



## Privacy Notice for Pupils

<b>Date of last review:</b>	October 2021	<b>Review period:</b>	1 year
<b>Date of next review:</b>	July 2022	<b>Owner:</b>	Data Compliance Lead

## **Prep Schools Trust**

### **Privacy Notice for Pupils**

We understand that you care about the privacy and security of your child's personal data and the Trust takes its data protection obligations very seriously.

When your child attends one of the schools in the Trust, we need to collect, use and share personal information about them. Our aim is to handle our pupils' personal information openly and transparently. The purpose of this Privacy Notice is to explain who we are and how we use and protect pupil personal information before, during and after their time at school. It also explains their legal rights, and how you as parents/carers may exercise these rights on their behalf.

When your child is older (usually when they reach the age of 13) they may be considered mature enough to exercise their own data protection rights.

#### **Who is this information for?**

This Privacy Notice relates to the way in which we handle personal information about pupils. This information mostly relates to current pupils but also applies to pupils that used to go to one of our schools and pupils that have applied to join us.

#### **Who are we?**

You already know that your child attends one of the schools that is part of Prep Schools Trust. Prep Schools Trust is also called a data controller. This means Prep Schools Trust is in charge of your child's personal information.

In this document we refer to Prep Schools Trust as 'the Trust' for short. This Notice is intended to be written on behalf of all the schools in the Trust i.e. Barfield, Chandlings Prep, Cothill House, Kitebrook Preparatory or Mowden Hall.

#### **How to get in touch with us**

If you have any questions about this Privacy Notice or your personal data, please contact the Trust's Data Compliance Lead or your school's Data Compliance Lead.

The Trust Data Compliance Lead is Jo Fitzroy-Ezzy. You can speak to her on 01865 390720 or you can leave a letter at your school reception (marked for the Data Compliance Lead's attention) or send one by post to 7, Cothill, Abingdon OX13 6JN. You can also email by using the email address [datacompliance@prepschoolstrust.org](mailto:datacompliance@prepschoolstrust.org).

The person in Kitebrook Preparatory with responsibility for data protection compliance at the school is Daniel Parvin and you may contact them using any one of the contact details below.

[datacompliance@kitebrookpst.org](mailto:datacompliance@kitebrookpst.org)

Kitebrook House, Kitebrook, Little Compton, Gloucestershire, GL56 0RP

01608 674350

### **What sort of information might we collect about our pupils?**

We collect and use a variety of different information about our pupils.

Here are some examples of the types of personal information that we collect about our pupils:

- Identification information: for example, name, email address, telephone number, address, pupil number, date of birth.
- Safeguarding information: for example, relating to care orders or social work information.
- Correspondence: for instance, where we need to send emails or letters to parents/carers.
- Attendance information including, for example, information about how often your child attends school, information about non-attendance and the reasons for this, together with information about any schools they may have attended before this one.
- Assessment information such as your child's grades and marks.
- Behavioural records, e.g. information about exclusions.
- Photos and videos. Further details about this are in our Use of Images Policy.
- Images taken from the school's CCTV cameras, if a school has one.
- Information needed for activities, for example, related to school trips.

Sometimes the information we collect is more sensitive such as information about health and medical needs. We call this "special category personal data".

Some examples of special category personal data we collect about our pupils are as follows:

- Information about your child's race or ethnic background.
- Information about your child's religion.

- Medical and health information. For example, information about any allergies your child has, dietary requirements, a record of vaccinations that they have had, information about their health and any medication they need and information from their doctor.

Very occasionally we collect and use information about criminal records and offences but only where the law allows us to do this.

### **Where do we get pupil information from?**

Most pupil information held by the Trust comes from pupils themselves, parents/carers (for example, during the admissions process) and teaching staff. In some cases, we may receive information from the local authority or the Department for Education, professionals such as a social worker, your child's previous school, or from a concerned party (such as a friend, relative, neighbour or the police). Sometimes we get information from your child's doctor/medical practitioner or other professionals (such as an educational psychologist) where we need this to look after your child.

### **Why do we need information about pupils?**

The Trust will only use pupil personal data when the law allows us to. In most cases, pupil information is needed to run the school your child attends, to comply with our obligations under the parent contract with you for your child to be at the school, to teach and support pupils, for safeguarding purposes, and to comply with different laws. For prospective pupils, we need to use personal data with the child's proposed admission to the school, for example, to administer our list of prospective pupils and manage the school's admissions process.

Data protection law requires the Trust to have a valid legal reason to use personal data. The main legal reasons are to enable us to comply with laws and to provide children with an education, and to protect and promote their health, safety and well-being, which is in everyone's interests.

**Legal Reason: To comply with our legal obligations**, for example:

- To comply with legal rules set by the Department for Education that require us to collect personal information about our pupils. This may include sharing personal information with the Independent Schools Council as part of the annual census.
- To comply with laws relating to pupil attendance.
- To monitor and report on pupil progress.
- To provide pastoral care to pupils.
- To monitor the performance of the school.
- Safeguarding of pupils.

- To comply with our legal obligations as a charity

**Legal Reason: To comply with our contractual obligations,** for example, we will process pupil personal data in order to comply with its obligations under the parent contract with you for your child to be at the school.

**Legal Reason:** our use of personal information is necessary for our **legitimate interests** (or occasionally the interests of another), but provided those interests are not outweighed by the impact to your child's own rights; for example:

- It is necessary for us to hold and use pupil information in order to run the school, provide education and so we can look after our pupils.
- To administer and retain applications for pupil admission, including confirmation of identity and eligibility to apply.
- To provide educational and co-curricular services, support pupil learning, religious and spiritual development and pastoral support and care.
- To monitor and report on progress of pupils.
- To look into a complaint or carry out an investigation.
- To keep pupils safe and secure including through the use of a CCTV system;
- To monitor how pupils use our IT and communications systems to make sure they are using it in accordance with the rules. We will only do this when it is appropriate.
- To share or receive personal information about pupils with other educational establishments for the purposes of education, training or employment. For example, this could include references or in the case of another educational establishment, outstanding fees or payment history.
- Where we need to use pupil information for reasonable school purposes such as obtaining insurance or asking for advice from someone outside the school e.g. from our legal advisors.

**Legal reason:** There may be very rare occasions when we need to use pupil personal data to protect your child's, or another person's, vital interests. For example, where someone is seriously injured and we need to share personal information with a medical professional in an emergency.

**Legal Reason:** In most cases, we will not need consent to use pupil personal data. However, there are a few occasions where we either need it or choose to ask for it. Where we are relying on the legal basis of consent, you are under no obligation to provide it and if you do consent on your child's behalf, you may withdraw your consent at any time.

We ensure to keep consent up to date and so may ask for your consent more than once. When your child is old enough they will be able to consent for themselves, however we will take parental preferences into account where appropriate.

We will ask for consent to use your information in these sorts of circumstances:

- When using photographs or video footage of pupils on for example, our website, social media or prospectus – please refer to our Use of Images policy which gives more information about how we use images. Parents are asked to give their consent on a form which accompanies this.
- To share photographs (or video) of pupils with others outside the school such as a journalist or another school. For example, another school that we have played a match against may ask for a photograph of our sports team to publish on their Facebook page. We will only do this if it is appropriate and if consent has been given on the Use of Images policy form.
- To send you direct marketing emails about fundraising or other marketing activities

Where we use your personal information with your consent you have the legal right to withdraw your consent at any time. To do this, just follow the instructions that explain how to opt out or contact the School Data Compliance Lead.

#### **Using special category personal data**

Occasionally, we may need to collect and use special category personal data such as information about health. The legal reasons for doing this include:

**Vital interests:** For example, to share information about medical conditions that your child may have with a doctor or hospital in the event of an incident or accident;

**Legal Claims or Judicial Acts:** For example, where information is needed in a legal process;

**Reasons of Substantial Public Interest:** For example, to share information with the police or social services where this is necessary for safeguarding a pupil's welfare; or for legal and regulatory purposes such as child protection, diversity monitoring, health and safety and information about special educational needs and disability (SEND for short);

**Health or Social Care:** For example, where it is necessary to share pupil information with a speech and language health professional;

**Public Health:** For example, where pupil information needs to be collected and used in connection with a public vaccination programme or in response to a pandemic such as the COVID-19 pandemic. Where this happens, the data is handled by a health professional such as a nurse or someone who the law says must keep your information confidential.

### **Do we need your consent to use pupil personal data?**

In most cases, we do not rely on consent to use pupil personal data. However, occasionally where we do require consent, we will explain clearly what we want to do with your child's personal data. If your child is not sufficiently mature enough to understand their own rights then we will approach you to provide consent on their behalf. Usually, it will be for an activity that is not closely related to the Trust's main purpose but we think would really benefit our pupils and the Trust as a whole.

When we are relying on consent to the use of your child's data, you are under no obligation to provide it. If you do choose to provide your consent, then you may withdraw your consent at any time by contacting our Data Compliance Lead using the contact details written above in the section called "*How to get in touch with us*".

Please note, if you choose not to consent, or withdraw your consent, we may not be able to provide some of our services you (or your child) have requested from us. We will let you know at the time if this is the case.

If you decide to withdraw your consent, that doesn't mean that the Trust's use of your information before you stopped consenting is against the law.

### **Who else has access to pupil personal data?**

We will never share pupil personal data with anyone outside the Trust without consent unless the law allows us to do so.

In most cases your information stays within the Trust. Sometimes, we may share pupil personal data with others outside the Trust to assist with the running and management of the school, to provide pupil support, or to use for their own purposes. For example, we may share pupil personal data with:

- People or organisations you (or your child) have asked us to share your child's personal data with or if you have provided your consent;
- Organisations outside the Trust that help us run the schools such as IT services, cloud storage services;
- Support services. These are usually professionals that may work either inside or outside [the school], e.g. the school nurse, school counsellor, Child and Adolescent Mental Health Service (CAMHS);
- Organisations and people outside the Trust that need to use your information for their own reasons. For example, visiting music teachers, the Health and Safety Executive, the local authority, examination boards, individuals independent of the school who sit on complaints panels, the police, the Teaching and Regulation Authority, CAFCASS (this stands for The Children and Family Court Advisory and Support Service), the Charity Commission (for example, in the event of a serious incident);

- Government departments where a law requires the Trust to pass on information. For example, the Department for Education, or the tax authorities (HMRC). 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 data protection law) allows it;
- We will also share pupil personal data with their other parents/carers where appropriate to do so.

Sometimes the information we share might be sensitive. This will usually be information relating to health, a medical need or special educational needs or disabilities. We only share this information where it is necessary for us to do so.

### **Sharing information with the Department for Education**

We are required by law to share some information about our pupils with the DfE as part of legal data collections such as the school census and early years' census. Some of this information is then stored in The National Pupil Database (NPD). The NPD is owned and managed by the DfE and contains evidence on educational performance which can be used to help independent research and study.

You can find out more about the pupil information we share with the DfE, for the purpose of data collections, here <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

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

The DfE may share information about our pupils from the NPD with third parties who promote the education or well-being of children in England.

For more information about the DfE'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 DfE has provided pupil information please visit <https://www.gov.uk/government/publications/national-pupil-database-requests-received>.

### **Transferring personal data to other countries**

In most cases pupil personal data remains in the UK. However, occasionally we may need to transfer it outside the UK, for example, to relatives living abroad or where pupils transfer to a school outside the UK.

Some of our suppliers and service providers are located outside the UK and may need to process your child's



personal data when providing us with services, for example, software support, or a company which we use for carrying out surveys may handle information on our behalf.

On the few occasions where we do transfer your child's information outside the UK, we will ensure it is protected and handled in line with data protection law. For example, we will only transfer it to a country that is officially considered to provide adequate protection for personal data or protect it by using one of the safeguarding measures available under data protection law.

If you would like more information about how we protect personal data if it is transferred outside the UK please contact our Data Compliance Lead at [datacompliance@prepschoolstrust.org](mailto:datacompliance@prepschoolstrust.org).

### **Automated decision-making and profiling**

Automated decision-making takes place when an electronic system (i.e. computer software) uses personal information to make decisions about a person without a human being involved. Profiling is a type of automated decision-making that involves collecting various pieces of information about a person in order to make decisions or predictions about that person (for example, how that person may behave or what their preferences are).

We are allowed to use automated decision-making (including profiling) in the following circumstances:

1. Where we have told you about the decision and given you 21 days so that you can ask us to reconsider that decision;
2. Where we have a contract with you or your parents or carers (but appropriate measures must be in place to protect your own rights).
3. In limited circumstances, where you have given us your consent in writing ((but appropriate measures must be in place to protect your own rights).

If we make an automated decision about you on the basis of any particularly sensitive personal information, we must have either explicit written consent or it must be justified in the public interest, and we must also put in place appropriate measures to safeguard your child's rights.

We do not envisage that any decisions will be taken about you using automated decision making (including profiling). If that changes we will tell you.

### **How long we keep your information**

We delete or destroy personal data securely when the purpose for collecting it has been met and there are no

other legal reasons for keeping it. In most cases we will keep most pupil personal data until they leave the school, in which case we send their records to their new school. For further information about our record retention practises and how long we keep pupil personal data, please see our Records Retention Policy available via our website.

### **Your data protection legal rights**

Data protection law provides individuals with various legal rights, which may be exercised in certain circumstances. Where a pupil is not deemed mature enough to exercise these legal rights on their own, in certain circumstances, you (or someone else who your child authorises) may be able to exercise these rights on behalf of your child.

Unless there is another reason why a child might not be considered capable of understanding their rights, a child is generally considered to be mature enough to exercise these legal rights on their own when they reach the age of 13.

Please note, these rights still belong to your child, even where you are exercising them on their behalf. Where someone is exercising a child's legal rights on their behalf, when deciding how to process that legal right, we must consider what is in the best interests of the child. This means that we need to consider relevant factors, including:

- any court orders relating to parental access or responsibility that may apply;
- any duty of confidentiality owed to the child;
- any consequences of allowing access to the child's information (this is particularly important if there have been allegations of abuse);
- any potential detriment to the child if individuals with parental responsibility, or their authorised representatives, cannot access this information; and
- any views the child has on whether their parents, guardians or authorised representatives should have access to their personal data.

Your child has the following legal rights:

- **The right of access**
  - This right provides individuals with a right to have confirmation that their personal data is being processed, request a copy of their personal data, and receive other supplementary information (e.g. about the way in which the [school] is processing their personal data). When this legal right is exercised it is usually called a subject access request or "SAR".
  - This legal right is subject to legal exemptions. That means that we can withhold personal data in

certain circumstances. For example, we are permitted to withhold personal information that is contained within confidential legal advice. We may also withhold personal information where giving it would also result in sharing personal information about other people such as another pupil.

- **The right to rectification**
  - Individuals may request that we correct any information we hold if it is inaccurate or incomplete.
  
- **The right of erasure (also known as the right to be forgotten)**
  - Individuals may request personal data held is deleted in some circumstances, for example, where it is believed we have no good reason to continue processing. However, we are not under an obligation to comply with such requests if there are good reasons not to.
  
- **The right to restrict our use of your information**
  - Individuals may ask us to limit what we are doing with their personal data. This right only applies in certain circumstances.
  
- **The right to object**
  - Individuals can object to what we are doing with their personal data. This right only applies in certain circumstances.
  
- **The right to withdraw consent**
  - Individuals can withdraw consent provided to the processing of their personal data, if we are processing it on the basis of consent.
  
- **The right to data portability**
  - Individuals may ask us to transfer personal data to another organisation in a format that makes it easy for them to use. This right only applies in certain circumstances.

If you wish to exercise any of these rights on your child's behalf (or if your child wishes to exercise these rights themselves), please contact our Data Compliance Lead. Their contact details can be found in the section "*How to get in touch with us*".

In most cases we have one month to respond to a request.

You can find out more information about your legal rights in Part 2 'Data Subject Rights Policy' contained within our Data Protection Policy which can be found on our website.

## Your right to complain

The Trust has exceptionally high standards when it comes to pupil personal data. If we fail to meet those standards please contact our Data Compliance or you can write to us.

Our address is in the section called: *"How to get in touch with us"*.

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.

## Cookies

Cookies are small text files that are downloaded and sometimes stored on your device when you visit a website, such as our website, <https://www.prepschoolstrust.org>. Cookies are often used in order to make a website work, but may also be used to provide information to the owners of the website, and help users to navigate the website more effectively.

Cookies help us make the website better for you and for others. Our site uses cookies in order to provide you with some of our content, to keep you logged in as you use our website, to help you navigate our website, to monitor the website's performance.

You can find out more about how we use cookies and the types of cookies that we use by visiting our Cookie Policy on our website [here](#)

### **Links to other Websites**

Our website contains some links to websites of other organisations. We do not control these websites and this Privacy Notice does not cover how those other organisations may use your child's personal data. When using other websites, we recommend that you read the Privacy Notice of the other websites you are visiting.

### **Changes to our Privacy Notice**

We will update and change this Privacy Notice from time to time to keep it up to date and accurate. So, please check back to look for changes. We recommend checking this Privacy Notice before the start of each academic year. If we make a big change then we will let you know, usually by email.