



## PRIVACY NOTICE FOR PARENTS AND PUPILS (for Schools and the Kindergarten)

### INTRODUCTION

The General Data Protection Regulation (GDPR) is a piece of EU-wide legislation which determines how people's personal data is processed and kept safe, and the legal rights individuals have in relation to their own data. This Privacy Notice explains how the school will use (or "process") personal data about individuals at both the main schools and the kindergarten, including current, past and prospective pupils and their parents, carers or guardians (referred to in this policy as "parents").

Thomas's London Day Schools is an unlimited company, registration number 7881899 and includes the following schools: Thomas's Battersea, Thomas's Clapham, Thomas's Fulham, Thomas's Kensington, Thomas's Kindergarten.

The School is the 'data controller' for the purposes of Data Protection Law which means it determines how an individual's personal data is processed and for what purposes. It has appointed a Privacy and Compliance Team who, in conjunction with the Principals, will deal with all requests and enquiries and aim to ensure that all personal data is processed in compliance with this policy and Data Protection Law. The Privacy and Compliance team consists of:

HR Lead:	Christine Tuck, Head of HR
IT Lead:	Michael Swart, Director of IT
Battersea:	Nicola Diggle, Director of Admissions
Clapham:	Viki Stanton, Operations Manager
Fulham:	Catherine Mangan, School Digital Lead
Kensington:	Nathalie Renou, Designated Safeguarding Lead
Kindergarten:	Katharyn Ballantine, Headmistress
Academy:	Clare James, Deputy Headteacher
Principals' Liaison:	Joanna Copland, Vice Principal

### PRINCIPLES

The GDPR sets out the key principles that all personal data must be:

- Processed lawfully, fairly and transparently,
- Collected for specific, explicit and legitimate purposes
- Limited to what is necessary for the purposes for which it is processed
- Accurate and kept up to date
- Held securely

- Only retained for as long as it necessary for the reasons it was collected

### **The personal data the School holds:**

Personal data about pupils and parents that maybe collected, used, stored and shared (when appropriate) includes, but is not restricted to:

- Contact details, contact preferences, date of birth, identification documents
- Results of internal assessments and externally set tests
- Pupil and curricular records
- Characteristics, such as ethnic background or special educational needs
- Exclusion information
- Details of any medical conditions, including physical and mental health
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs
- CCTV images captured in school
- Car details (about those who use our car parking facilities)
- Bank details and other financial information (eg about those who pay fees to the school)

We may also hold data about pupils that we have received from other organisations, including other schools, local authorities and the Department for Education.

### **Why we use this data**

We use this data:

- To confirm the identity of prospective pupils and their parents and support the selection process
- To administer admissions waiting lists
- To provide educational services and support pupil learning
- To monitor and report on pupil progress
- To safeguard pupils' welfare and provide appropriate pastoral care
- To celebrate achievements and events
- To fulfil our contractual and legal obligations
- To monitor (as appropriate) use of the school's IT and communication systems in accordance with the school's IT acceptable use and online safety policies
- For security purposes
- To assess the quality of our services
- To carry out research and statistical analysis
- To apply purposes of donor due diligence
- 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.
- To maintain relationships with alumni and the school community
- To comply with the law regarding data sharing

## **PROCEDURES**

### **Our legal basis for using this 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 to process it for the legitimate interests of the school
- we need to fulfil a contract
- 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' and parents' personal data overlap, and there may be several grounds which justify our use of this data.

### **How we store this data**

We keep personal information about pupils while they are attending our school. We may also keep it beyond their attendance at our school if this is necessary in order to comply with our legal obligations.

### **Data sharing**

We do not share information about pupils with any third party without consent unless the law and our policies allow us to do so.

Where it is legally required or necessary (and it complies with data protection law) we may share personal information about pupils with:

- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- The Department for Education
- The pupil's family and representatives
- Educators and examining bodies (for example future schools)
- Our regulator – Ofsted or HMI inspection teams
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- Financial organisations
- Central and local government
- Our auditors
- Survey and research organisations
- Health authorities
- Security organisations
- Health and social welfare organisations

- Professional advisers and consultants
- Charities and voluntary organisations, including Thomas's Schools' Foundation and the CAIRN Trust
- Police forces, courts, tribunals
- Professional bodies

### **National Pupil Database**

We are required to provide information about pupils to the Department for Education as part of statutory data collections such as the School Level Annual School Census (SLASC) and Nursery Education Grant (NEG). Some of this information is then stored in the National Pupil Database (NPD), which is owned and managed by the Department and provides evidence on school performance to inform research.

The database is held electronically so it can easily be turned into statistics. The information is securely collected from a range of sources including schools, local authorities and exam boards. The Department for Education may share information from the NPD with other organisations which promote children's education or wellbeing in England. Such organisations must agree to strict terms and conditions about how they will use the data.

### **Transferring data internationally**

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

## **PARENTS AND PUPILS' RIGHTS REGARDING PERSONAL DATA**

Individuals have a right to make a 'subject access request' to gain access to personal information that the school holds about them.

Pupils can make subject access request 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. This is generally considered to be age 13 and above although this will depend on both the child and the personal data requested, including any relevant circumstances at home. Slightly younger children may also be sufficiently mature to have a say in this decision.

Parents can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data.

A pupil of any age may ask a parent or other representative to make a subject access request on his/her behalf. Moreover (if of sufficient age) their consent or authority may need to be sought by the parent making such a request.

All information 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.

While a person with parental responsibility will generally be entitled to make a subject access request on behalf of younger pupils, the information in question is always considered to be the child's at law.

Parents also have the right to make a subject access request with respect to any personal data the school holds about them.

If you make a subject access request, and if we do hold information about you or your child, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you or your child
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form within a month of the request being made

If you would like to make a request, please contact the Privacy and Compliance Team.

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

There is no automatic parental right of access to a child's educational record in independent schools, but we are likely to provide information on request. Such a request should be made in writing to the Head of your child's school.

### **Other rights**

In addition to the right to make a subject access request (see above) individuals also have the right to:

- Withdraw their consent to processing at any time (where consent is the lawful reason for processing).
- Ask us to rectify, erase or restrict processing of their personal data, or object to the processing of it (in certain circumstances)
- Prevent use of their personal data for direct marketing
- Challenge processing which has been justified on the basis of public interest
- Request a copy of agreements under which their personal data is transferred outside of the European Economic Area
- Object to decisions based solely on automated decision making or profiling (decisions taken with no human involvement, that might negatively affect them)
- Prevent processing that is likely to cause damage or distress
- Be notified of a data breach in certain circumstances
- Make a complaint to the ICO
- Ask for their personal data to be transferred to a third party in a structured, commonly used and machine-readable format (in certain circumstances)

To exercise any of these rights, please contact our Privacy and Compliance Team.

### **Contact us**

Any Subject Access Request or enquiry about the use of personal data or about anything mentioned in this privacy notice should be made to our Privacy and Compliance Team.

- [compliance@thomas-s.co.uk](mailto:compliance@thomas-s.co.uk)
- 03333 212 337

## Complaints

Any complaints about our collection and use of personal information are taken very seriously. If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance at the above address.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at: <https://ico.org.uk/concerns>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

## REFERENCES

This Privacy Notice has been informed by:

DfE Model Privacy Notice for pupils

ISBA GDPR Template Privacy Notice (December 2017)

**See also:** CCTV Policy, Data Protection Policy, Health & Safety Policy, ICT (Acceptable Use) Policy, Information Security Policy, Online Safety Policy, Personal Devices and Photography Policy, Safeguarding and Child Protection Policy

**Staff Handbook:** Record Management Policy

<b>This policy will be reviewed annually</b>		
Created: April 2018	By:	Joanna Copland, Vice Principal; Christine Tuck, Head of HR and Michael Swart, Director of IT
Reviewed: May 2019	By:	Joanna Copland, Vice Principal; Christine Tuck, Head of HR and Michael Swart, Director of IT
Next Review: May 2020	By:	Joanna Copland, Vice Principal; Christine Tuck, Head of HR and Michael Swart, Director of IT