THE PERSE SCHOOL
CAMBRIDGE

PRIVACY NOTICE – PARENTS

WHAT THIS NOTICE IS FOR

This privacy notice is intended to provide information about how the School will use (or "process") Personal Data about individuals including: its current, past, prospective pupils, learn to swim pupils, learn to climb pupils and summer school pupils; and their parents, carers or guardians (referred to as "parents").

This information is provided in accordance with the rights of individuals under Data Protection Law to understand how their data is used. Parents 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 the parents of pupils;
- the School's CCTV and Access Control policy;
- the School's Records Management Policy and Records Retention Schedule;
- the School's Data Protection policy;
- the School's safeguarding, or health and safety policies, including as to how concerns or incidents are recorded; and
- the School's IT policies, including online safety, acceptable use and social media.

RESPONSIBILITY FOR DATA PROTECTION

The School has appointed the Director of ICT as the Data Processing Manager who will deal with all day-to-day requests and enquiries concerning the School's use of Personal Data (see section on Your Rights below). The Bursar has ultimate responsibility for all Data Protection.

WHY THE SCHOOL NEEDS TO PROCESS PERSONAL DATA

In order to carry out its ordinary duties to staff, pupils and parents, the School may process a wide range of Personal Data about you as part of its daily operation.

Some of these activities the School will need to carry out in order to fulfil its legal rights, duties or obligations – including those under a contract with its parents of its pupils.

The table below contain a general description of the different legal bases for processing Personal data.

Legitimate interests

This means that the School is using your Personal Data when this is necessary for the School's (or sometimes a third party's) legitimate interests except when your interests and fundamental rights override our legitimate interests. Our "legitimate interests" include our interests in running the school in a professional, sustainable manner, in accordance with all relevant ethical, educational, charitable, legal, and regulatory duties and requirements (whether or not connected directly to data protection law). In this respect, depending on your role and status, we are likely to use your personal data for the following:

Specifically, the School has a legitimate interest in:

- providing educational services to your child and to other children;
- safeguarding and promoting the welfare of your child, other children and our employees;
- promoting the objects and interests of the School. This includes fundraising and using photographs of you at our school events in promotional material. It also includes making sure that we are able to enforce our rights against you, for example, so that we can contact you if unpaid school fees are due;
- keeping the school buildings safe;
- using your Personal Data in connection with legal disputes. For example, a claim is brought against the School regarding education, care or welfare;
- protecting the School's reputation;
- facilitating the efficient operation of the School;
- ensuring that all relevant legal obligations of the School are complied with (for example in relation to inspections); and
- diversity and equal opportunities monitoring. Understanding more about the pupils and those who apply to join us will help the School to be more inclusive and will allow us to better support the pupils.

In addition, your Personal Data may be processed for the legitimate interests of others. For example, another school will have a legitimate interest in knowing if you have not paid School fees that are due to us.

Necessary for contract

We will need to use your Personal Data in order to perform our obligations under our contract with you and for you to perform your obligations as well. For example, we need your name and contact details so that we can update you on your child's progress and so that we can contact you if there is a concern.

Legal obligation

Where the School needs to use your Personal Data in order to comply with a legal obligation, for example to report a concern to Children's Services. We may also have to disclose your Personal Data to third parties such as the courts, the local authority or the police where legally obliged to do so.

Vital interests

In limited circumstances we may use your Personal Data to protect your vital interests or the vital interests of someone else (e.g. if you or they are seriously hurt).

Performance of a task carried out in the public interest (or carrying out public tasks)

The following are examples of when we use your Personal Data to perform tasks in the public interest:

- providing your child with an education;
- safeguarding & promoting your welfare, your child's welfare & the welfare of other children;
- facilitating the efficient operation of the School; and
- ensuring that we comply with all of our legal obligations.

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). 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 such as an alumni or parents' association has been requested).

The School must also comply with an additional condition where it processes special categories of Personal Data. These special categories are as follows: personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic information, biometric information, health information, and information about sex life or orientation.

The additional conditions for processing special categories of your Personal Data are:

Substantial public interest

The School is also allowed to use special categories of Personal Data were doing so is necessary in the substantial public interest. This is similar to "public interest" in the table above.

Social protection and social security laws

Also, the School may use your Personal Data to comply with social protection law (e.g. to look after your child) and social security laws. Social protection law is concerned with preventing, managing, and overcoming situations that adversely affect people's wellbeing.

Vital interests

In limited circumstances we may use your Personal Data to protect your vital interests or the vital interests of someone else (e.g. if you or they are seriously hurt).

Legal claims

We are allowed to use your Personal Data if this is necessary in relation to legal claims. For example, this allows us to share information with our legal advisors and insurers.

The School expects that the following uses may fall within one or more the categories listed in the tables above.

- For the purposes of pupil selection (and to confirm the identity of prospective pupils and their parents) (**legal basis:** legitimate interests, necessary for contract, legal obligation);
- To assess entitlement to fee support (**legal basis:** legitimate interests, necessary for contract)
- To provide education services, including musical education, physical training or spiritual development, career and university services, extra-curricular activities to pupils, and monitoring pupils' progress including learn to swim and learn to climb sessions, and educational needs (**legal basis:** legitimate interests, necessary for contract);
- For the purposes of management planning and forecasting, research and statistical analysis, including that imposed or provided for by law (**legal basis:** legitimate interests, legal obligation);
- To enable relevant authorities to monitor the School's performance and to intervene or assist with incidents as appropriate (**legal basis:** legitimate interests, legal obligation);
- To process your financial information in relation fee payments (**legal basis:** necessary for contract);
- 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 which it is proposed they attend; and to provide references to potential employers of past pupils (**legal basis:** legitimate interests, necessary for contract, legal obligation);
- 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 (**legal basis:** legitimate interests);
- To safeguard pupils' welfare and provide appropriate pastoral care (**legal basis**: legitimate interests, necessary for contract, legal obligation, vital interests);
- For security and safety purposes, including CCTV in accordance with the School's CCTV and Access Control System Policy (**legal basis:** legitimate interests);
- To share information with the Department for Education (**legal basis**: legitimate interests, necessary for contract, legal obligation);
- To process information about any court orders or criminal petitions which relate to parents (**legal basis**: legitimate interests, necessary for contract, legal obligation);
- To process information about any family circumstances which might affect a child's welfare or happiness (**legal basis**: legitimate interests, necessary for contract, legal obligation);
- Where otherwise reasonably necessary for the School's purposes, including to obtain appropriate professional advice and insurance for the School (**legal basis**: legitimate interests, necessary for contract, legal obligation); and

Research in order to improve the School's understanding of its parents to help inform its fundraising strategy, which may include wealth screening and target its communications more effectively (**legal basis**: legitimate interests).

Special Category Personal Data Examples:

- 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 (**legal basis**: legitimate interests, necessary for contract, legal obligation. **Additional conditions:** Reasons of substantial public interest);
- To provide educational services in the context of any special educational needs of a pupil (**legal basis:** legitimate interests, necessary for contract. **Additional conditions:** Reasons of substantial public interest);
- To run any of its systems that operate on biometric data, such as for security and other forms of pupil identification (lockers, lunch etc.) (**legal basis:** consent. **Additional conditions:** Explicit consent); 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 (**legal basis:** legal obligation. **Additional conditions:** Legal claims).

MORE THAN ONE BASIS

In some cases, we rely on more than one basis for a particular use of Personal Data. For example, the School will rely on contract, legitimate interests and public interest bases when using Personal Data to provide children with an education. The basis that we will rely on for a particular purpose may vary depending on the circumstances. For example, if the School decides to tell the local authority something about a parent for safeguarding reasons, sometimes this will be because we have a legal obligation to do so but on other occasions we may tell the local authority because we are worried about the child even if we don't have a legal obligation to report something (in which case we would be relying on legitimate interests and public interests).

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 or bursary applications;
- where appropriate, information about individuals' health, and contact details for their next of kin;
- place of work and job title; and

- court orders and other legal documents associated with parents.

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 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.

WHO HAS ACCESS TO PERSONAL DATA AND WHO THE SCHOOL SHARES IT WITH

Occasionally, the School will need to share Personal Data relating to its community with third parties, such as professional advisers (lawyers and accountants) or relevant authorities (HMRC, police, health services 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 (i.e. on a 'need to know' basis). Where third parties are engaged, they will be required to confirm their compliance with Data Protection Law. Particularly strict rules of access apply in the context of:

- medical records held and accessed only by the school nurses and appropriate medical staff, or otherwise in accordance with express consent; and
- pastoral or safeguarding files.

However, a certain amount of pupil's relevant Personal Data will need to be provided to staff more widely in the context of providing the necessary care and education that the pupil requires (e.g. medical, SEN data or residential school trips).

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 may include file notes on personnel or safeguarding files, and in some cases referrals to relevant authorities such as the Local Authority Designated Officer 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 obligations 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. The retention of data is outlined in the Records Retention Schedule. If you have any specific queries about how this schedule is applied or wish to request that Personal Data that you no longer believe to be relevant be considered for

erasure, please contact the Data Processing Manager. However, please bear in mind that the School may have lawful and necessary reasons to hold on to some data.

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, erase, restrict processing, obtain, object or amend their Personal Data, should put their request in writing to the Data Processing Manager.

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 Personal Data. The School will be better able to respond quickly to smaller, targeted requests for Personal Data. 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 types of data are 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.

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. Indeed, while a person with parental responsibility will generally be entitled to make a subject access request on behalf of younger pupils, the Personal Data 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 their behalf. Moreover (if of sufficient age) their consent or authority may need to be sought by the parent making such a request. Pupils from Year 9 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. Slightly younger pupils may however be sufficiently mature to have a say in this decision.

All Personal Data requests from, or on behalf of, pupils – whether made under subject access or simply as an incidental request – will therefore be considered on a case-by-case basis.

SENDING PERSONAL DATA TO OTHER COUNTRIES

When the School sends Personal Data outside of the UK, we have to consider if the other country has the same level of protection for Personal Data as there is in the UK. Some countries are considered by the UK Government to have adequate rules, and this includes all of the European Economic Area and some other countries, such as, New Zealand, Argentina and Japan.

In certain circumstances, we may send your information to countries which do not have the same level of protection for Personal Data as there is in the UK. For example, we may store your information on cloud computer storage based in the USA.

We will provide you with details about where we are sending your Personal Data, whether the country has an adequacy decision and if not the safeguards which we have in place outside of this Privacy Notice.

If you have any questions about the safeguards that are in place, please contact the Data Processing Manager.

WHAT DECISIONS CAN YOU MAKE ABOUT YOUR INFORMATION?

Data protection legislation gives you a number of rights regarding your Personal Data. Your rights are as follows:

- **Rectification**: if information is incorrect, you can ask us to correct it.
- **Access**: you can also ask what Personal Data we hold about you and be provided with a copy. This is commonly known as making a subject access request. We will also give you extra information, such as why we use this data about you, where it came from and what types of people we have sent it to.
- **Deletion**: you can ask us to delete the Personal Data that we hold about you in certain circumstances. For example, where we no longer need the data.
- **Portability**: you can request the transfer of your Personal Data to you or to a third party in a format that can be read by computer. This applies where (a) the data has been provided by you; (b) the basis that we are relying on to process your data is consent or contract (please see "Our legal bases for using your data below"); and (c) the data is being processed by us on computer.
- **Restriction**: our use of Personal Data about you may be restricted in some cases. For example, if you tell us that the data is inaccurate, we can only use it for limited purposes while we check its accuracy.
- **Object**: you may object to us using your Personal Data where:
    - we are using it for direct marketing purposes
    - we are using it for historical or scientific research purposes or archiving purposes. For example, we may keep photographs of you at a School event for historical reasons.

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 should notify the School Office 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 Personal Data about them is erased or corrected (subject to certain exemptions and limitations under Data Protection Law): 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 concerning the use of technology and devices, and access to school systems. All staff and governors will be made aware of this Privacy Notice and their duties under Data Protection Law 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 provided to you directly as far as is reasonably practicable.

QUERIES AND COMPLAINTS

Any comments or queries on this Privacy Notice should be directed to the Data Processing Manger using the following contact details The Data Processing Manager, The Perse School, Hills Road, Cambridge, CB2 8QF.

If an individual believes that the School has not complied with this Privacy Notice or acted otherwise than in accordance with Data Protection Law, they should utilise the School's Complaints Procedure and should also notify the Data Processing Manager. The individual can also 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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