

Caversham Preparatory School

Data Protection Policy

Introduction

This policy is intended to provide information about how the School will use and/or process personal data about individuals including: its current, past and prospective staff; its current, past and prospective pupils; their parents, carers or guardians (referred to in this policy as 'parents'); suppliers and contractors; friends and supporters; and other individuals connected to or visiting the school.

This information is provided because General Data Protection Regulations 2018 (GDPR) gives individuals rights to understand how their data is used. Staff, parents, pupils and others are all encouraged to read this GDPR and understand the school's obligations to its entire community.

This policy 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 policy 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;
- the School's policy on taking, storing and using images of children;
- 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 and ESafety Policy.

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

Responsibility for data protection

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

If you have any questions regarding your personal data or its use, please contact Ian Lawson at bursar@cavershamschool.com or by telephone at 01189478684; or by post at Caversham Preparatory School, 16 Peppard Road, Caversham, RG5 8JZ

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':

- To provide education services, including musical education, physical training or spiritual development, career services, and co-curricular activities to pupils, and monitoring pupils' progress and educational needs;
- For the purposes of pupil selection and admission to the school (and to confirm the identity of prospective pupils and their parents);
- 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, 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 make use of photographic and video 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.

In addition, the School will on occasion need to process special category personal data concerning health; ethnicity; religion; sexual life or criminal:

- To record 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
- 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;
 - cooperation with police or social services;
 - for insurance purposes;
 - to caterers or organisers of school trips who need to be made aware of dietary or medical needs;
- To provide spiritual education in the context of any religious beliefs;
- To provide educational services in the context of any special educational needs of a pupil;

- In connection with employment of its staff, e.g. DBS checks, welfare, union membership or pension plans;
- To run any of its systems that operate on data, such as for security and other forms of pupil identification (school shop purchases, clubs, etc.);
- For legal and regulatory purposes (e.g. 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 (but not exclusive):

- names, addresses, telephone numbers, e-mail addresses and other contact details;
- car details (about those who use our car parking facilities);
- 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 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;
- 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 from another school, or other professionals or authorities working with that individual; or collected from publicly available resources.

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, for example: lawyers, insurers, PR advisers and accountants;
- government authorities, for example: HMRC, DfE, police or the local authority and;
- appropriate regulatory bodies, for example: NCTL, the Independent Schools Inspectorate, Independent Schools Association, Independent Schools Council or the Information Commissioner;
- educational agents who may act as intermediaries between parents and the School

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 GDPR, that is on a 'need to know' basis. Particularly strict rules of access apply in the context of:

- medical records held and accessed only by the district nurse and appropriate medical staff, 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.

Finally, in accordance with GDPR, 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.

Data Retention

Please see the School's Data Retention Policy.

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 Caversham Preparatory School Friends Committee (FoCPS, and other relevant bodies which exist outside of the School;
- Collect information from publicly available sources about parents' and former pupils' occupation and activities, in order to maximise the School's fundraising potential through the FoCPS.
- 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).

Rights of access

Individuals have various rights under GDPR 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).

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 GDPR 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.

We 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 Data Protection Policy. 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. Older children (Years 5 and 6) 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 our Terms and Conditions. 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 any court orders in place.

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

Where the School is relying on consent as a means to process personal data, any person may withdraw this consent at any time.

Whose rights?

The rights under GDPR 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. 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).

In general, the School will assume that pupils' consent is not required for ordinary disclosure of their personal data to their parents, 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 policies (including the IT Acceptable Use policy) and the School rules.

Staff are under professional duties to do the same covered under the relevant staff policies.

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 or the School Secretary 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 GDPR: please see above for details of why the School may need to process your data, of who you may contact if you disagree.

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 proprietors will be made aware of this policy and their duties under GDPR and receive relevant training.

Queries and complaints

Any comments or queries on this policy should be directed to the Bursar using the contact details set out in the 'Responsibility for Data Protection' section above.

If an individual believes that the School has not complied with this policy or acted otherwise than in accordance with GDPR, they should utilise the School complaints/grievance procedure. 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.

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Policy Review

The School will update this policy from time to time. Any substantial changes that affect your rights will be provided to you directly as far as is reasonably practicable.