

## PRIVACY NOTICE FOR LOWER SCHOOL PUPILS

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### Introduction

This notice is to help you understand **how** and **why** we collect your daughter's personal information and **what** we do with that information. It also explains the decisions that you can make about your daughter's information.

We are giving you this notice because you are able to exercise your daughter's data protection rights on their behalf. When your daughter is older (usually when she reaches the age of 12) she will be considered mature enough to exercise their own data protection rights.

If you have any questions about this notice please contact the IT Director.

### What is "personal information"?

Personal information is information that the School holds about your daughter and which identifies your daughter.

This includes information such as her date of birth and address as well as things like exam results, medical details and behaviour records. CCTV, photos and video recordings of your daughter are also personal information.

### Our legal bases for using your daughter's information

This section contains information about the legal basis that we are relying on when handling your daughter's information.

The two tables below contain a general description of the different legal bases but we have also used a colour code system so that you can see which bases we are relying on for each of the purposes described at paragraphs 1 to 35 below.

#### Legitimate interests ("L")

This means that the School is using your daughter's information when this is necessary for the School's legitimate interests or someone else's legitimate interests. We won't rely on this basis when your daughter's interests and fundamental rights override our legitimate interests.

Specifically, the School has a legitimate interest in:

- Providing your daughter (and other children) with an education and making sure that your daughter is behaving properly.
- Complying with our agreement with you for your daughter to be at the School.
- Keeping the school buildings safe.
- Making sure that the School is well managed and that we protect the School's reputation.
- Safeguarding and promoting your daughter's welfare and the welfare of other children.

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- Promoting the objects and interests of the School. This includes fundraising e.g. if we want to raise money to build a new building.
- Ensuring that all relevant legal obligations of the School are complied with (for example in relation to inspections).
- Using your daughter's information in connection with legal disputes.
- Facilitating the efficient operation of the School.

In addition your daughter's personal information may be processed for the legitimate interests of others. For example, we may use information about your daughter when investigating a complaint made by another pupil.

### Legal obligation ("LO")

Where the School needs to use your daughter's information in order to comply with a legal obligation, for example to report a concern about your wellbeing to Children's Services. We will also have to disclose your daughter's information 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 daughter's information to protect your daughter's vital interests or the vital interests of someone else (e.g. if your daughter or they are seriously hurt).

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

This applies where what we are doing is for the benefit of people generally. The following are examples of where this applies:

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

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

### Substantial public interest ("SPI")

The School is allowed to use special categories of personal information where doing so is necessary in the substantial public interest. This is similar to "public interest" in the table above. For example the School will use information about your daughter's health to look after her. We may

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also use other types of special category personal data about your daughter to provide them with an education, to look after your daughter and their classmates or when the School is inspected.

### Employment and social protection and social security law ("ESP")

There will be times when the School needs to use your daughter's information because we are an employer. Also the School will use your daughter's information to comply with social protection law (e.g. to look after your daughter) 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 daughter's information to protect your daughter's vital interests or the vital interests of someone else (e.g. if your daughter or they are seriously hurt).

### Legal claims ("LC")

The processing is necessary for the establishment, exercise or defence of legal claims. This allows us to share information with our legal advisors and insurers. This applies whenever sharing special category data is necessary in relation to legal claims.

### Medical purposes ("MP")

This includes medical treatment and the management of healthcare services.

## How and why does the School collect and use your daughter's personal information?

We set out below different ways in which we use personal information and where this personal information comes from. The letters highlighted in different colours refer to the legal bases we are relying on. Please see the section above for an explanation.

1. Our primary reason for using your daughter's information is to provide your daughter with an education - LI, PI, SPI.
2. The School will also use your daughter's personal information to safeguard and promote your daughter's welfare and the welfare of others (for example, so that we can look after your daughter if they are hurt) - LI, PI, SPI, ESP, MP.

The admissions forms which you complete give us personal information about your daughter. We get information from your daughter, her teachers and other pupils. Your daughter's old school also gives us information about how well your daughter did and any difficulties they had if we need this information to teach and care for them.

Sometimes we get information from your daughter's doctor and other professionals where we need this to look after your daughter.

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3. We will use information about your daughter during the admissions process e.g. when marking entrance exams and considering any information provided on the registration form. We may let your daughter's previous school know if they have been offered a place at the School - **LI, PI, SPI**.
4. We need to tell all appropriate members of staff if your daughter has a health issue - **LI, PI, SPI**.
5. We will tell your daughter's teachers if he or she has special educational needs or requires extra help with some tasks - **LI, PI, SPI**.
6. We will need to share information about your daughter (e.g. about their health and wellbeing) with the NHS or counsellor - **LI, PI, SPI, ESP, MP**.
7. If we have information that your daughter suffers from an allergy we will use this information so that we can look after your daughter - **LI, PI, SPI, VI, MP**.
8. If we have information that your daughter suffers from a disability we will use information about that disability to provide support - **LI, PI, SPI, ESP** and in certain circumstances, **MP**.
9. Where appropriate, the School will have information about your religious beliefs and practices. For example, if your daughter does not eat certain foods - **LI, PI, SPI**.
10. We use CCTV recordings for the purposes of crime prevention and investigation and also in connection with our obligation to safeguard the welfare of pupils, staff and visitors to the School site. CCTV footage may also be used if something has happened on the School site which the School wanted to look into further, for example, to investigate a motor accident. **LI, PI, SPI**.
11. We record your daughter's attendance and if he or she has time away from the School we record the reason(s) why - **LI, PI, SPI**.
12. We will need to report some of your daughter's information to the government (e.g. the Department for Education). We will need to tell the local authority that your daughter attends the School, if your daughter leaves the School or let them know if we have any concerns about your daughter's welfare - **LI, LO, PI, SPI, ESP**.
13. We may need to share information about your daughter with the Health and Safety Executive (a government organisation) if there is a health and safety issue at the School - **LI, LO, SPI**.
14. The School is a charity which means that in exceptional circumstances we may need to share your daughter's information with the Charity Commission e.g. in the event of a serious incident - **LI, LO, PI, SPI**.

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15. When we are inspected by the Independent Schools Inspectorate we will have to make your daughter's information available to the inspectors to assist them with their inspection - LI, LO, PI, SPI.
16. If the School receives a complaint or grievance which involves your daughter we will need to use their information to deal with this appropriately. For example, if you make a complaint or if another parent complains about an issue which involves your daughter - LI, PI, SPI.
17. The School may share information about your daughter with the local authority for the purpose of the preparation, implementation and / or review of your daughter's Statement of Special Educational Needs or Education Health and Care Plan - LI, PI, LO. We are legally required to provide the Department for Education with certain information about your daughter. Some of this information will be stored on the National Pupil Database. Organisations can request information from the National Pupil Database which includes information about your daughter. But they are only allowed to do this for limited purposes and they must be very careful about how they use your daughter's information. More information can be found here - <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information> - LO, SPI.
18. We will need information about any court orders or criminal petitions which relate to your daughter. This is so that we can safeguard your daughter's welfare and wellbeing and the other pupils at the School - LI, PI, SPI.
19. If your daughter is from another country we have to make sure that they have the right to study in the UK. Sometimes the government will ask us to provide information as part of our reporting requirements. In addition to this we have a duty to provide information about your daughter to UK Visas and Immigration - LI, LO, PI, SPI.
20. Depending on where your daughter will go when they leave us we will provide their information to other schools and colleges. For example, we will share information about your daughter's exam results and provide references - LI, PI, SPI.
21. If your daughter has a safeguarding file, we are legally required to pass this file to their next school - LI, LO, PI, SPI, ESP.
22. We may need to share information with the police or our legal advisers if something goes wrong or to help with an enquiry. For example, if one of your daughter's classmates is injured at School or if there is a burglary - LI, LO, PI, SPI, LG.
23. We use consultants, experts and other advisors to assist the School in fulfilling its obligations and to help run the School properly. We will share your daughter's information with them if this is relevant to their work - LI, PI, SPI.

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24. We may share some information with our insurance company to make sure that we have the insurance cover that we need - **LI, PI, SPI, LC**.
  25. If you have appointed an agent to act on your behalf during the admissions process, then we may share information about your daughter with them. For example, we may send them the acceptance letter so that they can pass this on to you. **LI**
  26. We will share your daughter's academic and (where fair) their behaviour records with you or their education guardian so you can support their schooling - **LI, PI, SPI**.
  27. We will monitor your daughter's use of school computers and IT systems, the internet and mobile electronic devices e.g. iPads. This is to check that your daughter is not misbehaving when using this technology or putting themselves at risk of harm. If you would like more information about this you can read the Lower School IT Acceptable Use Policy or contact the IT Director - **LI, SPI**.
  28. We may use photographs of your daughter for educational record keeping. We may continue to use these photographs and videos after your daughter has left the School – **LI**.
  29. We may use photographs or videos of your daughter on screens within school, or on Planet Estream (the School's secure video facility). Planet Estream provides the facility to record or broadcast live School events. We may continue to use these photographs and videos after your daughter has left the School **LI**.
  30. Sometimes we use photographs and videos for teaching purposes, for example, to record a drama lesson using Planet Estream- **LI**.
- If you have any concerns about us using photographs or videos of your daughter, please contact the IT Director.*
31. We publish our public exam results, future events and sports fixtures on the School website to tell people about what we have and will be doing - **LI**.
  32. We will keep details of your daughter's address when they leave so we can send them information and find out how they are getting on - **LI**.
  33. The School must make sure that our computer network is working well and is secure. This may involve information about your daughter, for example, our anti-virus software might scan files containing information about your daughter - **LI**.
  34. From time to time, we may use a third party to provide activities such as an external sports coach. We may share your daughter's information with them, for example, to tell them what sports they are good at- **LI, PI**

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35. We can keep information about your daughter for a very long time or even indefinitely if we need this for historical, research or statistical purposes. For example, if we consider the information might be useful if someone wanted to write a book about the School - **U**.

We will only share your daughter's information with other people and organisations when we have a good reason to do so. In exceptional circumstances we may need to share it more widely than we would normally.

We sometimes use contractors to handle personal information on our behalf. The following are examples:

- ..1 IT consultants who might access information about your daughter when checking the security of our IT network; and
  - we use third party "cloud computing" services to store some information rather than the information being stored on hard drives located on the School site.
  - third party service providers, such as photography companies who will access information about your child in order to provide a service;
  - online educational resource providers, for example academic subscription websites, who will be provided with information about your child so that they can set-up your child's access details;

If you have any questions about the above, please contact the IT Director.

### **Criminal offence information**

In exceptional circumstances, we may use information about criminal convictions or offences. We will only do this where the law allows us to. This will usually be where such processing is necessary to carry out our obligations, to exercise our rights or to look after our pupils.

### **More than one basis**

As you will see from the information above, in some cases we will rely on more than one basis above for a particular use of your child's information. In addition, we may move from one of the legal bases listed above to another as circumstances change. For example, as a safeguarding matter becomes more serious, we may start to rely on legal obligation to share personal information with the local authority in addition to the other legal bases which are noted for safeguarding purposes.

### **Consent**

We may ask for your consent to use your daughter's information in certain ways as an alternative to relying on any of the grounds in the table above. For example, we ask consent to use photographs or videos of your daughter for the School's website and social media sites, for the School's newsletters, magazines or prospectus, and for use in the press, in order to show prospective pupils

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what we do here and to advertise the School. We may continue to use these photographs and videos after your daughter has left the School. When we ask for your consent to use your daughter's personal information you can take back this consent at any time.

Any use of your daughter's information before you withdraw your consent remains valid. Please contact the IT Director if you would like to withdraw any consent given.

### **Sending information to other countries**

We may send your daughter's information to countries which do not have the same level of protection for personal information as there is in the UK. For example, we may store your daughter's information on cloud computer storage based overseas.

The European Commission has produced a list of countries which have adequate data protection rules. The list can be found here: [https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries_en)

If the country that we are sending your daughter's 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 about the safeguards that are in place please contact the IT Director.

### **For how long do we keep your daughter's information?**

We keep your daughter's information for as long as we need to in order to educate and look after them. We will keep certain information after your daughter has left the School, for example, so that we can find out what happened if you make a complaint.

In exceptional circumstances we may keep your daughter's information for a longer time than usual, but we would only do so if we had a good reason and only if we are allowed to do so under data protection law.

Please see our Information and Records Retention Policy for more detailed information. This can be found on our website here <https://www.thequeensschool.co.uk/privacynotices> .

### **What decisions can you make about your daughter's information?**

From May 2018 you will be able to make various decisions about your daughter's information. Some of these are new rights whilst others build on your daughter's existing rights. Your daughter's rights are as follows:

- **Rectification:** if information held by the School about your daughter is incorrect you can ask us to correct it.



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- **Access:** you can also ask what information we hold about your daughter 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 information about your daughter, where it came from and what types of people we have sent it to.
- **Deletion:** you can ask us to delete the information that we hold about your daughter in certain circumstances. For example, where we no longer need the information.
- **Portability:** you can request the transfer of your daughter's information to you or to a third party in a format that can be read by computer in certain circumstances.
- **Restriction:** our use of information about your daughter may be restricted to simply storing it in some cases. For example, if you tell us that the information is inaccurate we can only use it for limited purposes while we check its accuracy.
- **Object:** you may object to us using your daughter's information where:
  - we are using it for direct marketing purposes (e.g. to send you information about a School event);
  - the legal basis on which we are relying is either legitimate interests or performance of a task carried out in the public interest. Please see the section "Our legal bases for using your daughter's information" above;
  - we are using it for historical or scientific research purposes or archiving purposes. For example, we may keep photographs of your class for historical reasons.

The IT Director can give you more information about your daughter's data protection rights.

### Further information and guidance

This notice is to explain how we look after your daughter's personal information. The IT Director can answer any questions which you might have.

Please speak to the IT Director if:

- you would like to exercise any of your daughter's rights listed above; or
- you would like us to update the information we hold about your daughter; or
- you would prefer that certain information is kept confidential.



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If you consider that we have not acted properly when using your daughter's personal information you can contact the Information Commissioner's Office: [ico.org.uk](http://ico.org.uk).