

## Privacy Notice - Pupils

### General Statement

Under data protection law, individuals have a right to be informed about how the School uses any personal data that we hold about them. The School complies with this right by providing 'Privacy Notices' to individuals where we are processing their personal data.

This Privacy Notice explains how we collect, store and use personal data about **current, past and prospective pupils**, ("pupils") regardless of whether it is in paper or electronic format. This Privacy Notice also applies in addition to the School's other relevant terms and conditions and policies.

This **Privacy Notice** applies to the whole School, including the EYFS.

### Data Controller

We, Beaconsfield Educational Trust Ltd operating as Davenies School ("the School"), are the 'Data Controller' for the purposes of data protection law.

### The Personal Data We Hold

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

- personal details such as home address, contact details, date of birth and next of kin
- identification documents
- pupils' performance at School, including assessments, reports, examination reports, discipline record, attendance information, special educational needs
- medical records and information, including details of any illnesses, accidents, allergies or other medical conditions suffered by a pupil
- Safeguarding information
- Details of any support received, including learning support, therapists, counselling, care plans and support providers
- Sensitive personal data such as religious beliefs
- images of pupils and staff (and occasionally other individuals) engaging in School activities
- CCTV images for security purposes

We may also hold data about pupils that we have received from other organisations, including other Schools, local authorities and the Department for Education.

## Why We Use This Data

We use this data to:

- administer admissions to the School
- support pupils' teaching and learning
- monitor and report on pupil progress
- provide appropriate pastoral care and safeguarding
- communicate with pupils
- monitor pupils' email communications and internet use for the purpose of ensuring compliance with and strictly in accordance with the School's *Child Protection Policy, IT Policy* and any other related policies
- where appropriate, promote the School to prospective pupils (including through the School's prospectus, website and social media applications)
- other reasonable purposes relating to the operation of the School

## Our Legal Bases for Using This Data

We process personal data in order to fulfil our **contractual obligations** to provide educational services, safeguard and promote the welfare of our pupils, promote the objects and interests of the School, facilitate the efficient operation of the School and ensure that all relevant legal obligations of the School are complied with.

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 categories or sensitive types of data.

The School will, on occasion, need to process **special category personal data** (concerning health or special educational needs) 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.
- 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.
- For legal and regulatory purposes (for example child protection and health and safety) and to comply with its legal obligations and duties of care.

The School will request **consent** to be provided by the parent or guardian of the pupil for medical data to be held, if the pupil has a requirement for special educational needs to be considered and further consent for the use of photography, video and other media.

In general, the School will assume that pupils' consent is not required for ordinary disclosure of their personal data to their parents, e.g. for the purposes of keeping parents informed about the pupil's activities, progress and behaviour, and in the interests of the pupils' welfare. That is unless, in the School's opinion, there is a good reason to do otherwise.

However, where a pupil seeks to raise concerns, confidentially, with a member of staff and expressly withholds their agreement to their personal data being disclosed to their parents, the School may be under an obligation to maintain confidentiality unless, in the School's opinion, there is a good reason to do otherwise; for example where the School believes disclosure will be in the best interests of the pupil or other pupils, or if required by law.

### **Collecting This Data**

We will only collect personal data for specified, explicit and legitimate reasons. If we want to use personal data for reasons other than those given when we first obtained it, we will inform the individuals concerned and obtain consent before we do so.

### **How We Store This Data**

We keep personal data about pupils while they are attending the School electronically on the School's information management systems, the School's network or manually in indexed filing systems. We may also keep it beyond their attendance at our School if this is necessary in order to comply with our legal obligations and legitimate interests. Our *Data Protection Policy – Good Practice Guide* sets out how long we keep information about pupils. A copy is available on request from the Bursar.

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

### **Sharing Personal Data**

During the course of our daily activities the School will frequently engage with third party organisations and may need to share personal data with them. A list of the third parties, with whom the School regularly shares data is available within Annex 1. The individuals concerned will be informed when the School shares personal data with third parties not on this list. The School will seek to ensure any third party upholds the principles of Data Protection as laid out in this document.

Particularly strict rules of access apply in the context of:

- medical records held and accessed only by the School nurse and appropriate staff under their supervision, or otherwise in accordance with express consent; and
- pastoral or safeguarding files.

However, a certain amount of any SEN pupil's relevant information will need to be provided to staff more widely in the context of providing the necessary care and education that the pupil requires.

Personal data may be shared with a third party where:

- There is an issue with a pupil or parent/guardian that puts the safety of a pupil or our staff at risk
- We need to liaise with other agencies
  - to enable the relevant authorities to monitor the School's performance i.e. Independent Schools Inspectorate;

- to compile statistical information (normally used on an anonymous basis);
- to safeguard pupils' welfare and provide appropriate pastoral (and where relevant, medical) care for pupils;
- where specifically requested by pupils and/or their parents or guardians;
- to enable pupils to take part in national and other assessments and to monitor pupils' progress and educational needs;
- where necessary in connection with learning and extra-curricular activities undertaken by pupils e.g. educational visits, peripatetic teachers, residential trip providers, extra-curricular providers;
- to obtain appropriate professional advice
- where a reference or other information about a pupil or ex-pupil is requested by another educational establishment or employer to whom they have applied;
- Our suppliers or contractors need data to enable us to provide services to our staff and pupils – for example, IT support, catering
- The use by the School of online academic and educational services
- The use by the School of cloud IT services such as email and file storage for staff and pupils

We will also share personal data with law enforcement and government bodies where we are legally required to do so, including for:

- The prevention or detection of crime and/or fraud
- The apprehension or prosecution of offenders
- In connection with legal proceedings
- Where the disclosure is required to satisfy our safeguarding obligations
- Research and statistical purposes, as long as personal data is sufficiently anonymized or consent has been provided

We may also share personal data with emergency services and local authorities to help them to respond to an emergency situation that affects any of our pupils or staff.

We will only transfer personal data to a country or territory outside the European Economic Area if we are satisfied the third party(s) involved will only process the data in accordance with data protection law.

### **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. 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 12), or where the child has provided consent. This includes:

- Confirmation that their personal data is being processed
- Access to a copy of the data
- The purposes of the data processing
- The categories of personal data concerned
- Who the data has been, or will be, shared with
- How long the data will be stored for, or if this isn't possible, the criteria used to determine this period
- The source of the data, if not the individual

- Whether any automated decision-making is being applied to their data, and what the significance and consequences of this might be for the individual

If you would like to make a request, please contact the Bursar.

## Other Rights

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including the right to:

- To request rectification of any data that is inaccurate or incomplete
- To have their personal data erased and to prevent further processing if:
  - It is no longer required for the purposes for which it was collected
  - Consent is withdrawn
  - There is an opposition to the processing and no superseding legitimate interest
- The personal data is being unlawfully processed
- The personal data must be removed in order to comply with a legal obligation
- Request a restriction of further processing of personal data
- Object to processing on specific grounds

To exercise any of these rights, please contact the Bursar.

## Complaints

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

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

For further information, see our *Data Protection Policy*. If you have any questions, please contact the Bursar:

- Caroline Purdom [bursar@davenies.co.uk](mailto:bursar@davenies.co.uk)

**Updated:** April 2018, CJP

**Review:** *This Policy is currently under review in anticipation of GDPR coming into force in May 2018*