

## **PRIVACY NOTICE**

**This policy covers all pupils including the Early Years Foundation Stage (EYFS)**

### **WHO WE ARE**

St David's School is a small co-educational preparatory school located in Purley, Surrey. The main service provided is primary education. We are part of the Royal Russell Trust.

For the purposes of the relevant legislation ("Data Protection Law"), St David's School is the data controller.

### **WHAT THIS PRIVACY NOTICE IS FOR**

This policy is intended to provide information about how the school will use (or "process") personal data about individuals including: its staff; its current, past and prospective pupils; and their parents, carers or guardians (referred to in this policy as "parents").

This information is provided because Data Protection Law gives individuals rights to understand how their data is used. Staff, parents and pupils 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 pupils
- The school's Records Management Policy
- The school's Child Protection & Safeguarding Policy, Pastoral Care Policy and the Health and Safety Policy, including as to how concerns or incidents are recorded
- The school's IT policies, including its Computing and ICT - Acceptable Use Policies for Staff and Pupils and E-Safety Policy

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

### **RESPONSIBILITY FOR DATA PROTECTION**

The school has appointed a Data Protection Officer who will deal with all your requests and enquiries concerning the school's uses of your personal data (see section on Your Rights below) and endeavour to ensure that all personal data is processed in compliance with this policy and Data Protection Law.

Contact Details are:

Neil Cufley (Data Protection Officer)

Royal Russell School

Coombe Ln, Croydon CR9 5BX

Tel: 020 8657 4433

Email: [ncufley@royalrussell.co.uk](mailto:ncufley@royalrussell.co.uk)

### **WHY THE SCHOOL NEEDS TO PROCESS PERSONAL DATA**

In order to carry out its ordinary duties to staff, pupils and parents, the school needs to process a wide range of personal data about individuals (including current, past and prospective staff, pupils 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 pupils. The school obtains specific consent for some purposes, such as publishing photographs of 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 processes personal data for the following purposes:

- 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, 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 tax, diversity or gender pay gap analysis).
- 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 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 Computing and ICT – Acceptable Use Policies for Staff and Pupils.
- To make use of photographic images of pupils in school publications, on the school website 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.
- To carry out or co-operate with any school or external complaints, disciplinary or investigation process.
- Where otherwise reasonably necessary for the school's purposes, including to obtain appropriate professional advice and insurance for the school.

In addition, the school will on occasion need to process **special category personal data** (concerning health, ethnicity, religion, biometrics 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 will 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 or other relevant information where it is in the individual's interests to do so: for example for medical advice, for social protection, safeguarding, and cooperation with police or social services, for insurance purposes or to caterers or organisers of school trips who need to be made aware of dietary or medical needs
- 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, union membership or pension plans
- As part of any school or external complaints, disciplinary or investigation process that involves such data, for example if there are SEND, health or safeguarding elements; 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.

**For Staff Only** - as your employer or potential employer, St David's School needs to keep and process information about you for normal recruitment and employment purposes. The information we hold and process will be used for our management and administrative use only. We will keep and use it to enable us to run the business and manage our relationship with you effectively, lawfully and appropriately, during the recruitment process, whilst you are working for us, at the time when your employment ends and after you have left. This includes using information to enable us to comply with the employment contract, to comply with any legal requirements, pursue the legitimate interests of the school and protect our legal position in the event of legal proceedings. If you do not provide this data, we may be unable in some circumstances to comply with our obligations and we will tell you about the implications of that decision.

## 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.
- Bank details and other financial information, e.g. about parents who pay fees to the school; or staff for payroll purposes.
- Past, present and prospective pupils' academic, disciplinary, admissions and attendance records (including information about any special needs), and examination scripts and marks.
- Personnel files, including in connection with academics, employment or safeguarding.
- Where appropriate, information about individuals' health and welfare, and contact details for their next of kin.
- References given or received by the school about pupils, and relevant information provided by previous educational establishments and/or other professionals or organisations working with pupils.
- Correspondence with and concerning staff, pupils and parents past and present.
- Images of pupils (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 children).

## 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 will 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 information relating to its community with third parties, such as:

- Professional advisers (e.g. lawyers, insurers, PR advisers and accountants)
- Government authorities (e.g. HMRC, DfE, police or the local authority)
- Appropriate regulatory bodies e.g. the [Independent Schools Inspectorate](#), the [Charity Commission](#) or the [Information Commissioner](#)
- Service providers (e.g. catering companies, travel companies)

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).

Particularly strict rules of access apply in the context of:

- Medical records; and
- Pastoral or safeguarding files.

However, a certain amount of any SEND 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, 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 is likely to include file notes on personnel or safeguarding files, and in some cases referrals to relevant authorities such as the LADO or police. For further information about this, please view the school's Child Protection and 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 assurances 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. 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 our retention policy is applied, or wish to request that personal data that you no longer believe to be relevant is considered for erasure, please contact

[ncufley@royalrussell.co.uk](mailto:ncufley@royalrussell.co.uk) (marked FAO Data Protection Officer). However, please bear in mind that the school will often have lawful and necessary reasons to hold on to some personal data even following such request.

A limited and reasonable amount of information will be kept for archiving purposes, for example; and even where you have requested we no longer keep in touch with you, we will need to keep a record of the fact in order to fulfil your wishes (called a "suppression record").

## **KEEPING IN TOUCH AND SUPPORTING THE SCHOOL**

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

- Share personal data about parents and/or alumni, as appropriate, with organisations set up to help establish and maintain relationships with the school community, such as the PTA.
- Contact parents and/or alumni (including via the organisations above) 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 Data Protection Officer in writing or by email at [ncufley@royalrussell.co.uk](mailto:ncufley@royalrussell.co.uk) (marked FAO Data Protection Officer). You always have the right to withdraw consent, where given, or otherwise object to direct marketing or fundraising. However, the school is nonetheless likely to retain some of your details (not least to ensure that no more communications are sent to that particular address, email or telephone number).

## **YOUR RIGHTS**

### Rights of access, etc.

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 have it transferred to others, 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, or who has some other objection to how their personal data is used, should put their request in writing to the Data Protection Officer in writing or by email at [ncufley@royalrussell.co.uk](mailto:ncufley@royalrussell.co.uk) (marked FAO Data Protection Officer).

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 information).

The school will be better able to respond quickly to smaller, targeted requests for information. If the request for information is manifestly excessive or similar to previous requests, the school may ask you to reconsider, or require a proportionate fee (but only where Data Protection Law allows it).

### Requests that cannot be fulfilled

You should be aware that the right of access is limited to your own personal data, and certain data is exempt from the right of access. This will include information which identifies other individuals (and parents need to be aware this may include their own children, in certain limited situations – please see further below), or information which is subject to legal privilege (for example legal advice given to or sought by the school, or documents prepared in connection with a legal action).

The school is also not required to disclose any pupil examination scripts (or other information consisting solely of pupil test answers), provide examination or other test marks ahead of any ordinary publication, nor share any confidential reference given by the school itself for the purposes of the education, training or employment of any individual.

You may have heard of the "right to be forgotten". However, we will sometimes have compelling reasons to refuse specific requests to amend, delete or stop processing your (or your child's) personal data: for example, a legal requirement, or where it falls within a legitimate interest identified in this Privacy Notice. All such requests will be considered on their own merits.

## 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 (see section 'Whose Rights?' below). A pupil of any age may ask a parent or other representative to make a subject access request on his/her behalf.

Indeed, while a person with parental responsibility will generally be entitled to make a subject access request on behalf of younger pupils, the law still considers the information in question to be the child's. For older pupils, the parent making the request may need to evidence their child's authority for the specific request.

Older children may however be sufficiently mature to have a say in this decision, depending on the child and the circumstances.

## Parental requests, etc.

It should be clearly understood that the rules on subject access are not the sole basis on which information requests are handled. Parents may not have a statutory right to information, but they and others will often have a legitimate interest or expectation in receiving certain information about pupils without their consent. The school may consider there are lawful grounds for sharing with or without reference to that pupil.

Parents will in general receive educational and pastoral updates about their children. Where parents are separated, the school will in most cases aim to provide the same information to each person with parental responsibility, but may need to factor in all the circumstances including the express wishes of the child.

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

## 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 not be relying on consent but 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).

## 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 authority or notice for the necessary ways it processes personal data relating to pupils – for example, under the parent contract, or via a form. Parents and pupils should be aware that this is not necessarily the same as the school relying on strict consent (see section on Consent above).

Where consent is required, it may in some cases be necessary or appropriate – given the nature of the processing in question, and the pupil's age and understanding – to seek 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. That is 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 IT: 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 Data Protection Officer of 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 information 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 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.

### THIS POLICY

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.

Summaries of Privacy Notice for Pupils, Parents and Staff, Governors, Volunteers and Contractors are displayed on the school website (please see appendices).

### QUERIES AND COMPLAINTS

Any comments or queries on this policy should be directed to the Data Protection Officer in writing or by email at [ncufley@royalrussell.co.uk](mailto:ncufley@royalrussell.co.uk) (marked FAO Data Protection Officer).

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 procedure and should also notify the Data Protection Officer in writing or by email at [ncufley@royalrussell.co.uk](mailto:ncufley@royalrussell.co.uk) (marked FAO Data Protection Officer). You 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.

This policy is in compliance with all policies relating to data protection.

Policy reviewed by	S Syradd
Approved by SLT	October 2024
Approved by St David's Policy Sub Committee	November 2024
Review date (every two years)	October 2026

**PRIVACY NOTICE SUMMARY FOR PUPILS**

This summary notice contains the key information about how and why we collect your personal information and what we do with that information. The full version of the Privacy Notice is on the school website.

Personal information is information that identifies you and relates to you. For example, information about how well you are doing at school and any information that we need to take care of you. Photographs and videos of you also count as your personal information.

Our primary reason for using your personal information is to provide you with an education. We set out below examples of the different ways in which we use your personal information and where that personal information comes from.

- Admissions forms give us lots of personal information. We get information from you, your parents, your teachers and other students. If you move to St David's from another school, your old school also gives us information about you so that we can teach and care for you.
- Sometimes we get information from your doctors and other professionals where we need this to look after you.
- We will need to report some of your information to the government. For example, we will need to tell the local authority that you attend the school or let them know if we have any concerns about your welfare.
- We will share your academic and your behaviour records with your parents or guardian so they can support your schooling.
- When you leave St David's, we will share some of your information with your new school.
- We may share information about you with companies who help us arrange trips and transport to make sure you are looked after when travelling.
- We may use photographs or videos of you for the school's website, prospectus or social media networks to show prospective students what we do here and to advertise the school. We may continue to use these photographs and videos after you have left the school. Sometimes we use photographs and videos for press, media or teaching purposes.
- We may use photographs of you either on your own or as part of a group, together with your first name, in our regular Newsletter which is sent to your parents.
- We publish our exam results, sports fixtures and other news on the website and put articles and photographs on the website to tell people about what we have been doing.

If you have any questions about how we use your personal information, please speak to your parents who will talk to us on your behalf.

**PRIVACY NOTICE SUMMARY FOR PARENTS**

This summary notice contains the key information about how and why we collect your personal information and what we do with that information. The full version of the Privacy Notice is on the school website.

Personal information is information that identifies you and relates to you. For example, information about how to contact you and financial details.

Our primary reason for using your personal information is to fulfil our legal obligations and duties under the contract to provide your children with an education. We set out below examples of the different ways in which we use your personal information and where that personal information comes from.

- Admissions forms give us lots of personal information. We get information from you about you and your child(ren). This is to ensure prospective students are suitable and eligible to join the school and for us to process your application, admission to the school and then on-going management of the contract. This may include nationality and other sensitive information.
- We collect your financial information to allow us to collect the school fees.
- CCTV is in use at the school site to ensure the safety of students, staff and visitors. These systems may capture and store images of you.
- We may share information about you with companies who help us arrange trips and transport to make sure you are kept informed when your child(ren) is/are travelling with us.
- We will send you information to keep you up to date with what is happening at the school. For example, by sending you information about events and activities taking place (including fundraising events) and the school newsletter.

If you have any questions about how we use your personal information, please contact our Data Protection Officer (contact details in the Privacy Notice on the school website).



## **APPENDIX C**

### **PRIVACY NOTICE SUMMARY FOR STAFF, GOVERNORS, VOLUNTEERS AND CONTRACTORS**

This summary notice contains the key information about how and why we collect your personal information and what we do with that information. The full version of the Privacy Notice is on the school website.

Personal information is information that identifies you and relates to you. For example, information about your education, your employment history, medical information and any other information that we need to manage our relationship with you effectively and lawfully.

Our primary reason for using your personal information is to provide you with employment and to comply with any legal requirements whilst pursuing the legitimate interests of the school. We set out below examples of the different ways in which we use your personal information and where that personal information comes from.

- The application form and your CV give us lots of personal information. We also collect information from you, your previous employers and referees. We also receive information about you during the safeguarding and background checks required to work in education.
- Sometimes we get information from your doctors and other professionals where we need this to confirm your suitability for the role.
- We get information about your bank to enable us to pay your salary.
- During your employment details are collected relating to performance, achievements and personal development (e.g. training courses).
- If you leave St David's School, we may share some of your information with your potential new employers in the form of a written or verbal reference.
- We may share information about you with companies who help us arrange employee benefits such as pensions and insurances.
- We collect information about your next of kin for use in the event of an emergency.
- CCTV is in use at the school site to ensure the safety of students, staff and visitors. These systems will capture and store images of you.
- Photographs or videos are used for the school's website and school publications to show prospective students what we do here and to advertise the school. In the normal course of your duties your image may appear in these. We may continue to use these photographs and videos after you have left the school.
- We will send you information to keep you up to date with what is happening at the school. For example, by sending you information about events and activities taking place and the school newsletter.

If you have any questions about how we use your personal information, please speak to your line manager. Alternatively, you can speak to the Data Protection Officer (contact details in the Privacy Notice on the school website).