

# Privacy notice for Parents/ Carers



This privacy notice explains how we collect, store and use personal data about pupils. We, The Oaks, are the 'data controller' for the purposes of data protection law.

Enquiries should be addressed to "The Data Protection Officer" at  
The Oaks Secondary School Rock Rd, Spennymoor, Co. Durham DL16 7DB

## Who we are and what we do

We are The Oaks School. We are a large, local authority school, for young people with special educational needs. Our local authority is Durham County Council.

## The personal data we collect and hold

We hold personal data about pupils, their parents or carers to support teaching and learning, to provide pastoral care and to assess how the school is performing. We may also receive data about pupils from other organisations including, but not limited to, other schools, local authorities, health care providers and the Department for Education.

Personal data that we may collect, use, store and share (when appropriate) about parents and pupils includes, but is not restricted to:

- Contact details, contact preferences, date of birth, identification documents, National Insurance number.
- Results of internal assessments and externally set tests
- Pupil and curricular records
- Characteristics, such as ethnic background, eligibility for free school meals, or special educational needs
- Exclusion information
- Details of any medical conditions, including physical and mental health
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs

## Why we use this data

We use this data to:

- Support pupil learning
- Monitor and report on pupil progress
- Provide appropriate pastoral care
- Protect pupil welfare
- Assess the quality of our services (including monitoring staff performance)

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- Administer admissions waiting lists
  - Carry out research
  - Comply with the law regarding data sharing
  - Identify pupil eligibility for Free School Meals and Pupil Premium funding

## **Our legal basis for using this data**

We collect and use personal data on the basis of performing a public task (educating children).

On some occasions we may ask for consent to process data when its use is optional. On those occasions consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

## **Collecting this information**

We collect / obtain data from pupils, parents, carers, teachers and other professionals where relevant (e.g. G.P, hospital, social workers etc.)

## **How we store this data**

We keep personal information about pupils, and their parents/guardians while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations. We will only retain the data we collect for as long as is necessary. This would be to satisfy the purpose for which it has been collected in accordance with our data retention policy. Please contact us if you would like further details on this policy.

The security of data and information is important to us. This is why we follow a range of security policies and procedures to control and safeguard access to and use of your personal information. This includes both physical and technical security and integrity of all data.

## **Data sharing**

We will share information, for instance with health and local government when the law requires it. Additionally we may share information with other organisations when we have a legitimate interest to do so. We are required to provide pupil data to central government through the Department for Education and the Education Funding Agency. Where it is necessary to protect a child, the school will also share data with the Local Authority Children's Social Services, medical professional and/or the Police. We will share information with the local authority to check eligibility for free school meals.

We do not transfer personal data to countries outside the European Economic Area.

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## Parents and pupils' rights regarding personal data

Individuals have a right to make a **'subject access request'** to gain access to personal information that the school holds about them. This includes access to their child's educational record. This request should be made to the school.

Parents/Carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 13), or where the child has provided consent.

Parents also have the right to make a subject access request with respect to any personal data the school holds about them.

If you make a subject access request, we will:

- Give you a copy of the information in an intelligible form
- Give you a description of the data we hold
- 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.

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

## Other rights

Individuals have rights regarding how their personal data is used and kept safe, including the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used to send direct marketing
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)
- 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

To exercise any of these rights, please contact our data protection officer.

## Complaints

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

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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

### 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:

Helen Crawford  
Deputy Head teacher / Data Officer  
The Oaks Secondary School  
Rock Rd  
Spennymoor  
Co. Durham  
DL16 7DB

### Sharing with the DfE and the Government

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.
- 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

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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 of Education**

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>

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