

How We Use Your Information Privacy Notice for Pupils

Independent Day and Boarding School for Boys and Girls

King Edward's School Witley

February 2019

Introduction

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

If you have any questions about this notice please talk to Housemaster / mistress.

What is "personal information"?

Personal information is information which is about you and from which you can be identified.

This includes information such as your name, date of birth and address as well as things like exam results, medical details, your House number and behaviour records. The School may also hold information such as your religion or ethnic group. CCTV, photos and video recordings of you are also personal information.

Our legal bases for using your information

This section contains information about the legal bases that we are relying on when handling your 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 47 below.

Legitimate interests ("L")

This means that the School is using your 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 interests and fundamental rights override our legitimate interests. Specifically, the School has a legitimate interest in:

- Providing you (and others) with an education and making sure that you are behaving properly.
- Complying with our agreement with your parents for you to be at the School.
- Looking after you, your classmates and our staff (e.g. your teachers).
- Keeping the school buildings safe.
- Safeguarding and promoting your welfare and the welfare of other children.
- Making sure that the School is well managed and that we protect the School's reputation.
- Telling people about the School and what we do here, e.g. we may use photographs of you (on your own or in a group/team or whole School photograph) in our prospectus, on our website or in our social media.
- Promoting the objects and interests of the School. This includes fundraising and using photographs of you at our school events in promotional material.
- Ensuring that all relevant legal obligations of the School are complied with (for example in relation to inspections).

- Using your information in connection with legal disputes.
- Improving the School e.g. if we want to raise money to support bursaries, build new buildings or to make sure that we are providing you and your classmates with a good schooling experience.
- Facilitating the efficient operation of the School.

In addition your personal information may be processed for the legitimate interests of others. For example, we may use information about you when investigating a complaint made by one of your fellow pupils.

Legal obligation ("LO")

The School might need to use your information in order to comply with a legal obligation, for example, to report a concern about your wellbeing to Children's Services. Occasionally we may have a legal obligation to share your personal information with third parties such as the courts.

Vital interests ("VI")

In limited circumstances we may use your information to protect your vital interests or the vital interests of someone else. For example, to prevent someone from being seriously harmed or killed.

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

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

- providing you and others with an education;
- safeguarding and promoting your welfare and the welfare of others such as your classmates;
- 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. The bases that we are relying on to process special categories of information are set out below.

Substantial public interest ("SP")

The School is allowed to use special categories of personal information where doing so is necessary in the substantial public interest. For example, to provide you with an education, to look after you and your 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 information because we are an employer (e.g. we employ your teachers). Also the School will use your information to comply with social protection law (e.g. to look after you) and social security laws. Social protection law is concerned with preventing, managing, and overcoming situations that adversely affect people's wellbeing.

Vital interests ("V")

To protect the vital interests of any person where that person cannot give consent, for example, if they are seriously hurt and are unconscious.

Legal claims ("LC")

We are allowed to use your information if this is necessary for the establishment, exercise or defence of legal claims. For example, this allows us to share information with our legal advisors and insurers.

Medical purposes ("MP")

This includes medical treatment and the management of healthcare services and counselling.

How and why does the School collect and use your 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 below refer to the legal bases we are relying on. Please see the section above for an explanation.

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

The admissions forms which your parents complete give us lots of personal information about you such as your name, contact details, disabilities, any particular difficulties you have with work, hobbies and interests, medical information (such as information about an allergy) and family circumstances. We get information from you, your parents, your teachers and other pupils. Your old school also gives us information about how well you did and any difficulties you had 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.

3. We will use information about you during the admissions process e.g. when marking your entrance exams and learning more about you from your parents or others before you join the School. We may let your old school know if you have been offered a place at the School - LI, PI, SPI.
4. We need to tell the appropriate teachers if you have a health issue - LI, PI, SPI, MP.
5. We might need to tell your teachers if you have special educational needs or need extra help with some tasks - LI, PI, SPI.
6. We may need to share information about you (e.g. about your health and wellbeing) with the School doctor or counsellor - LI, PI, SPI, ESP, V, MP.

7. If we have information that you suffer from an allergy we will use this information so that we can look after you, e.g., making, as appropriate, teachers, Matrons and the caterers aware - LI, PI, SPI, VI, MP.
8. If we have information that you suffer from a disability we will use information about that disability to provide support - LI, PI, SPI, ESP (and in certain circumstances MP).
9. The School may also hold information such as your religion or ethnic group including for meeting the reporting purposes of the Department for Education, Independent Schools Council and Independent Schools Inspectorate.
10. Where appropriate, the School will have information about your religious beliefs and practices. For example, if you do not eat certain foods - LI, PI, SPI.
11. We use CCTV to make sure the School site is safe and to protect pupils, staff and the School in all respects. Images captured of you via CCTV will be your personal information. CCTV is not used in private areas such as changing rooms, toilets, Sports changing rooms or within the boarding houses - LI, PI, SPI.
12. We record your attendance and if you have time away from the School we record the reason(s) why - LI, PI, SPI.
13. We may need to report some of your information to the government (e.g. the Department for Education). We may need to tell the local authority that you attend the School, if you leave the School or let them know if we have any concerns about your welfare. The local authority may also share information with us for these reasons - LI, LO, PI, SPI, ESP.
14. We are legally required to provide the Department for Education with certain information about you and your classmates. 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 you. But they are only allowed to do this for limited purposes and they must be very careful about how they use your information. More information can be found here - <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information> - LO, SPI.
15. We may need to share information about you with the Health and Safety Executive (a government organisation) if there is a health and safety issue at the School - LI, LO, PI, SPI.
16. The School is a charity which means that we may need to share your information with the Charity Commission which checks how we are behaving as a charity. We may also share your information with the Fundraising Regulator if this is relevant to their work - LI, LO, PI, SPI.
17. The School is sometimes inspected to make sure that we are continuing to be a good school. We will have to make your information available to the inspectors to help them to carry out their job - LI, LO, PI, SPI.
18. We may need information about any court orders or criminal matters which relate to you. This is so that we can safeguard your welfare and wellbeing and the other pupils at the School - LI, PI, SPI.

19. If you are from another country we have to make sure that you 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 you to UK Visas and Immigration who are part of the government - LI, LO, PI, SPI.
20. Depending on where you will go when you leave us we may need to provide your information to other schools, colleges and universities, UCAS or potential employers. For example, we may share information about your exam results and provide references - LI, PI, SPI.
21. We may pass on information to your next school which they need to look after you, for example, information about any concerns we have had about your welfare - LI, LO, PI, SPI, ESP.
22. When you take public examinations (e.g. (I)GCSEs/A' Level/IB/LAMDA/Music including ABRSM) we will need to share information about you with examination boards. For example, if you require extra time in your exams - LI, PI, SPI.
23. If you have a safeguarding file, we are legally required to pass this file to your next school - LI, LO, PI, SPI, ESP.
24. If you make a university application, for example through UCAS, or record your CAS or DofE progress on ManageBac, or on other third party websites or software, the School may be required to provide additional information relating to you - LI, PI.
25. As part of assessing your academic progress and potential, the School shares some information about you with organisations such as the Centre for Education & Monitoring (e.g., MidYIS, YELLIS, ALIS); and for careers advice - LI, PI, SPI.
26. The School may set up logins for you to use certain educational learning tools and apps online (e.g., MyMaths) - LI, PI, SPI.
27. The School is inspected to make sure that we are doing everything that we should to be an excellent school. We may have to share your information with the inspectors to help them to carry out their job - LI, PI, SPI.
28. If someone makes a complaint about how the School has behaved, we may need to use your information to deal with this appropriately. For example, if your parents complain that we have not looked after you properly - LI, PI, SPI.
29. The School may share information about you with the local authority for the purpose of the preparation, implementation and / or review of your Statement of Special Educational Needs or Education Health and Care Plan - LI, PI, LO, SPI.
30. We may need or are asked to share information about you with the police or our legal advisers if something goes wrong or to help with an enquiry. For example, if one of your classmates is injured at School or if there is a burglary - LI, LO, PI, SPI, LC.
31. Occasionally we use consultants, experts and other advisors to assist the School in fulfilling its obligations and to help run the School properly. We may need to share your information with them if this is relevant to their work - LI, PI, SPI.

32. If you have misbehaved in a serious way, we may need to share information with the police and we may need to use information about the action taken by the police - **LI**, **LO**, **PI**, **SPI**, **ESP**.
33. We may share some information with our insurance company to make sure that we have the insurance cover that we need or in connection with an actual or possible claim - **LI**, **PI**, **SPI**, **LC**.
34. We may need to share information with others if you are on a School trip. For example, the travel company, at Border Controls, or with suppliers, e.g., accommodation providers - **LI**, **PI**, **SPI**.
35. Parents who are based outside of the UK will sometimes appoint someone to act on their behalf during the admissions process (an overseas agent). If this applies to you, your parents may provide information to the overseas agent so that he or she can pass this on to the School. The School will sometimes share information with the overseas agent, for example, we may send them the letter telling your parents that we are offering you a place so that they can pass this on to your parents - **LI**.
36. We will share your academic and (where fair) your behaviour records with your parents or education guardian so they can support your schooling - **LI**, **PI**, **SPI**.
37. If ever in the future, we are considering restructuring the charity which operates the School, we may share your information with the other parties involved and with the relevant professional advisors - **LI**.
38. We will monitor your use of email, the internet and mobile electronic devices e.g. mobile 'phones, iPads, laptops, etc. This monitoring is sometimes carried out using computer software. In certain circumstances we will look at the content of your communications (e.g. emails and text messages). We monitor and look at your use of technology (e.g. your use of your phone) to check that you and your classmates are not misbehaving, at risk of harm or for other good reasons. If you would like more information about this you can read the School's E-Safety and ICT Acceptable Use Policy or speak to your Housemaster / mistress - **LI**, **PI**, **SPI**.
39. We may use photographs or videos of you for the School's website and social media sites or prospectus to show prospective pupils what we do here and to advertise the School. We may continue to use these photographs and videos after you have left the School - **LI**.
40. Sometimes we use photographs and videos for teaching purposes, for example, to record a drama lesson - **LI**, **PI**.
- If you have concerns about us using photographs or videos of you please speak to your Housemaster / mistress.
41. We publish our public exam results, sports fixtures and other news on the website and put articles and photographs in the local news to tell people about what we have been doing - **LI**.
42. We may keep details of your address when you leave so we can send you Kestrel and find out how you are getting on. We may also pass your details onto the alumni organisation

which is called the Old Witleians. Further information on the alumni association can be found here <http://www.kesw.org/Old-Witleians> - **LI**.

43. The School must make sure that our computer network is working well and is secure. This may involve information about you, for example, our anti-virus software might scan files containing information about you - **LI**.
44. We may share information about you with Barrow Hills School. Barrow Hills School is also operated by Bridewell Royal Hospital. For example, if you were involved in an activity or sport there - **LI, PI, SPI**.
45. From time to time, we may use a third party to provide activities such as an external sports coach. We may share your information with them, for example, to tell them what sports you are good at- **LI, PI**.
46. Some of the records the School keeps and which contain your personal information may be used by the School (or by someone else such as the government) to check that the School has been a good school - **LI, PI, SPI**.
47. We also keep some information indefinitely for archiving purposes (this is known as "archiving in the public interest" under data protection law) and for historical research purposes. This includes the School's legitimate interest in research; supporting long-term accountability; enabling the discovery and availability of the School and the wider school community's identity, memory, culture and history; enabling the establishment and maintenance of rights and obligations and of precedent decisions; educational purposes; and commercial and non-commercial re-use. By way of examples, we keep some old photographs so that we have a record of what the School was like in the past and if we consider the information might be useful if someone wanted to write a book about the School. After 100 years, information that may be of historical interest is passed to the London Metropolitan Archive for conservation. In the same way, we may respond to requests of a genealogical and historical nature relating to information that is more than a 100 years old. Information held in our archive may be made publicly available but this would only be done in compliance with data protection laws. Please speak to your Housemaster / mistress if you would like more information - **LI, PI**.

We will only share your 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 for the following purposes:

- a) Ramsac Ltd, IT Consultants, who might access information about you when checking the security of our IT network;
- b) 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; and
- c) we, like all schools, use management information systems for academic, administration and finance purposes and the suppliers of the software have access

to data. The School's main software systems are iSAMS and PASS (provided by iSAMS Independent Ltd and WCBS owned by Westleigh Investments).

If you have any concerns about any of the above, please speak to your Housemaster / mistress.

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 you and your classmates.

Less commonly, we may use information relating to criminal convictions and offences where it is necessary in relation to legal claims, where it is necessary to protect you and your classmates and you are not capable of giving your consent, or where you have already made the information public.

More than one basis

As you will see from the information above, in some cases we will rely on more than one basis for a particular use of your information. In addition, we may move from one of the legal bases listed above to another as circumstances change. For example, if we become really worried about your wellbeing, 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 looking after you.

Consent

We may ask for your consent to use your information in certain ways as an alternative to relying on any of the bases in the table above. For example, we may ask for your consent before taking or using some photographs and videos if the photograph or video is more intrusive and we cannot rely on legitimate interests. If we ask for your consent to use your personal information you can take back this consent at any time.

Any use of your information before you withdraw your consent remains valid. Please speak to your Housemaster / mistress if you would like to withdraw any consent that you have given.

Sending information to other countries

In certain circumstances we may send your 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 information on cloud computer storage based overseas or communicate with you by email when you are overseas (for example, when you are on holiday).

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.htm.

If the country that we are sending your 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.

We will provide you with details about 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 your Housemaster / mistress.

For how long do we keep your information?

We keep your information for as long as we need to in order to educate and look after you. We will keep a lot of information after you have left the School, for example, so that we can find out what happened if you make a complaint.

In some cases we may keep your 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.

The Government has started an Independent Inquiry relating to the historic abuse of children. Like many schools, we have temporarily stopped the routine destruction of records in case they could be of assistance to the Inquiry. Once the Inquiry has finished or the guidance changes the School is likely to return to having specific retention periods or to confirm how we decide how long different types of information should be kept.

What decisions can you make about your information?

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

- **Rectification:** if information the School holds about you is incorrect you can ask us to correct it.
- **Access:** you can also ask what information we hold about you (to the extent that we are allowed to, particularly in respect of confidentiality where child protection / safeguarding information and medical records are concerned) 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 you, 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 you in certain circumstances. For example, where we no longer need the information.
- **Portability:** you can request the transfer of your information to you or to a third party in a format that can be read by computer in certain circumstances. This applies where (a) the information has been provided by you; (b) the basis that we are relying on to process your information is consent or contract (please see "Our legal bases for using your information" above); and (c) the information is being processed by us on computer.
- **Restriction:** our use of information about you 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 information where:
 - we are using it for direct marketing purposes (e.g. to send you an email about a fundraising opportunity);
 - 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 information" above;

- if we ever use your information for scientific or historical research purposes or statistical purposes.

Your Housemaster / mistress can give you more information about your data protection rights.

Further information and guidance

This notice is to explain how we look after your personal information. Your Housemaster / mistress can answer any questions which you might have.

Like other organisations we need to keep your information safe, up to date, only use it for what we said we would, destroy it when we no longer need it and most importantly - treat the information we get fairly.

Please speak to your Housemaster / mistress if:

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

Dr A N Lennard is in charge of the School's data protection compliance. You can ask your Housemaster / mistress to speak to Dr Lennard or speak to him yourself. Alternatively, you can ask your parents to speak to us on your behalf if you prefer.

You have a right to lodge a complaint with a data protection supervisory authority. The supervisory authority in the UK is the Information Commissioner's Office - ico.org.uk. If you do have any concerns about how we have handled your personal information we would kindly ask that you contact us in the first instance before you speak to the ICO so that we have an opportunity to put things right.