



# Data Protection Privacy Notice

## St Martin's Preparatory School

### 1. Who We Are

St Martin's Preparatory School, a subsidiary company of the Alpha Schools Group ("The School") is a company limited by guarantee (registration number 09738429) and for day to day communication is referred to as St Martin's Preparatory School.

The School is a Data Controller for the purposes of Data Protection Law<sup>1</sup> which means it determines how an individual's personal data is processed and for what purposes

### 2. What This Policy Is For

This policy is intended to provide information about how the School will use (or "process") personal data about individuals including: its personnel<sup>2</sup>, its current, past and prospective students 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 Law to understand how their data is used. School personnel, parents and students 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 students;
- the School's safeguarding and pastoral policies;
- The School's policy on taking, storing and using images of students;
- the School's Health and Safety policy, including how concerns or incidents are recorded;
- the School's IT policies, including its Acceptable Use policy and On-line Safety policy

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

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<sup>1</sup> The Data Protection Act 1998 and the General Data Protection Regulation (GDPR) from 25 May 2018

<sup>2</sup> School personnel includes employed staff, self-employed persons, volunteers, governors and directors.

### **3. Responsibility For Data Protection**

The headteacher has ultimate responsibility for compliance at the school for Data Protection and will deal with all your requests and enquiries concerning the School's uses of your personal data (see section on Your Rights below). The head shall endeavour to ensure that all personal data is processed in compliance with this policy and Data Protection Law.

Requests and enquiries should be sent to the headteacher.

### **4. Why The School Needs To Process Personal Data**

In order to carry out its ordinary duties to staff, students and parents, the School may process a wide range of personal data about individuals (including current, past and prospective staff, students 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 students.

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 may fall within that category of its (or its community's) "legitimate interests":

- For the purposes of student selection (and to confirm the identity of prospective students and their parents);
- To provide education services, including musical education, physical training or spiritual development, career services, and extra-curricular activities to students, and monitoring students' progress and educational needs;
- Maintaining relationships with alumnae and the School community, including direct marketing or fundraising activity;
- For the purposes of donor due diligence, and to confirm the identity of prospective donors and their background and relevant interests;
- For the purposes of management planning and forecasting, research and statistical analysis, including that imposed or provided for by law (such as diversity or gender pay gap analysis and taxation records);
- 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 students, 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 students;
- To enable students to take part in national or other assessments, and to publish the results of public examinations or other achievements of students of the School;
- To safeguard students' welfare and provide appropriate pastoral care;

- To fulfil our contractual and legal obligations
- 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 students 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 students;
- For security purposes, including CCTV in accordance with the School's CCTV policy;
- 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 to process special category personal data (concerning health, ethnicity, religion, 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 students' 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 where it is in the individual's interests to do so: for example for medical advice, social services, insurance purposes or to organisers of School trips;
- To provide educational services in the context of any special educational needs of a pupil;
- To provide spiritual education in the context of any religious beliefs;
- In connection with employment of its staff, for example DBS checks, welfare or pension plans;
- 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.

## **5. 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;
- 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 students' academic, disciplinary, admissions and attendance records (including information about any special needs), employment information and examination scripts and marks;
- Past, present and prospective parents' employment information;
- where appropriate, information about individuals' health, and contact details for their next of kin;
- references given or received by the School about students, and information provided by previous educational establishments and/or other professionals or organisations working with students; and
- images of students (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 Students);
- information relating to past, present and prospective School personnel;

## **6. How the School Collects Data**

Generally, the School receives personal data from the individual directly (including, in the case of students, 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 may be supplied by third parties (for example another School, or other professionals or authorities working with that individual); or collected from publicly available resources.

## **7. 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 (lawyers and accountants) or relevant authorities (HMRC, police or the local authority).

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

- medical records held and accessed only by appropriate staff or otherwise in accordance with express consent
- safeguarding files

However, a certain amount of any medical, pastoral and 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, students 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 may include file notes on personnel or safeguarding files, and in some cases referrals to relevant authorities such as Social Services or police. For further information about this, please view the School's Safeguarding Policies.

For the purposes of maintaining a safe and secure environment, the School reserves the right to monitor all internet traffic through its filtering systems and all domain joined devices through monitoring software and services.

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, cloud storage and social media providers<sup>3</sup>. Where possible this is subject to contractual assurances that personal data will be kept securely and only in accordance with the School's specific directions.

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<sup>3</sup> Third party terms and conditions apply. E.g. Twitter, Facebook, Highrise

## **8. 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 this 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 school. However, please bear in mind that the School may have lawful and necessary reasons to hold on to some data.

Please refer to Appendix A for details and retention periods.

## **9. Keeping In Touch and Supporting The School**

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

- Share personal data about parents and/or alumnae, as appropriate, with organisations set up to help establish and maintain relationships with the School community, such as the Parents' Association;
- Contact parents and/or alumnae 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 Headteacher in writing. You always have the right to withdraw consent, where given, or otherwise object to direct marketing or fundraising. However, the School may need nonetheless to retain some of your details (not least to ensure that no more communications are sent to that particular address, email or telephone number).

## **10. Your Rights**

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 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, should put their request in writing the Headteacher.

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 30 days in the case of subject requests for access to information. The School will be better able to respond quickly to smaller, targeted requests for information. If the request 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 Law allows it.

You should be aware that certain data is exempt from the right of access. This may include information which identifies other individuals or information which is subject to legal professional privilege. The School is also not required to disclose any pupil examination scripts, nor any confidential reference given by the School for the purposes of the education, training or employment of any individual.

Students where supported by their parents, can make subject access requests for their own personal data, Indeed, while a person with parental responsibility will generally be expected to make a subject access request on behalf of younger students, the information in question is always considered to be the child's at law. A student of any age may ask a parent or other legal representative to make a subject access request on her behalf, and moreover (if of sufficient age) their consent or authority may need to be sought by the parent. Students aged 13+ 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. Students younger than 13 may be sufficiently mature to have a say in this decision. All subject access requests from students will therefore be considered on a case by case basis.

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). Please be aware, however, that the School may 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 has been requested).

## **11. 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 consent to process personal data relating to students (if consent is required) unless, given the nature of the processing in question, and the student's age and understanding, it is more appropriate to rely on the student'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 students' 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, 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 students, or if required by law.

Students are required to respect the personal data and privacy of others, and to comply with the School's relevant policies, e.g. IT: Acceptable Use Policy and the School rules. Staff are under professional duties to do the same.

## 12. 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 notify the School at least on an annual basis of any changes to information held about them. Responsibility for changes in information relating to students rests with the parent.

An individual has the right to request that any inaccurate or out-of-date information about them is erased or corrected (subject to certain exemptions and limitations under the Act): please see above.

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 School personnel will be made aware of this policy and their duties under Data Protection Law and receive relevant training.

## 13. Cookie Use

To help us understand how our website is used and so improve it we deploy Google Analytics.

For Google Analytics to function, first party cookies track visitor interactions with the site. There are strict limits to the amount and kind of information that these cookies record or report.

Your use of our website signifies your consent to our using Google Analytics. Should you wish to opt out Google have developed a browser add-on to let you do so.

There are many sites offering further information about cookies, tracking and privacy - for example AboutCookies.org.

## 14. Queries and Complaints

Any comments or queries on this policy should be directed to the Headteacher.

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 or grievance procedure and should also notify the Headteacher. The subject 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

Further advice and information is available from the Information Commissioner's Office, [www.ico.gov.uk](http://www.ico.gov.uk) or telephone 01625 5457453

Date	Position	Name of Reviewer	Date of Next Review
May 2018	Head	Mr S. Thompson	September 2018
May 2018	Proprietor	Mr A. Khan	September 2018

## Appendix A: Retention Periods

Records	Retention Period	Comment
<p><b>Operational Records</b></p> <p>Operational records are kept for at least six years from the date of the record. This is the period in which a parent could bring a contractual claim.</p> <p>NOTE: Longer periods may apply to other claims, examples provided below.</p>		
<p><b>Pupil's Records</b>, including but not exclusively:</p> <ul style="list-style-type: none"> <li>• Attendance register</li> <li>• Medication records</li> <li>• Parental permission forms</li> <li>• Complaints book</li> <li>• Contractual documentation</li> <li>• L/A data for funded places</li> <li>• Daily diaries</li> </ul>	<p>Six years after the child has left the school.</p> <p>Please note <b>special circumstances</b> below</p>	
	<p><b>Special circumstances</b> e.g.:</p> <ul style="list-style-type: none"> <li>• serious complaint</li> <li>• issues of child protection</li> <li>• a child is badly injured</li> <li>• a child is on regular medication</li> <li>• a child has severe allergies</li> <li>• a child has a serious illness</li> </ul>	<p><b>special circumstances.</b></p> <p>We may retain records until the child reaches <b>26 years of age</b>, but after that period the records will be destroyed.</p>



Records	Retention Period	Comment
<p>Other records, which may contain personal information or images of children or families</p> <ul style="list-style-type: none"> <li>• Photographs/videos</li> <li>• Websites</li> <li>• Social media posts</li> <li>• Texts</li> <li>• Emails</li> <li>• Apps</li> <li>• Cloud storage</li> </ul>	<p>Keep photographic/video/audio-visual permissions given by parents on behalf of children for 21 years and six months.</p>	<p>Ensure you have up-to-date permission from parents to take and/or post online photos or videos.</p> <p>Ensure data is secured in line with data protection/confidentiality policy.</p>
<p>Records of any reportable death, injury, disease, dangerous occurrence, accident/incident records and risk assessments specific to a child</p>	<p>Keep the records until the child reaches <b>26 years of age</b>.</p>	<p>Ensure that you keep full records of notifications made to statutory agencies.</p>
<p>Visitors' book</p>	<p>As a minimum, must be kept between inspection periods.</p>	
<p>Risk assessments</p>	<p>Standard cases – minimum three years from date recorded</p>	
<p>Data Protection Audit</p>	<p>Reviewed and updated annually.</p>	

Records	Retention Period	Comment
<b>Financial Records</b>		
Insurance documents	Keep for six years after the year to which the information relates	

<b>Employees</b>		
CVs, application forms and interview notes (unsuccessful candidates)		If prospective employee gives consent then paperwork is kept up to a one year
CVs, application forms and interview notes (successful candidates)	Keep for six years following the cessation of employment	
<p>DBS Check/Disclosure Information</p> <p>Essential details to be recorded from the original DBS certificate – i.e. Name, date of birth, reference number, date of issue and anything recorded on the certificate</p>	<p>By law, the only details that can be kept for longer than six months are the date of the check, its reference number and the result.</p> <p>We recommend these details are kept for six years after the member of staff has left, in line with other staff records.</p>	<p>Remember to destroy any detailed information within six months, retaining only the date of the check, its reference number and result for longer.</p> <p>Recorded data on SCR</p>
Personnel files and training records (must contain all information for the staff employed, including application form, work history, references, supervision and appraisals, qualifications, disciplinary records, working time records and training records)	Six years after employment ceases	You must ensure that any sensitive information (e.g. sickness records) is kept in a secure place and separated out from non-sensitive information.

<b>Employees</b>		
Wage/salary records (including overtime, bonuses and expenses)	Six years after the end of the tax year to which the records relate	
Statutory maternity, adoption and paternity pay records	Three years after the end of the tax year in which the maternity period ends	
Statutory sick pay records	Three years after the end of the tax year to which the records relate	
Redundancy details, calculations of payments, refunds, notification to the Secretary of State	Six years from the date of redundancy	