



PRIVACY NOTICE FOR PARENTS, PROSPECTIVE PARENTS (OR GUARDIANS)

The EU General Data Protection Regulation (GDPR), which became UK law with effect from 25 May 2018, includes rules on giving privacy information to those whose data is held by an organisation.

St Piran's School, as the Data Controller, has interpreted this as using very clear language to outline its responsibilities in providing information to data subjects about how the school processes their personal data.

This Privacy Notice deals with the privacy responsibilities of the School as they apply to parents or prospective parents (or guardians) of pupils at the school, or applying to join the school.

References:

- A. The General Data Protection Regulation 2016/679 (from 25 May 2018)
- B. The Data Protection Act 2018
- C. The Protection of Freedoms Act 2012 (biometrics and CCTV)
- D. Education (Independent Educational Provision in England) (Provision of Information) Regulations 2010.
- E. Keeping Children Safe in Education (KCSIE) 2018.

WHAT THIS PRIVACY NOTICE IS FOR

This notice is to help parents understand **how** and **why** the School collects personal information about them and **what** the School does with that information. It also explains the decisions that parents can make about their own information.

This information is provided because Data Protection Law gives individuals rights to understand how their data is used. This Privacy Notice applies alongside any other information the School may provide about a particular use of personal data, for example when collecting data via an online or paper form.

This Privacy Notice also applies in addition to the School's other relevant terms and conditions and policies, including:

- any contract between the School and the parents of pupils;
- the School's policy on taking, storing and using images of children;
- the School's CCTV policy;
- the School's data retention policy;

- the School's safeguarding, pastoral, or health and safety policies, including as to how concerns or incidents are recorded; and
- the School's IT policies, including its Acceptable Use Policy.

RESPONSIBILITY FOR DATA PROTECTION

The School has appointed the Bursar as the Privacy Co-ordinator who will deal with all requests and enquiries concerning the School's uses of personal data (see section on Your Rights below) and endeavour to ensure that all personal data is processed in compliance with this policy and Data Protection Law.

The Bursar can be contacted via the main School Office - schooloffice@stpirans.co.uk or by telephone: 01628 594300 or in writing to: Bursar, St Piran's School, Gringer Hill, Maidenhead, Berkshire, SL6 7LZ.

WHY THE SCHOOL NEEDS TO PROCESS PERSONAL DATA

The School needs to process a wide range of personal data about individuals (including current, past and prospective pupils and/or parents) as part of its daily operation. The School will also need to carry out some of this activity in order to fulfil its legal rights, duties or obligations – including those under a contract with the parents of its pupils.

Other uses of personal data will be made in accordance with the School's legitimate interests, or the legitimate interests of another, provided that these are not outweighed by the impact on individuals, and provided it does not involve special or sensitive types of data.

The School expects that the following uses will fall within that category of its (or its community's) **"legitimate interests"**:

- For the purposes of pupil admission (and to confirm the identity of prospective pupils and their parents);
- To provide education services and extra-curricular activities to pupils, and monitoring pupils' progress and educational needs;
- Maintaining relationships with alumni and the School community;
- For the purposes of management planning and forecasting, research and statistical analysis, including that imposed or provided for by law;
- To enable relevant authorities to monitor the School's performance and to intervene or assist with incidents as appropriate;
- To give and receive information and references about past, current and prospective pupils, including relating to outstanding fees or payment history, to/from any educational institution that the pupil attended or where it is proposed they attend;
- To enable pupils to take part in national or other assessments, and to publish the results of public examinations or other achievements of pupils of the School;
- To safeguard pupils' welfare and provide appropriate pastoral care;
- To monitor (as appropriate) use of the School's IT and communications systems in accordance with the School's IT policies;

- To make use of photographic images of pupils in School publications, on the school website and (where appropriate) on the School's social media channels in accordance with the School's policy on taking, storing and using images of children;
- For security purposes, including CCTV in accordance with the School's CCTV policy;
- To carry out or cooperate with any school or external complaints, disciplinary or investigation process; and
- Where otherwise reasonably necessary for the School's purposes, including to obtain appropriate professional advice and insurance for the School or protect the School's reputation.

In addition, the School will on occasion need to process **special category personal data** (concerning health, ethnicity, religion or Special Educational Needs (SEN)) in accordance with rights or duties imposed on it by law, including as regards safeguarding or from time to time by explicit consent where required.

These reasons will include:

- To safeguard pupils' welfare and provide appropriate pastoral (and where necessary, medical) care, and to take appropriate action in the event of an emergency, incident or accident, including by disclosing details of an individual's medical condition or other relevant information where it is in the individual's interests to do so: for example for medical advice, for social protection, safeguarding, and cooperation with police or social services, for insurance purposes or to caterers or organisers of school trips who need to be made aware of dietary or medical needs;
- To provide educational services in the context of any special educational needs of a pupil;
- As part of any school or external complaints, disciplinary or investigation process that involves such data, for example if there are SEN, health or safeguarding elements; or
- For legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with its legal obligations and duties of care.

TYPES OF PERSONAL DATA PROCESSED BY THE SCHOOL

This will include by way of example:

- names, addresses, telephone numbers, e-mail addresses and other contact details;
- bank details and other financial information provided for the administration of bursary applications, e.g. about parents or family members who pay fees to the school;
- past, present and prospective pupils' academic, disciplinary, admissions and attendance records (including information about any special needs), and examination scripts and marks;
- personnel files, including in connection with academics, employment or safeguarding;
- where appropriate, information about individuals' health and welfare, and contact details for their next of kin;
- references given or received by the School about pupils, and relevant information provided by previous educational establishments and/or other professionals or organisations working with pupils;
- correspondence with and concerning staff, pupils and parents past and present; and

- images of pupils and occasionally other individuals engaging in school activities, and images captured by the school's CCTV system (in accordance with the School's policy on taking, storing and using images of children and the CCTV Policy);

The School does not collect or process biometric data.

HOW AND WHY THE SCHOOL COLLECTS DATA

Generally, the School receives personal data from the individual directly (including, in the case of pupils, from their parents). This may be via a form, or simply in the ordinary course of interaction or communication (such as email or written assessments).

In some cases personal data will be supplied by third parties (for example another school, or other professionals or authorities working with that individual).

The School's primary reason for using your personal information is to provide educational services to your child.

WHO HAS ACCESS TO PERSONAL DATA AND WHO THE SCHOOL SHARES IT WITH

Occasionally, the School will need to share personal information relating to its community with third parties, such as:

- professional advisers (e.g. lawyers, debt recovery suppliers, insurers and PR advisers);
- Government authorities (e.g. the Department for Education, police or the local authority);
- appropriate regulatory bodies, (e.g the Independent Schools Inspectorate, the Charity Commission, the Health & Safety Executive or the Information Commissioner; and
- School Auditors
- School Catering Contractor
- School Photographers
- Media Printers for school publications
- Web Developers for the School website
- The School Management Information System providers
- Curriculum support information systems
- Other schools to which parents intend to send their child/children

For the most part, personal data collected by the School will remain within the School, and will be processed by appropriate individuals only in accordance with access protocols (i.e. on a 'need to know' basis). It is not necessary for data to be shared with other countries; the exception to this will be international trips that the School organises. In this case, parents will be contacted for their consent which will be limited in time and content pertinent to the particular trip.

Where the School shares personal data with a third party this is always subject to contractual assurances that personal data will be kept securely and only in accordance with the School's specific directions.

Parents are reminded that the School is under duties imposed by law and statutory guidance (including Keeping Children Safe in Education) to record or report incidents and concerns that arise

or are reported to it, in some cases regardless of whether they are proven, if they meet a certain threshold of seriousness in their nature or regularity. This is likely to include file notes on pupil or safeguarding files, and in some cases referrals to relevant authorities such as the Local Authority Designated Officer or police. For further information about this, please view the School's Safeguarding Policy.

HOW LONG WE KEEP PERSONAL DATA

The School will retain personal data securely and only in line with how long it is necessary to keep for a legitimate and lawful reason. However, incident reports and safeguarding files will need to be kept much longer, in accordance with specific legal requirements.

If parents have any specific queries about how the School's retention policy is applied, or wish to request that personal data that they no longer believe to be relevant is considered for erasure, please contact the Bursar. However, please bear in mind that the School will often have lawful and necessary reasons to hold on to some personal data even following such request.

A limited and reasonable amount of information will be kept for archiving purposes, for example; and even where parents have requested that the School no longer keep in touch with them, the School will need to keep a record of the fact in order to fulfil such wishes (called a "suppression record").

A copy of the School's Storage and Retention of Records and Documents Policy is available on request from the Bursary.

KEEPING IN TOUCH AND SUPPORTING THE SCHOOL

The School may use the contact details of parents and past pupils to keep them updated about the activities of the school, or events of interest, including by sending updates and newsletters, by email and by post. The School will request consent from all parents, and pupils leaving the school in order to:

- Share personal data about parents and/or alumni, as appropriate, with the St Piran's Society and St Piran's Association;
- Contact parents and/or alumni (including via the organisations above) by post and email in order to promote and raise funds for the school and, where appropriate, other worthy causes;
- Individuals always have the right to withdraw consent at any time.

YOUR RIGHTS

Right of Access

Parents have the right at any time to ask the School for a copy of the personal information that the School holds on them or their child (Subject Access Request). Where the School has good reason, and if Data Protection Law permits, the School can refuse a request for a copy of personal information, or certain elements of the request. If the School refuses such a request or any element of it, the reasons for doing so will be provided.

Pupil Requests

- Pupils can make subject access requests for their own personal data, provided that, in the reasonable opinion of the School, they have sufficient maturity to understand the

request they are making. A pupil of any age may ask a parent or other representative to make a subject access request on his/her behalf.

- Indeed, while a person with parental responsibility will generally be entitled to make a subject access request on behalf of younger pupils, the law still considers the information in question to be the child's.

It should be clearly understood that the rules on subject access are not the sole basis on which information requests are handled. Parents may not have a statutory right to information, but they and others will often have a legitimate interest or expectation in receiving certain information about pupils without their consent. The School may consider there are lawful grounds for sharing with or without reference to that pupil.

Parents will in general receive educational and pastoral updates about their children. Where parents are separated, the School will in most cases aim to provide the same information to each person with parental responsibility, but may need to factor in all the circumstances.

All information requests from, on behalf of, or concerning pupils – whether made under subject access or simply as an incidental request – will therefore be considered on a case by case basis.

Right of Correction or Completion

If personal information we hold about parents or pupils is not accurate, out of date or incomplete, individuals have a right to have the data rectified, updated or completed.

Right of Erasure (Right to be forgotten)

In certain circumstances parents have the right to request that personal information held by the School about them or their child is erased (e.g if the information is no longer necessary for the purposes for which it was collected or processed or our processing of information was based on consent and there are no other legal grounds on which we may process the information).

Right to Object

Parents may object to the School using their information where:

- The School is using it for direct marketing purposes (e.g. to send the School magazine);
- the legal basis on which the School is relying is either legitimate interests or performance of a task carried out in the public interest. Please see the section "Our legal bases for using your information" above; and
- the School is using it for historical or scientific research purposes or archiving purposes. For example, the School may keep photographs of parents or pupils at a School event for historical reasons.

Right to Data Portability

In certain instances, data subjects have a right to receive any personal information that the School holds about them in a structured, commonly used and machine-readable format. Data subjects can ask the School to transmit that information to them or directly to a third party organisation.

The above right exists only in respect of personal information that:

- has been provided to the School previously; and
- is processed by the School using automated means.

While the School is happy for such requests to be made, it is not able to guarantee technical compatibility with a third party organisation's systems. The School is also unable to comply with requests that relate to personal information of others without their consent.

Any parent wishing to access or amend their or their child/children's personal data, or wishing it to be transferred to another person or organisation, or who has some other objection to how their personal data is used, should put their request in writing to the Bursar.

The School will endeavour to respond to any such written requests as soon as is reasonably practicable and in any event within statutory time-limits (which is 30 calendar days in the case of requests for access to information).

The School will be better able to respond quickly to smaller, targeted requests for information. If the request for information is manifestly excessive or similar to previous requests, the School may ask parents to reconsider, or require a proportionate fee (but only where Data Protection Law allows it).

Requests that cannot be fulfilled

Parents should be aware that the right of access is limited to their own/or their child's personal data, and certain data is exempt from the right of access. This will include information which identifies other individuals (and parents need to be aware this may include their own children, in certain limited situations – please see further below), or information which is subject to legal privilege (for example legal advice given to or sought by the School, or documents prepared in connection with a legal action).

The School is also not required to disclose any pupil examination scripts (or other information consisting solely of pupil test answers), provide examination or other test marks ahead of any ordinary publication, nor share any confidential reference given by the School itself for the purposes of the education, training or employment of any individual.

The School will sometimes have compelling reasons to refuse specific requests to amend, delete or stop processing of parents' or their child's personal data: for example, a legal requirement, or where it falls within a legitimate interest identified in this Privacy Notice. All such requests will be considered on their own merits.

CONSENT

Where the School asks for consent, rather than its legitimate interests, as a means to process personal data, parents can take back this consent at any time. Any use of personal information before withdrawal of consent remains valid. Parents should contact the Bursar if they would like to withdraw any consent given. Examples where the School relies on consent are: use of individual images for marketing purposes (literature and social media) and international school trips.

DATA ACCURACY AND SECURITY

The School will endeavour to ensure that all personal data held in relation to an individual is as up to date and accurate as possible. Parents must notify the School Secretary of any significant changes to important information, such as contact details, held about them.

An individual has the right to request that any out-of-date, irrelevant or inaccurate data or information about them is erased or corrected (subject to certain exemptions and limitations under Data Protection Law).

The School will take appropriate technical and organisational steps to ensure the security of personal data about parents and pupils, including policies around use of technology and devices, and access to school systems. All staff and governors will be made aware of this policy and their duties under Data Protection Law and receive relevant training.

THIS POLICY

The School will update this Privacy Notice from time to time and will publish it on the School Website. Any substantial changes that affect your rights will be provided to you directly as far as is reasonably practicable.

QUERIES AND COMPLAINTS

Any comments or queries on this policy should be directed to the Bursar. If a parent believes that the School has not complied with this policy or acted otherwise than in accordance with Data Protection Law, they should utilise the school complaints procedure and should also notify the Bursar.

Individuals can also make a referral to or lodge a complaint with the Information Commissioner's Office (ICO) – ico.org.uk.

Reviewed By: Compliance Officer
Review Date July 2019
Next Review July 2020