local authorities, exam boards and others.

The Department for Education may share information from the database with other organisations which promote children's education or wellbeing in England. These organisations must agree to strict terms and conditions about how they will use your data.

You can find more information about this on the Department for Education's webpage on how it collects and shares research data.

You can also contact the Department for Education if you have any questions about the database.

7.2 Youth support services

We will also share certain information about students who are 16 and over with our LA and/or providers of youth support services. This is because they have responsibilities in relation to the education or training of 13 to 19-year-olds under section 507B of the Education Action 1996.

This enables them to provide services as follows:

- Post-16 education and training providers
- Youth support services
- Careers advisers

We securely transfer information to the youth support services via encrypted email only.

The youth support services stores and retains this information in line with their policies.

7.3 Transferring data internationally

We may share personal information about you with international third parties such as security organisations, or other schools, where different data protection legislation applies.

Where we transfer your personal data to a third-party country or territory, we will do so in accordance with UK data protection law.

In cases where we have to set up safeguarding arrangements to complete this transfer, you can get a copy of these arrangements by contacting us

8. Your rights

8.1 How to access the personal information we hold about you

You have a right to make a 'subject access request' to gain access to personal information that we hold about you.

If you make a subject access request, and if we do hold information about you, we will (unless there is a really good reason why we should not):

- Give you a description of it
- Tell you why we are holding and using 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 whether any automated decision-making is being applied to the data (decisions made by a computer or machine, rather than by a person), and any consequences of this
- Give you a copy of the information in an understandable form

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

If you would like to make a request, please contact us (see 'Contact us' below).

8.2 Your other rights regarding your data

Under UK data protection law, you have certain rights regarding how your personal information is used and kept safe. For example, you have the right to:

- Say that you do not want your personal information to be used
- Stop it being used to send you marketing materials
- Say that you do not want it to be used for automated decisions (decisions made by a computer or machine, rather than by a person)
- In some cases, have it corrected if it is inaccurate
- In some cases, have it deleted or destroyed, or restrict its use
- Withdraw your consent, where you previously provided consent for your personal information to be collected, processed and transferred for a particular reason
- In some cases, be notified of a data breach
- Make a complaint to the Information Commissioner's Office
- Claim compensation if the UK data protection rules are broken and this harms you in some way

To exercise any of these rights, please contact us (see 'Contact us' below).

We may refuse your information rights request for legitimate reasons, which depend on why we're processing it. Some rights may not apply in these circumstances:

- Your right to have all personal data deleted or destroyed doesn't apply when the lawful basis for processing is legal obligation or public task
- Your right to receive a copy of your personal data, or have your personal data transmitted to another controller, does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests
- Right to object to the use of your private data doesn't apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't have the right to object, but you have the right to withdraw consent

9. Complaints

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

You have a statutory right to raise a data protection complaint directly with OA-North View If you believe we have processed your data unlawfully or infringed your rights, please contact our Data Protection Officer kuda.mika@oliveacademies.org.uk.

We will formally acknowledge your data protection complaint within five working days of receipt. We will thoroughly investigate the matter and provide you with a full response regarding our decision or the outcome of our investigation without undue delay, and at the latest within one calendar month. If you remain dissatisfied with our internal response, or if you prefer to bypass this process, you retain your right to lodge a complaint with the UK supervisory authority, the Information Commissioner's Office (ICO).

- Report a concern online at https://ico.org.uk/make-a-complaint/
- Call 0303 123 1113

- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

10. Contact us

If you have any questions, concerns, or would like more information about anything mentioned in this privacy notice, please contact our Data Protection Officer:

- **Data Protection Officer:** Kuda Mika
- **Email:** kuda.mika@oliveacademies.org.uk
- **Address:** Olive Academies Independent Schools Board, Training & Development Centre, Inskip Drive, Hornchurch, RM11 3UR