

Rosemary Works School

Privacy Notice



Approved by:	Jacqueline Logue & Rob Dell	Date: 17 th May 2018
Last reviewed on:	17/05/18	
Next review due by:	17/05/19	

Overview

In order to carry out its expected duties to staff, pupils and parents, the School collects and processes personal data about individuals (including current, past and prospective staff, pupils or parents) as part of its daily operation. The information in this Privacy Notice is provided in accordance with the rights of individuals under Data Protection Law to understand how their data is used.

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 may also collect, process and store in the short term data pertaining to job applicants and contractors. The legal basis for processing and storing this information is legitimate business interest.

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;
- the school's policy on taking, storing and using images of children;
- the school's CCTV 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, Digital Safety policy

Types of personal data collected and held by Rosemary Works School and method of collection

When you request information from the School, we will require some personal information about you - including your name, address, email address and telephone number. This information allows the School to fulfil your request and keep you informed. This may be provided by you or 3rd parties electronically or on paper. Where payments are made to the School, details of payment card numbers and expiry dates will go through a secure server operated by the School's Payment Service Provider.

If you are a parent, some of the personal information held about you will include:-

Your name, title, sex, nationality and date of birth.

Your home address, email address and telephone numbers;

Your bank account number, name and sort code (used for processing Direct Debits);

If you are a student, former student or prospective student, some of the personal information held about you will include:-

Your name, title, sex, nationality and date of birth;

Your home address, email address and telephone numbers;

Start date, previous academic record, references, relevant medical information, attendance data, disciplinary records, learning support information, examination scripts and marks.

Images including the image stored on the school's Management of Information system, images of you 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).

If you are a member of the alumni body, some of the personal information held about you will include:-

Your name, title, sex, nationality and date of birth.

Your home address, email address and telephone numbers;

Your employment status (e.g. part-time, full-time, retired);

Academic records and dates of your time at CLS.

Your current job title and work email address;

Your previous role(s) and job title;

Your links with the school.

Why the School needs to process personal data:-

We only collect and use pupils' personal data when the law allows us to. Most commonly, we process it where:

- We need to comply with a legal obligation
- We need it to perform an official task in the public interest

Less commonly, we may also process pupils' personal data in situations where:

- We have obtained consent to use it in a certain way
- We need to protect the individual's vital interests (or someone else's interests)

Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using pupils' personal data overlap, and there may be several grounds which justify our use of this data.

Further, the school expects that the following uses may 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 musical education, physical training or 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, 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 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 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 (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; 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 to process special category personal data (for example, to support student welfare) 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 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;
- 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.

How personal data is processed by Rosemary Works School and who has access to your personal data

Access to personal data is restricted to those members of staff who have a requirement to maintain a relationship with you, and is controlled through password protection and user security profiles. All Rosemary Works School staff that are given access to personal data have a duty to maintain confidentiality under GDPR. Access to special category data is restricted to key personnel and staff with such access receive a higher level of training. For example:-

- medical records are held and accessed only by the necessary members of staff that have direct dealings with the child in question
- safeguarding files are restricted to the Head, the DSL and deputy DSLs and the DSL's administrative assistant
- pastoral files are restricted to the teachers and the Head.

However, information regarding pastoral concerns and safeguarding and child protection concerns may be shared confidentially with other members of staff on a 'need to know' basis.

Learning support information, which may include special category data, is shared in part with staff in the context of providing the necessary care and education that the pupil requires.

Personal data is processed by Rosemary Works School to:-

- Keep you informed of your progress (students) or to keep you informed about your son's progress (parents).
- Promote events;
- Send news and updates;
- Recruit alumni volunteers and mentors;
- Provide community news.

With whom does Rosemary Works School share data?

Personal data is never sold to third parties. In many circumstances we will not disclose personal data without consent. However, there may be occasions, such as pupils changing schools, when we will need to share personal information with the organisation concerned and with other relevant bodies. Occasionally the school will need to share personal information relating to its community with 3rd parties, such as professional advisers (lawyers and accountants) or relevant authorities (HMRC, police or the Corporation of London, the local authority)

Information about employees may also be disclosed where required by law, or in connection with legal proceedings, or for the prevention / detection of crime, or assessment / collection of tax.

The school is required to disclose some personal data to the Department of Education, for example, students continuing with sixth form studies data.

If you have registered to attend an event organised by the school or the Parent Network Association, the school may share list of attendee names with participants.

Rosemary Works School may share personal data with third party organisations which carry out contracts on behalf of the school (such as a venue hosting a school event). Rosemary Works School will only share personal data that is relevant and proportionate. All data processing activities are logged and reviewed from time to time. Should a safeguarding issue arise, personal data may be shared after consultation with the Designated Safeguarding Lead.

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. In 2018, third party contractors will be contacted to ensure compliance with GDPR, ahead of May 2018.

How personal data is stored by Rosemary Works School

Personal data is stored electronically in the school's IT Systems and, in some instances, in paper record. Paper record special category data and higher category sensitive information is kept under lock and key.

How long personal data is held by Rosemary Works School?

Rosemary Works School follows the retention guidelines set out in the Information Management Toolkit for Schools. Please note that this is subject to periodical revision and the current moratorium – applicable to all schools - on the destruction of files (International Inquiry into Child Sexual Abuse) means data is being retained that would otherwise have been destroyed. If you have any specific queries or wish to request that personal data that you no longer believe to be relevant is considered for erasure, please contact Jacqueline@rosemaryworks.com.

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.

Parents / people with parental rights may put a request for access to student records in writing, and we will aim to fulfil the request within 20 school days.

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 (though examiners' comments may fall to be disclosed), nor any confidential reference given by the school for the purposes of the education, training or employment of any individual.

A person with parental responsibility will generally be expected to make a subject access request on behalf of younger pupils. However, the information in question is always considered to be the child's at law. A pupil of any age may ask a parent or other representative to make a subject access request on his/her behalf, and

moreover (if of sufficient age) their consent or authority may need to be sought by the parent. All subject access requests from pupils 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).

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 pupils (if consent is required) unless, given the nature of the processing in question, and the pupil's age and understanding, it is more appropriate to rely on 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, 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 Acceptable Use Policy and the school rules. [Staff are under professional duties to do the same covered under the relevant staff policy.]

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 school of any changes to information held about them (please email Jacqueline@rosemaryworks.com)

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

Links to other websites

This privacy notice does not cover the links within this site linking to other websites. We encourage you to read the privacy statements on the other websites you visit.

Queries and Complaints

Any comments or queries on this policy should be directed to the school at Jacqueline@rosemaryworks.com.

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's complaints procedure and should notify the school by email Jacqueline@rosemaryworks.com. You can also make a referral to or lodge a complaint with the Information Commissioner's Office (ICO.org.uk), although the ICO recommends that steps are taken to resolve the matter with the school before involving the regulator.

Changes to this privacy notice

We keep our privacy notice under regular review. This privacy notice was last updated on 17th May 2018.