



Outwood Primary Academy Littleworth Grange
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Chief Executive Principal, Primary: Mr Lee Wilson
Principal: Mrs Gemma Kilner

May 2018

Dear Parents and Carers

Changes to Data Protection Law

You may be aware that from later this month, the rules around data protection are changing. The 'General Data Protection Regulation' (GDPR) will change how we can use your personal data and keep it safe, and will also strengthen your rights over your own data.

The point of this is to make sure sensitive or private information about yourselves and your children stays safe. Whilst it is similar to the current Data Protection Act in many ways, there are a few differences, so we need to make a few changes at the school in order to ensure we remain compliant.

One of these changes is that we have updated our privacy notice. We have attached a copy of the revised Privacy Notice for your information, it is also available on the academy's website.

As part of our work to comply with the GDPR, we are also re-seeking consent for using photographs or videos of your child on our website, internal displays or other academy materials. We have enclosed this form along with our Photography Policy, and would appreciate it if you filled this out and returned it to the school office by Friday 25th May 2018. The information in this form will be used throughout your child's time at academy. You may withdraw your consent at any time by contacting the academy office. We know that parents/carers greatly value the use of Twitter feeds from the academy to keep up with academy life and activities your children have been involved in. We are keen to ensure that we are able to continue this in the future by receiving your consent.

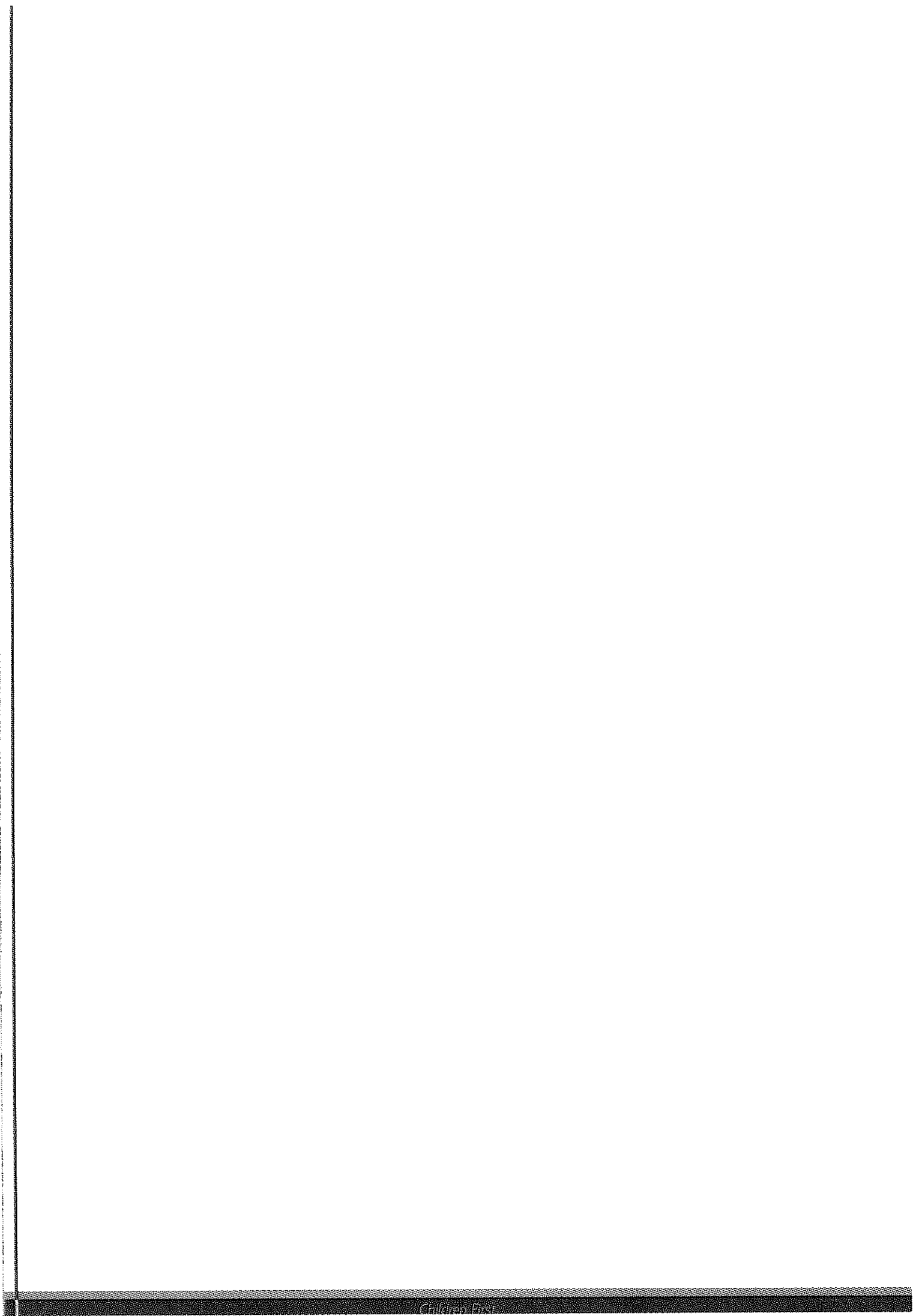
If you have any questions about how the GDPR affects you, or how our school is preparing, you can contact either myself or the academy office.

Yours faithfully

Gemma Kilner
Principal

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Registered office: Potovens Lane, Outwood, Wakefield, West Yorkshire WF1 2PF

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If you are not the intended recipient, please contact the Outwood Grange Academies Trust and destroy all copies of the original letter.



Privacy Notice for pupils (provided to parents and carers)

This letter might be difficult for you to understand. You can ask your parents or another adult such as your teacher to help you understand it.

It is about how we use information about you and what we do with it. We call this information about you 'personal data' or 'personal information.'

Who we are

You already know that your school is part of the Academy Trust called Outwood Grange Academies Trust but we have to tell you that the Academy Trust is the organisation which is in charge of your personal information. This means the Academy Trust is called the Data Controller.

The postal address of the Academy Trust is Outwood Grange Academies Trust, Potovens Lane, Wakefield, WF1 2PF.

If you want to contact us about your personal information you can contact our Data Protection Officer who is Katy Bradford, Chief Operating Officer. You can speak to her in the academy or you can leave a letter at reception or send one by post.

How we use pupil information

Outwood Grange Academies Trust collect and hold personal information relating to our pupils and may also receive information about them from their previous school, local authority and / or the Department for Education (DfE). We use this personal data to:

- support your learning
- monitor and report on their progress
- provide appropriate care for you; and
- assess the quality of our services
- to comply with the law about sharing personal data
[add anything else which may be relevant]

This information will include your contact details, national curriculum assessment results, attendance information, any exclusion information, where you go after you leave us and personal characteristics such as your ethnic group, any special educational needs you may have as well as relevant medical information. We will also use photographs of you. More details about this are in our photograph policy.

The use of your information for these purposes is lawful for the following reasons:

- The Academy Trust is under a legal obligation to collect the information or the information is necessary for us to meet legal requirements imposed upon us such as our duty to safeguard pupils.
- it is necessary for us to hold and use your information for the purposes of our functions in providing schooling and so we can look after our pupils. This is a function which is in the public interest because everybody needs to have an education. This means we have real and proper reasons to use your information.
- We will not usually need your consent to use your information. However, if at any time it appears to us that we would like to use your personal data in a way which means that we would need your consent then we will explain to you what we want to

do and ask you for consent. This is most likely to be we are involved in activities which are not really part of our job as an Academy Trust but we are involved because we think it would benefit our pupils. If you give your consent, you may change your mind at any time. If we think that you will not understand what we are asking then we will ask your parent or carer instead. Usually, we will involve your parents even if you can make your own decision.

When we collect personal information on our forms, we will make it clear whether there is a legal requirement for you / your parents to provide it, whether there is a legal requirement on the school / academy trust to collect it. If there is no legal requirement then we will explain why we need it and what the consequences are if it is not provided.

When we give your information to others

We will not give information about our pupils to anyone without your consent unless the law and our policies allow us to do so. If you want to receive a copy of the information about you that we hold, please contact the academy's Principal.

We are required, by law (under regulation 5 of the Education (Information about Individual Pupils) England Regulations 2013, to pass some information about our pupils to the Department for Education (DfE). This is the part of the Government which is responsible for schools. This information may, in turn, then be made available for use by the Local Authority.

The DfE may also share information about pupils that we give to them, with other people or organisations. This will only take place where the law, including the law about data protection allows it.

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 pupil information we share with the department, for the purpose of data collections, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

To find out more about the NPD, go to [National pupil database: user guide and supporting information - GOV.UK](#).

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>

We will also normally give information about you to your parents or your main carer. Where appropriate, we will listen to your views first. We will also take family circumstances into account, in particular where a Court has decided what information a parent is allowed to have.

We will also disclose your personal data to:

- Your new school if you move schools
- Disclosures connected with SEND or medical support – e.g. non-LA professionals, medical professionals, educational psychologist
- School nurse
- School Counsellor
- CAMHS (Child and Adolescent Mental Health Service)
- Education and homework software systems such as Kerboodle (homework), Hegarty (maths), Times Tables Rockstars. These will be provided with your name and academy only, no further personal data will be shared.

The trust also shares pupils' data with our chosen independent careers services, Careers Inc. The information that is shared allows the careers advisor to provide informed and tailored guidance and advice to each pupil.

The information disclosed to these people / services may include sensitive personal information about you. Usually this means information about your health and any special educational needs or disabilities which you have. We do this because these people need the information so that they can support you.

Our disclosure of your personal data is lawful for the following reasons:

- The Academy Trust is under a legal obligation to disclose the information or disclosing the information is necessary for us to meet legal requirements imposed upon us such as our duty to look after our pupils and protect them from harm.
- It is necessary for us to disclose your information for the purposes of our functions in

providing schooling. This is a function which is in the public interest.

- We have a legitimate interest in disclosing your information because it is necessary in order to provide our pupils with education and pastoral care and connected purposes as outlined above.
- We will not usually need consent to disclose your information. However, if at any time it appears to us that we would need consent then this will be sought before a disclosure is made.

It is in your vital interests for your personal information to be passed to these people or services. We will ask you for consent once we think that you can understand what we are asking. This is because the law requires us to ask you if you can understand. Normally, we involve your parents too. By law we will not need their consent if you can give it but parents like to be involved because it is part of looking after you. Before you are old enough to understand we will ask your parents to consent for you.

We do not normally transfer your information to a different country which is outside the European Economic Area. This would only happen if one of your parents lives abroad or if you move to a new school abroad. If this happens we will be very careful to make sure that it is safe to transfer your information. We will look at whether that other country has good data protection laws for example. If we cannot be sure that it is safe then we will talk to you and your parents about it and make sure that you are happy for us to send your information. As this is not something we normally do and we don't know which country we might need to send your information to, we cannot tell you more about it now but if we want to transfer your data to a different country then we will tell you whether or not we think it is safe and why we have decided that.

CCTV

Our academies use Closed Circuit Television cameras for the purposes of monitoring our premises and to support any student behavioural policies. There are visible signs showing that CCTV is in operation and images from this system are securely stored where only a limited number of authorised persons may have access to them. We may be required to disclose CCTV images to authorised third parties such as the police to assist with crime prevention or at the behest of a court order.

Parental / additional information

For the purpose of supporting our students we will also collect, hold and share some parental or additional information i.e. name, address, contact details, parental responsibility, details of siblings not otherwise already pupils in our academies and details of parents' nominated emergency contacts.

Praising Stars Target Setting

Target setting for the purposes of Praising Stars reporting is based on an automated process. Once the targets have been auto-generated, they will be subject to checking by the Principal to ensure that they appear appropriate. The targets are generated based on the previous academic performance data provided by your previous educational setting or from assessment of your current abilities.

How long we keep your information

We only keep your information for as long as we need to or for as long as the law requires us to. Most of the information we have about you will be in your pupil file. We usually keep these until your 25th birthday unless you move to another school in which case we send your

file to your new school. We have a policy which explains how long we keep information. It is called a Data Retention Policy and you can find it here www.outwood.com/policies or ask for a copy at reception.

Your rights

You have these rights:

- You can ask us for a copy of the information we have about you
- You can ask us to correct any information we have about you if you think it is wrong - please speak to your Learning Manager in the first instance if you believe that any data we hold is incorrect
- You can ask us to erase information about you (although we may have good reasons why we cannot do this)
- You can ask us to limit what we are doing with your information
- You can object to what we are doing with your information
- You can ask us to transfer your information to another organisation in a format that makes it easy for them to use.

There is more information in our Data Protection Policy or you can ask your Principal.

The policy can be found at www.outwood.com/policies or you can ask for a copy at Student Reception.

You can complain about what we do with your personal information. If you are not happy with our answer to your complaint then you can complain to the Information Commissioner's Office:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number.

Please complete the declaration on the next page:

Declaration by parents/carers

Name of child: _____

I, _____, declare that I understand that:

- Outwood Grange Academies Trust has a legal and legitimate interest to collect and process my child's personal data in order to meet statutory requirements.
- How my child's data is used.
- Outwood Grange Academies Trust may share my child's data with the DfE, and subsequently the LA and other parties as part of providing schooling.
- Outwood Grange Academies Trust will always ask for explicit consent where this is required, and I must provide this consent if I agree to the data being processed.
- My child's data is retained in line with the Trust's GDPR Data Protection Policy.
- My rights to the processing of my child's personal data.
- Where I can find out more information about the processing of my child's personal data.

Consent

- I consent to the auto generation of targets.

Signed: _____

Date: _____



Photograph Policy

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Photograph Policy

Policy Statement

The Academy is obliged to comply with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 when it takes or publishes photographs of its students. The academy trust will always try to act in the best interest of the students and, as far as it legally can, it will take parental preferences into account.

The Data Protection Act gives children rights over their own data when they are considered to have adequate capacity to understand. Most children will reach this level of understanding at around age 13. For this reason, for most children in a secondary school, it will normally be up to the individual child to decide whether or not to be photographed. Where the academy considers that the child does not have the capacity to make such a decision the academy will act as it considers to be in the best interests of the child and in doing so will take account of any stated parental preference.

Photographs taken for curricular, assessment, security, registration, training and development or travel reasons will not be used for any other purpose. This includes EYFS pupils who have their photographs taken to provide evidence of their achievements for developmental records (EYFS Framework 2012) and as part of their end of Foundation Stage Profile.

Publicity photography is helpful in publicising the success of the students and the academy and in promoting educational initiatives. From time to time members of the press and media are invited into academy to cover events celebrating success. However, the views of parents who, for any reason, do not wish their children to appear in such photographs will be respected at all times as will the views of those students with capacity to consent. The academy will judge each situation regarding photographs and video images portraying students on a case by case basis. The academy will use reasonable judgement when using images for the progression of the academy and its students whilst always respecting the wishes of the individual and their parents.

If you wish to express a preference for the academy to avoid taking or publishing photographs of your child in certain circumstances then please indicate your preferences using the attached form. If no preferences are expressed then we will act in accordance with the principles expressed in this policy.

Digital and Video Images

The development of digital imaging technologies has created significant benefits to learning, allowing staff and students instant use of images that they have recorded themselves or downloaded from the internet. However, staff and students need to be aware of the risks associated with sharing images and with posting digital images on the internet. Those images may remain available on the internet forever and may cause harm or embarrassment to individuals in the short or longer term. There are many reported incidents of employers carrying out internet searches for information about potential and existing employees. The academy will inform and educate users about these risks and will implement policies to reduce the likelihood of the potential for harm (see Acceptable Use Policy and Staff Code of Conduct):

- When using digital images, staff should inform and educate students about the risks associated with the taking, use, sharing, publication and distribution of images. In particular they should recognise the risks attached to publishing their own images on the internet e.g. on social networking sites.
- Staff are allowed to take digital / video images, using academy equipment, to support educational aims, but must follow academy policies concerning the sharing, distribution and publication of those images.
- Care should be taken when taking digital / video images that students are appropriately dressed and are not participating in activities that might bring the individuals or the academy into disrepute.
- Students must not take, use, share, publish or distribute images of others (staff and students) without their permission
- Photographs published on the website, or elsewhere that include students will be selected carefully and will comply with good practice guidance on the use of such images.
- Students' full names will not be used anywhere on a website or blog, particularly in association with photographs.
- Written permission from parents or carers will be obtained before photographs of students are published on the school website or for other promotional material (appendix I)
- Cameras and mobile phones are prohibited in the toilet areas of the academies or nappy changing areas of EYFS classrooms.
- Visitors, volunteers and students are not permitted to use their own mobile phones to take or record any images of EYFS pupils at any time, unless authorisation is given by the academy to do so.

Photography by School Staff

School staff can be involved in the photography of students and staff for the following main purposes:

- Student administration.
- Curriculum or course work.
- EYFS Profile record keeping and evidence gathering.
- Corporate and community activities.

Good Practice

The following advice represents good practice in the use of photographic images involving students.

1. When taking a picture the academy must obtain the consent of the person in the picture (for students over the age of 13 with capacity) or their parent or carer for all other students including EYFS pupils.

2. Ensure that the commitment made in the consent form (appendix 1) is followed:

- a. Not to name the student
- b. Not to use the photograph out of context
- c. Not to use the photograph to illustrate sensitive or negative issues

3. When photographing students:

a. Check students or parents/carers have given permission through the Consent Form (appendix 1). Staff should note that a list of students without Media Consent will be kept centrally. It is each member of staff's responsibility to check this list if they intend to use any images of students.

b. Ensure all students are appropriately dressed.

c. Avoid photographs that only show a single child with no surrounding context of what they are learning or doing. A photograph for identification purposes e.g. for identification purposes on the academy's management information system, may endure for several years but should not be retained when replaced or expired.

d. Do not use images of a student who is considered vulnerable.

e. Avoid naming students. If a name is required use only the first name.

f. Use photographs that represent the diversity of the students participating. g. Events such as, Sports day and Fundraising Events may be recorded by video and photographs by staff. However School Productions and the EYFS Nativity Play will be photographed by the academy and parents will be requested to only do so for their personal use and not to be shared or published.

h. Report any concerns relating to any inappropriate or intrusive photography to the Safeguarding Officer.

i. Do not use any images that are likely to cause distress, upset or embarrassment.

4. Staff should use academy equipment wherever possible for recording images of children. If exceptionally it is necessary for staff to use their own equipment (e.g. due to the malfunction of academy equipment or an unexpected event) then the image should be handed to the academy at the earliest opportunity and deleted from staff equipment, including mobile phones.

5. Visitors are not permitted to take photographs of students.

6. Photographs taken by staff on visits may be used in the curriculum and displayed within the academy or at parents' evenings to illustrate the work of the academy provided they have the appropriate consent.

7. Copyright and use of photographs is carefully controlled by and retained safely by the academy. Photographs taken professionally are circulated to parents, for purchase, by way of a secure, password protected website.

Examples of Specific Situations where Photographs may be Taken

1. Inter-School Fixtures

If a student who is vulnerable or does not have consent is involved in such an event, it is necessary to liaise with a member of staff from the other establishment so they are aware of the parent/carers wishes and can seek the cooperation of the parents from the opposing team. In this situation spectating students must be made aware they cannot take, use, share, publish or distribute images of others without their permission.

2. Teacher Training Portfolios

It will be necessary during teacher training and the NQT year for colleagues to compile portfolios of evidence. Staff must act responsibly when compiling these images and a member of the SLT may wish to see the images in the portfolio to consider their appropriateness.

3. Displays

Displays must depict students in an appropriate way and the relevant permissions must be obtained.

4. Practical Examination Evidence

It is good practice for colleagues to confirm what will happen to video evidence used to assess practical elements of an examination with the external examiner during their visit to the academy. Any identifiable imagery or documentation must be properly secured/protected.

5. Newspapers

Team photographs – if a parent is not happy to have a child's name printed on a photograph or even be included in the photograph then consideration must be given to publishing the team without any names, or without some students. Photograph Opportunities – newspapers will not normally publish photographs of small groups of students without full names. This means that often the academy will only be able to offer photograph opportunities to those students whose parents are happy for them to be photographed or named.

6. Internet Sites

Only appropriate images must be used on the website. For example a student who has achieved success in swimming should only be photographed in a tracksuit and not in a swimsuit.

Ordinarily the following rules will apply to photographs in the academy:

Photographs for internal use

- The academy will take photographs for its own use. Usually these will be unnamed photographs and will generally be for internal academy use but may also include photographs for publication, such as photos for the prospectus, or to show on slides during presentations. Unnamed photographs may also be used on display boards which can be seen by visitors to the academy.
- When the photograph is taken, the student will be informed that a photograph is being taken and told what it is for so that they can object if they wish.
- If the academy wants to use named photographs then it will obtain specific consent from the student (where they have adequate capacity), or abide by the preference stated by the parent/guardian on the attached form.

- Please be aware that should your child leave the academy and they or you wish to withdraw consent to use an image, then it will be necessary for this to be stated in writing.

Media use

- The academy will give proper consideration to the interests of its students when deciding whether to allow external organisations to take photographs or to film.
- When the media are allowed to be present in the academy or at academy events, this will be on the condition that they observe this policy.
- Where the media are allowed to be present at a particular event the academy will make sure that students and/or their parents or carers are informed of the media presence. If no objection is received, then the academy will assume that unnamed photographs may be published.
- If the media wants to publish named photographs then they must obtain specific consent from those students with capacity to consent of the parents/carers of those without capacity. The academy will require the media to check with the academy before publication so that they can check the completed parental consent form.

Family photographs at academy events

- It shall be at the discretion of the academy whether photographs may be taken at an academy event.
- Family and friends taking photographs for the family album will not be covered by Data Protection legislation.
- Where the academy decides to allow such photography, the family and friends must not publish any photographs showing children other than their own on the internet or social media.

Appendix I - Parental Consent

The purpose of this form is to obtain consent from parents/carers to use photographs and other 'media' to promote the academy and to celebrate publicly, the successes and achievements of students, both during and after their education at the Academy.

Where a student is deemed to have the capacity to give consent themselves, then the preferences expressed on this form will be considered alongside the views of the student.

From time to time representatives of the news media are invited to cover events at the Academy. When this happens there is a possibility your child/ren may be photographed, videoed, or interviewed for a news story.

I hereby consent to the use of photographs/videos/interviews taken of my child/ren by the Academy or the media for the purposes of advertising or publicising events, activities, facilities, programmes of the Academy in newspapers, newsletters, website, other publications, television, radio and other communications and advertising media.

Please tick one of the choices below:

- Yes, I allow my child/ren to be used for publicity by and for the Academy (as mentioned above)
- No, I do not want my child/ren to be used for publicity by and for the Academy (as mentioned above)

There may be occasions where a newspaper or magazine article is written about an event, the success of a sports team or winners of a competition, in these cases the newspaper or magazine will want to publish photographs with names attached. I hereby consent to the use of photographs taken of my child/ren by Newspapers or magazines to celebrate victories or recognise events to be published with the name of my child associated with the picture.

Please tick one of the choices below:

- Yes, I allow my child/ren to have their name associated with their photograph in newspaper or magazine articles (as mentioned above)
- No, I do not want my child/ren to have their name associated with their photograph in newspaper or magazine articles (as mentioned above)

Social Media:

- Yes, I allow my child/ren to be used on the Academy social media sites
- No, I do not want my child/ren to be used on the Academy social media sites

.....

Printed Name(s) of Child/ren:

Printed Name of Parent or Carer:

Signature of Parent or Carer:

Date:

We do not share your contact information with outside parties.