

# **The Observatory School - Privacy Notice (How we use pupil information)**

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

- 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
- Medical information
- Special educational needs information
- Exclusions/behavioural 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

## **The lawful basis on which we use this information**

We collect and use pupil information under

- Article 6 and Article 9 of General Data Protection Regulation
- Data collection Census purposes - Education Act 1996. This information can be found in the census guide documents on the following website <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

## **Collecting pupil information**

Whilst the majority of pupil information you provide to us is mandatory and the school has a legal basis to collect it, some pupil information is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation (GDPR), the school will inform you whether you are required to provide certain pupil information or if your consent is needed. Where consent is required, the school will provide you with specific and explicit information with regards to the reasons the data is being collected and how the data is being used.

## **Retaining and Disposing of pupil data**

Personal data relating to pupils and their families is stored in line with the school's Data Protection Policy. We retain and dispose of records in accordance with our records retention and destruction policy.

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

We are required to share pupils' data with the DFE on a statutory basis. We routinely share pupil information with:

- schools that the pupil's attend after leaving us
- our local authority

- the Department for Education (DfE) (Statutory)
- School Nurse, NHS.
- The National Pupil Database (NPD)

## Why we share pupil information

We do not share information about our pupils with anyone without consent, unless there is a legal basis to do. Examples of legal basis for sharing information is given below.

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 our local authority (LA) and the Department for Education (DfE) under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

## Youth Support Services

Once you are aged 13 or over, we are required by law to pass on certain information to the provider of youth support services in your area. This is the LA support service for young people aged 13 to 19 in England. We must provide both the name and address of you and your parents (and your date of birth) and any further information relevant to the support services' role.

However, until you are aged 16 or older, your parent(s) can ask that no information beyond your name, address and date of birth (and their name and address) be passed on to the youth services provider. This right transfers to you on your 16<sup>th</sup> birthday. Please inform the Admin/Data Manger if this is what you or your parents wish.

For more information about young peoples' services locally please go to the LA website shown above, or the DirectGov Young People page at [www.direct.gov.uk/en/YoungPeople/index.htm](http://www.direct.gov.uk/en/YoungPeople/index.htm).

## 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>.

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 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.

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>

## Requesting access to your personal data

Under data protection legislation, parents and pupils have the right to request access to information about them that the school holds. To make a request for your personal information, or be given access to your child's educational record, contact Mr G Chiswell, Head Teacher. The Data

Protection Officer for The Observatory School is Jane Corrin and she can be contacted via the school office on 0151 6527093

## Individual's Rights

GDPR gives individuals the following rights:-

The right to be informed - Individuals have the right to be informed about the collection and use of their personal data.

The right of access - Individuals will have the right to obtain:  
confirmation that their data is being processed;  
access to their personal data; and  
other supplementary information

The right to rectification - Individuals have the right to have inaccurate personal data rectified.

The right to erasure - individuals can request to have personal data erased, also known as the right to be forgotten'. Individuals can make a request for erasure verbally or in writing and we have a month to respond. The right is **not absolute** and only applies in certain circumstances.

The right to restrict processing - Individuals have the right to request the restriction or suppression of their personal data. This is **not an absolute** right and only applies in certain circumstances

The right to data portability - Individuals can obtain and reuse their personal data for their own purposes across different services. This right only applies to information an individual has provided to a controller.

The right to object – to processing including direct marketing (including profiling); and processing for purposes of scientific/historical research and statistics

Rights in relation to automated decision making and profiling – you can object to decision making based solely on automated means without any human involvement.

## Contact

If you have a concern about the way we are collecting or using pupil's personal data, we request that you raise your concern with us in the first instance. If we cannot resolve your query then you have the right to contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

If you would like to discuss anything in this privacy notice, please contact: Mr G Chiswell, Head Teacher or Jane Corrin, Data Protection Officer 0151 6527093

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