



IBSTOCK PLACE SCHOOL

Privacy Notice

**IBSTOCK PLACE SCHOOL** is an independent co-educational day School for pupils aged 4 to 18. The School has a strong family ethos and provides a rich variety of opportunity in a friendly, supportive atmosphere.

Our goals for our pupils are three-fold:

- Intellectual: an inquisitive and imaginative mind which gives pupils the confidence to think for themselves, to challenge ideas and to make well-informed decisions about their present and future;
- Personal: healthy resilient young people with the determination, ambition and self-confidence to pursue excellence in all they do;
- Social: honesty, integrity, a genuine sense of tolerance, courtesy and respect.

We achieve these goals through:

- challenging and inspirational teaching across a broad curriculum;
- extensive co-curricular opportunities;
- a pastoral programme which monitors each pupil's development;
- preparation for Higher Education and the world of work.

The School is a registered charity, no 1145565.

## **WHAT THIS PRIVACY NOTICE IS FOR**

This policy is intended to provide information about how the School will use (or "process") personal data about individuals including: its staff; its current, past and prospective pupils; and their parents, carers or guardians (referred to in this policy as "parents").

This information is provided in accordance with the rights of individuals under Data Protection Act 2018 to understand how their data is used. Staff, parents and pupils are all encouraged to read this Privacy Notice and understand the School's obligations to its entire community.

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:

- any contract between the School and its staff or the parents of pupils;
- the School's policy on taking, storing and using images of children;
- the School's CCTV policy;
- the School's retention of records 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 and eSafety policy.

Anyone who works for, or acts on behalf of, the School (including staff, volunteers, governors and service providers) should also be aware of and comply with this Privacy Notice, which also provides further information about how personal data about those individuals will be used.

## **RESPONSIBILITY FOR DATA PROTECTION**

The School has appointed Mr Christo Nel as Data Protection Officer who will deal with all your requests and enquiries concerning the School's uses of your personal data (see section on Your Rights below) and endeavour to ensure that all personal data is processed in compliance with this policy and the Data Protection Act 2018.

His contact email address is: [cnel@ibstockplaceschool.co.uk](mailto:cnel@ibstockplaceschool.co.uk).

## **WHY THE SCHOOL NEEDS TO PROCESS PERSONAL DATA**

In order to carry out its ordinary duties to staff, pupils and parents, the School needs to process a wide range of personal data about individuals (including current, past and prospective staff, pupils or parents) as part of its daily operation.

Some of this activity the School will need to carry out in order to fulfil its legal rights, duties or obligations – including those under a contract with its staff, or 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 selection (and to confirm the identity of prospective pupils and their parents);
- To provide education services, including dance and musical education, physical training, spiritual development, career 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 (such as tax, diversity or gender pay gap analysis);
- 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; and to provide references to potential employers of past pupils;
- 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: Acceptable Use policy;
- To take and use 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; ensuring that explicit signed consent to those has been obtained;
- 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.

In addition, the School may need on occasion to process **special category personal data** (concerning health, ethnicity, religion, biometrics or sexual life) or criminal records information (such as when carrying out DBS checks) in accordance with rights or duties imposed on it by law, including as regards safeguarding and employment, or from time to time by explicit consent where required. These reasons may 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;
- 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, e.g. about parents 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, vocational, 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).

## **HOW 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).

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

## **WHO HAS ACCESS TO PERSONAL DATA AND WITH WHOM THE SCHOOL MIGHT SHARE IT**

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

- professional advisers (e.g. lawyers, insurers and accountants);
- government authorities (e.g. HMRC, DfE, police or the local authority);
- appropriate regulatory bodies e.g. the Independent Schools Inspectorate, the Charity Commission or the Information Commissioner;
- external Examination Boards for academic and vocational subjects;
- competition organisers.

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). Particularly strict rules of access apply in the context of:

- medical records [held and accessed only by the appropriate nursing staff under his/her 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.

Staff, pupils and 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 personnel or safeguarding files, and in some cases referrals to relevant authorities such as the LADO or police. For further information about this, please view the School's Safeguarding Policy which includes a note on "My Concern" (in monitoring software).

Finally, in accordance with Data Protection Act 2018, some of the School's processing activity is carried out on its behalf by third parties, such as IT systems, web developers or cloud storage providers. This is always subject to contractual assurances that personal data will be kept securely and only in accordance with the School's specific directions.

## **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. Typically, the legal recommendation for how long to keep ordinary staff and pupil personnel files is up to 7 years following departure from the School. However, incident reports and safeguarding files will need to be kept much longer, in accordance with specific legal requirements.

If you have any specific queries about how our retention policy is applied, or wish to request that personal data that you no longer believe to be relevant is considered for erasure, please contact [cnel@ibstockplaceschool.co.uk](mailto:cnel@ibstockplaceschool.co.uk).

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 you have requested we no longer keep in touch with you, we shall need to keep a record of your attendance here, being deleted at your request and the date when this was done.**

## **KEEPING IN TOUCH AND SUPPORTING THE SCHOOL**

The School will use the contact details of parents, alumni and other members of the School community to keep them updated about the activities of the School, or alumni and parent events of interest, including by sending updates and newsletters, by email and by post. Unless the relevant individual objects, the School will also:

- Share personal data about parents and/or alumni, as appropriate, with organisations set up to help establish and maintain relationships with the School community, such as the PTA, the Stocks;
- Contact parents and/or alumni (via the organisations above) by post and email in order to promote and raise funds for the School;
- Should you wish to limit or object to any such use, or would like further information about them, please contact [cnel@ibstockplaceschool.co.uk](mailto:cnel@ibstockplaceschool.co.uk). You always have the right to withdraw any consent that you have given, or otherwise object to fundraising. However,

the School is nonetheless likely to retain some of your details (not least to ensure that no more communications are sent to that particular address, email or telephone number).

## **YOUR RIGHTS**

- **Rights of access**

Individuals have various rights under Data Protection Act 2018 to access and understand personal data about them held by the School, and in some cases ask for it to be erased or amended or have it transferred to others, or for the School to stop processing it – but subject to certain exemptions and limitations.

Any individual wishing to access or amend his or her personal data, or wishing it to be transferred to another person or organisation, or who has some other objection to how his or her personal data is used, should put his or her request in writing to [cnel@ibstockplaceschool.co.uk](mailto:cnel@ibstockplaceschool.co.uk), the School's DPO.

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 one month 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 you to reconsider, or require a proportionate fee (but only where Data Protection Act 2018 allows it).

- **Requests that cannot be fulfilled**

You should be aware that the right of access is limited to your own 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.

You may have heard of the "right to be forgotten". However, the School will sometimes have compelling reasons to refuse specific requests to amend, delete or stop processing your (or your 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.

- **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 (see section **Whose Rights?** below). 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: for older pupils, the parent making the request may need to provide evidence that they have their child's authority to make the specific request.

Pupils at Senior School (aged 13 and above) are generally assumed to have this level of maturity, although this will depend on both the child and the personal data requested, including any relevant circumstances at home. Slightly younger children may, however, be sufficiently mature to have a say in this decision, depending on the child and the circumstances.

- **Parental requests**

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, in accordance with the Parent Contract. 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 including the express wishes of the child.

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.

- **Consent**

The School is relying on each individual being asked to give his/her signed and dated consent prior to processing personal data. Any person may withdraw this consent at any time (subject to similar age considerations as above). Please be aware however that the School may not be relying on consent but have another lawful reason to process the personal data in question even without your consent.

That reason will usually have been asserted under this Privacy Notice, or may otherwise exist under some form of contract or agreement with the individual (e.g. an employment or parent contract, or because a purchase of goods, services or membership of an organisation such as an alumni or parents' association has been requested).

- **Whose rights?**

The rights under Data Protection Act 2018 belong to the individual to whom the data relates. However, the School will often rely on parental authority or notice for the necessary ways it processes personal data relating to pupils – for example, under the parent contract, or via a form. Parents and pupils should be aware that this is not necessarily the same as the School relying on strict consent (see section on Consent above).



Where consent is required, it may in some cases be necessary or appropriate – given the nature of the processing in question, and the pupil's age and understanding – to seek the pupil's consent. Parents should be aware that in such situations they may not be consulted, depending on the interests of the child, the parents' rights at law or under their contract, and all the circumstances.

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 pupil's 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.

Pupils are required to respect the personal data and privacy of others, and to comply with the School's IT: Acceptable Use policy and the School Rules. Staff are under their professional codes of conduct obligations to do the same, covered under the relevant staff policy included in the Staff Handbook.

## **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. Individuals must please notify [cnel@ibstockplaceschool.co.uk](mailto:cnel@ibstockplaceschool.co.uk) 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 information about them is erased or corrected (subject to certain exemptions and limitations under Data Protection Act 2018); please see above for details of why the School may need to process your data or whom you may contact if you disagree.

The School will take appropriate technical and organisational steps to ensure the security of individual's personal data, 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 Act 2018 and receive relevant training.

## **PERSONAL DATA AND COVID-19 TESTING – FAQS FOR PARENTS**

### **How can you use my child's data? What is the difference between consenting to the test and consenting to you using my child's data?**

You will need to give medical consent for your child to take the test (if they are under 16), If you want your child to be tested, you will also need to understand that as part of testing we process their personal data. This processing of their data is allowed under data protection legislation, known as UKGDPR and the Data Protection Act 2018.

We are responsible for the processing of the test and ensuring all the personal data relating to the test is properly managed in accordance with their legal obligations.

Before we can use any personal data in the administration of taking the test and processing the results, we must tell you the lawful basis for why it is necessary to process personal data and it must be in one of 6 reasons which are allowed in UK data protection legislation. For the purpose of COVID-19 we are using Public Task where it is necessary to process personal data to ensure we meet our obligations in education legislation to safeguard and promote the wellbeing of pupils.

Public Health legislation also allows the sharing of personal data with DHSC, Local Government, Test and Trace and the NHS.

### **What Personal Data will you be asking for?**

When you register for a test you need to provide us with your child's

- Name
- Date of birth
- Gender
- Home postcode
- Email address
- Mobile number
- Name of Parent or Guardian

This allows us to register your child for a test and to process the results. Once your child is registered for a test they will be assigned a unique barcode which will be used to identify the test without the need for sharing a lot of personal data. Once the test has been completed, we will also record the results.

### **Do you process any personal data if I refuse the test?**

We will record that you have been offered and rejected a test so that we do not keep asking you to agree to a test. We will not tell any unauthorised person that is not directly involved in the recording of tests who has refused a test. Schools and Colleges will not share refusals with other parents or pupils.

### **What Personal Data is used in getting test results?**

We will use the personal data you provided when you register your child for the test to send the result to the named parents/guardians of children who test positive for coronavirus on the day of the test. You will not be informed of a negative test. If you test positive, you will be offered a further test of a different kind (called a PCR test) to confirm your positive test result and details for this will be sent by email/and or text to parents/legal guardians within 24-48 hours of the test by the NHS.

**Who are results shared with?**

In the event of a positive result, in addition to sharing with the parent/guardian We will only share the result with appropriate contacts such as the Headmaster to allow us to initiate the COVID isolation processes of others, where necessary. We will not tell any unauthorised person (that is anyone not involved in the recording of test results) who has received a positive result. Schools and Colleges will not share positive results with other parents or pupils.

In the event of a negative result, we will only share the result with appropriate contacts such as the Headmaster and named nominated person. We will not tell any unauthorised person (that is anyone not involved in the recording of test results) who has received a negative result. Schools and Colleges will not share negative results with other parents or pupils.

All results - both positive and negative - are shared by us with the Department for Health and Social Care (DHSC).

DHSC will share results with the NHS to offer advice and support. Results will also be sent to your GP so they can support you. If you have tested positive, a notification will be sent to Public Health England to enable them to contact people who have been in close contact with your child.

**Will you tell people connected with my child if they have had a test?**

No. We will not tell anyone that is not directly involved with administrating the test who has had a test and who has not had a test, or the outcome of any test.

If we have to advise other parents that their child has to isolate due to someone receiving a positive test, we will not identify any individual positive results and you do not have any rights to know who may have tested positive.

**Will my child's personal data be used for research and statistical purposes?**

Yes. However, data used for research and statistical purposes by DHSC/NHS will not use any personal data that can identify your child. Aggregate level data that will not identify individuals will be used. This is lawful under UK data protection legislation.

**How will my child's data be used?**

Your child's details will be used to complete testing. As part of testing, details of pupils and their parents or guardians, as well as staff, may be used for:

- registering your child and recording their participation in the testing
- matching your child's contact details with health data stored by the NHS
- communicating with you about testing
- contacting you if you are the parent or guardian of someone who is participating in the Programme
- contacting you with your child's test results by text message/email
- contacting you relating to your child's positive or inconclusive result to collect other medical information about your child's health relating to COVID-19
- phoning you to gather feedback to inform improvements that could be made to a full end-to-end testing process.

### **How long will my child's data be kept for?**

We will keep the data used for testing for up to 14 days.

Your child's information will be passed on to the DHSC who will share this information with NHS who will keep it for as long as it is required to provide your child with direct care and to support NHS initiatives to fight COVID-19.

Information held for direct care purposes are stored in line with the Records Management Code of Practice for Health and Social Care 2016. This means such information will be held for up to 8 years before it is deleted.

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### **THIS POLICY**

**The School will update this Privacy Notice from time to time. 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 Data Protection Officer using the following contact details: [cnel@ibstockplaceschool.co.uk](mailto:cnel@ibstockplaceschool.co.uk).

If an individual believes that the School has not complied with this policy or acted otherwise than in accordance with Data Protection Act 2018, he or she should utilise the School's complaints procedure and should also notify the Data Protection Officer. The School can also make a referral to or lodge a complaint with the Information Commissioner's Office (ICO), although the ICO recommends that steps are taken to resolve the matter within the School before involving the regulator.

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