



# Charlotte House Prep School

## DATA PROTECTION PRIVACY NOTICE

### WHO WE ARE

Charlotte House Preparatory School (Charitable trust number: 311075, Company number 912022) based in the United Kingdom and is the data controller for the purposes of any current relevant legislation including the UK Data Protection Act and the General Data Protection Regulation up to May 2018 as well as any future amendments to that Act and Regulation.

As a School we have access to and process personal data in respect of our pupils, staff, governors and visitors as well as previous and prospective pupils, staff, governors and visitors.

### 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 because Data Protection Law gives individuals rights 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, including:

- any contract between the school and its staff or the parents of pupils;
- retention of records policy; (see *IRMS School Records Management 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.

### RESPONSIBILITY FOR DATA PROTECTION

The School has appointed the Bursar, Vipul Patel, as Information Manager. He 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 Data Protection Law. Mr Patel may be contacted via the school office or by email: [vpatel@chpschool.co.uk](mailto:vpatel@chpschool.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 “**legitimate interests**”:

- For the purposes of pupil selection (and to confirm the identity of prospective pupils and their parents);
- To provide education services, including musical education, physical training or spiritual development and extra-curricular activities to pupils, and monitoring pupils' progress and educational needs;
- Maintaining relationships with alumni and the school community, including direct marketing or fundraising activity;
- For the purposes of management planning and forecasting, research and statistical analysis, including that imposed or provided for by law (such as tax or diversity 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 make use of photographic images of pupils in school publications, on the school website and on the school's social media channels in accordance with the school's policies on taking, storing and using images of children;
- 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 will on occasion need to process **special category personal data** concerning health and medical conditions, ethnicity, religion 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 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;
- In connection with employment of its staff, for example DBS checks, welfare, union membership or pension plans;
- 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;
- past, present and prospective pupils' academic, disciplinary, admissions and attendance records (including information about any special needs), and examination papers 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 and relevant information provided by previous educational establishments and/or other professionals or organisations;
- correspondence with and concerning staff, pupils and parents past and present; and
- images of pupils (and occasionally other individuals) engaging in school activities.

## **HOW THE SCHOOL COLLECTS DATA**

Generally, the school receives personal data from the individual directly (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; or collected from publicly available resources.

## **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, insurers, PR advisers and accountants);
- government authorities (e.g. HMRC, DfE, police or the local authority); and
- appropriate regulatory bodies e.g. NCTL, the Independent Schools Inspectorate, the Charity Commission.

- Other educational specialists (e.g speech or occupational therapists to support the necessary care and education for SEN pupils)

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 pastoral or safeguarding files.

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.

Finally, in accordance with Data Protection Law, 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 pupil personnel files is until the pupil is 25 years old. However, In the light of the Independent Inquiry into Child Sexual Abuse (IICSA), schools are advised to keep staff and pupil records indefinitely and especially incident reports and safeguarding files, in accordance with specific legal requirements.

Personal data relating to unsuccessful job applicants is deleted within 3 months of the application process.

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 Vipul Patel by email: [vpatel@chpschool.co.uk](mailto:vpatel@chpschool.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 will need to keep a record of the fact in order to fulfil your wishes (called a "suppression record").

## 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:

- Contact parents and/or alumni by post and email in order to promote and raise funds for the school and, where appropriate, other worthy causes;
- Should you wish to limit or object to any such use, or would like further information about them, please contact the Bursar in writing. You always have the right to withdraw consent, where given, or otherwise

object to direct marketing or 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 Law 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 their 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 one month in the case of requests for access to information).

- 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.

- Consent

Where the school is relying on consent as a means to process personal data, any person may withdraw this consent at any time. Examples where we do rely on consent are: certain types of uses of images, certain types of fundraising activity. 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.

- Whose rights?

The rights under Data Protection Law 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.

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.

## 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 the Bursar 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 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 individuals, 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. 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 using the following contact details [vpatel@chpschool.co.uk](mailto:vpatel@chpschool.co.uk)

If an individual 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 / grievance procedure and should also notify the Bursar. You 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 with the school before involving the regulator.

PW/July25