

Privacy Notice for Parents/Carers/Guardians and Pupils

INTRODUCTION

The School collects and processes personal data relating to its pupils in order to successfully carry out its functions. The School is committed to being transparent about how it collects and uses that data and to meeting its obligations under the Data Protection Legislation.

This Privacy Notice is intended to provide information about how the School will use (or "process") personal data about pupil and parents/carers/guardians.

Parents/guardians/carers and pupils (where appropriate) are encouraged to read this Privacy Notice and the School's Data Protection Policy and understand the School's obligations when collecting, storing and processing Parents/guardians/carers and pupils personal data and special category personal data.

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 the parents of pupils;
- The School's policy on taking, storing and using images of children;
- The School's CCTV policy;
- The School's Data Retention policy;
- The School's Data Protection 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 E-safety and Mobile Phone policy, and Network and Social Media policy.

Anyone who works for, or acts on behalf of, the School (including staff, volunteers, governors and service providers) should be aware of and comply with this Privacy Notice and the School's Data Protection policy.

DEFINITIONS

In this Policy, the following definitions apply:

“Data Protection Legislation” means (i) the General Data Protection Regulation (EU) 2016/679 (“GDPR”) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the United Kingdom and (ii) any successor legislation to the GDPR.

“Data controller”, “data subject”, “personal data” and *“processing”* shall have the same meanings as in the Data Protection Legislation.

“Special categories of personal data” shall have the same meaning as in the Data Protection Legislation, namely personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, genetic data, biometric data, data concerning health or data concerning a person’s sex life or sexual orientation.

ABOUT ST FAITH’S

Nature of Work: Independent School

Under the Data Protection Legislation, the School is a Data Controller.

ICO Registration Number: Z976867X

The contact details for the School are as follows:

St Faith’s School
Trumpington Road
CAMBRIDGE
CB2 8AG

RESPONSIBILITY FOR DATA PROTECTION

The School has appointed Amy Pearson, Operations Manager, as the School’s Data Compliance Officer who will deal with all your requests and enquiries concerning the School’s uses of your personal data and endeavour to ensure that all personal data is processed in compliance with this policy and current data protection legislation.

The Data Compliance Officer can be contacted as follows:

Email: GDPR@stfaiths.co.uk

Telephone: 01223 229443

Address: St Faith’s School, Trumpington Road, CAMBRIDGE CB2 8AG

TYPES OF PERSONAL DATA COLLECTED AND PROCESSED BY THE SCHOOL

The School collects and processes a range of information about its pupils and parents/carers/guardians. This includes:

- Names, addresses, telephone numbers, email addresses and other contact details;
- Characteristics (such as ethnicity, language, nationality and country of birth);
- Emergency 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;
- Pupil files, including in connection with academics and 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, and on the use of CCTV).

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); or collected from publicly available resources.

WHY THE SCHOOL PROCESSES PERSONAL DATA

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

The School relies on the following legal bases for processing personal data:

- Where the individual has given their consent.

- Where it is necessary to perform a contract the School has entered into, or is about to enter into with the individual.
- Where it is necessary for the purposes of the School's legitimate interests, or those of a third party, and the individual's interests or fundamental rights and freedoms do not override those interests.

In addition, the School will on occasion need to obtain and process **special categories of personal data** (concerning health, ethnicity, religion or sexual life) or criminal records information (such as when carrying out DBS checks). In doing so, the School relies on the following lawful bases for processing:

- Where the individual has given explicit consent.
- Where processing is necessary for carrying out the School's obligations and exercising specific rights in the field of employment and social protection law.

Special category personal data will be used in the following circumstances:

- 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;
- As part of any School or external complaints, disciplinary or investigation process that involves such data, for example if there are SEN¹, 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.

In addition to the Data Protection Legislation, we collect and use pupil information under section 537A of the Education Act 1996, and section 83 of the Children Act 1989.

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

¹ Special Educational Needs

- Appropriate regulatory bodies e.g. [NCTL²](#), the [Independent Schools Inspectorate](#), the Charity Commission or the Information Commissioner.

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 School medical staff and shared where appropriate with other School 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.

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 LADO³ or police. For further information about this, please view the School's Safeguarding Policy.

Finally, in accordance with Data Protection Legislation, 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.

TRANSFERRING INFORMATION TO OTHER COUNTRIES

We may send pupil information to countries which do not have the same level of protection for personal information as there is in the UK. For example, to communicate with a pupil/pupils parents by email who live overseas or in relation to pupil welfare, where necessary, should a pupil become ill on an overseas trip and require urgent medical attention. We will only do this if necessary for the performance of our contract, or the transfer of personal data is necessary to protect the pupils vital interests and parental consent is not obtainable.

The European Commission has produced a list of countries which have adequate data protection rules. Please visit:

https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries_en

² National College of Teaching and Learning.

³ Local Authority Designated Officer

If the country that we are sending your information to is not on the list, or is not a country within the EEA (which means the European Union, Liechtenstein, Norway and Iceland), then it might not have the same level of protection for personal information as there is in the UK.

If you have any questions in relation to the transferring of data to other countries please contact the Data Compliance Officer.

HOW LONG WE KEEP PERSONAL DATA

The School will retain personal data securely and only for as long as is necessary in relation to the purposes for which it was processed. Typically, the legal recommendation for how long to keep personal pupil files is 25 years from date of birth. However, incident reports and safeguarding files will need to be kept much longer, in accordance with specific legal requirements.

Please refer to the School's Data Retention Policy for more details.

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 the Schools Data Compliance officer. 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 (and/or any relevant other organisation) 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 within the School community, such as the Old Fidelians or SFPA⁴.
- Contact parents and/or alumni (including via the organisations above) 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 School's Marketing Department in writing.

⁴ St Faith's Parents' Association

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).

REQUESTING ACCESS TO PERSONAL DATA

Rights of Access

Individuals have various rights under current Data Protection Legislation which are detailed in the School's Data Protection Policy.

Any individual wishing to exercise these rights should put their request in writing to the Data Compliance Officer.

Where an individual has requested access to their data 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 charge a proportionate fee (but only where Data Protection Legislation allows it).

If an individual wishes to make any amendments to their personal data, this information should be given to the School Office Team who will make the necessary changes.

Requests that cannot be fulfilled

You should be aware that the right of access is limited to an individual's own personal data, and certain data is exempt from the right of access. This may 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 be aware of the "right to be forgotten". However, 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, in order to comply with a legal requirement, or where there are overriding legitimate grounds. 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. 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 evidence their child's authority for the specific request.

Pupils 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.

Parental Requests

It should be clearly understood that the rules on access rights contained in the Data Protection Legislation 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, and any legal agreements.

All information requests from, on behalf of, or concerning pupils – whether made pursuant to the Data Protection Legislation 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 (subject to similar age considerations as above). Examples where we do rely on consent include the taking, using and storing images of children and administration of medication. Please be aware however that the School may have another lawful reason to process the personal data in question, even without your consent, and may continue to do so. If that is the case, the School will inform the individual at the time the request to withdraw consent is made.

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. a parent contract, or

because a purchase of goods, services or membership of an organisation such as an alumni or parents' association has been requested).

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 (parents, carers, guardians and pupils) must please notify the School Office of any 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 Legislation). Please see above for details of why the School may need to process your data, or 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 governors will be made aware of this policy and their duties under Data Protection Legislation and receive relevant training.

THIS PRIVACY NOTICE

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

QUERIES AND COMPLAINTS

Any comments, queries or complaints in relation to this privacy notice should be directed to the School's Data Compliance Officer using the following contact details:

Email: GDPR@stfaiths.co.uk

Telephone: 01223 229443

Address: St Faith's School, Trumpington Road, CAMBRIDGE CB2 8AG

Alternatively, you can contact the Information Commissioner's Office (ICO) at <https://ico.org.uk/concerns/> or on 0303 123 1113 although the ICO recommends that steps are taken to resolve the matter with the School before involving the regulator.