

How We Use Your Information Privacy Notice for Parents

Independent Day and Boarding School for Boys and Girls

King Edward's School Witley

February 2019

Parent Privacy Notice

Introduction

This notice is to help you understand **how** and **why** we collect personal information about you 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 contact the School Office in the first instance.

What is "personal information"?

Personal information is information identifies you as an individual and relates to you.

This includes your contact details, next of kin and financial information. We 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 44 below.

Legitimate interests ("L")

This means that the School is using your information when this is necessary for the School's legitimate interests except when this would be unfair to you. The School relies on legitimate interests for many of the ways in which it uses your information.

Specifically, the School has a legitimate interest in:

- providing educational services to your child and to other children;
- safeguarding and promoting the welfare of your child, and others such as other children and our employees;
- promoting the objects and interests of the School. This includes fundraising and using photographs of you at our School events in promotional material. It also includes making sure that we are able to enforce our rights against you, for example, so that we can contact you if unpaid school fees are due;
- keeping the School buildings safe;
- using your information in connection with legal disputes. For example, if you or your child bring a claim against the School;
- making sure that the School is well managed and that we protect the School's reputation;
- facilitating the efficient operation of the School; and
- ensuring that all relevant legal obligations of the School are complied with (for example in relation to inspections).

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

Necessary for contract ("CT")

We will need to use your information in order to perform our obligations under our contract with you and for you to perform your obligations as well. For example, we need your name and contact details so that we can update you on your child's progress and so that we can contact you if there is a concern. We may also rely on this basis where you have asked us to do something before entering into a contract.

Legal obligation ("LO")

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

More detail of when we will do so is set out below.

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 your child with an education;
- safeguarding and promoting your welfare, your child's welfare and the welfare of others;
- facilitating the efficient operation of the School;
- ensuring that we comply with all of our legal obligations; and
- ensuring that the School complies with Inspection requirements.

The School must also comply with an additional condition where it processes special categories of personal information. These special categories are as follows: personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic information, biometric information, health information, and information about sex life or orientation. The bases that we are relying on to process special categories of information are set out below.

Substantial public interest ("SPI")

The School is also allowed to use special categories of personal information where doing so is necessary in the substantial public interest, for example to comply with our safeguarding obligations and for Inspection purposes.

Employment and social protection and social security laws

There may be times when the School needs to use your information because we are an employer. Also the School may use your information to comply with social protection law (e.g. to look after your child) and social security laws e.g. to implement an Education, Health and Care Plan (EHCP)).

Social protection law is concerned with preventing, managing, and overcoming situations that adversely affect people's wellbeing.

Vital interests ("VI")

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

Legal claims ("LC")

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

How and why does the School collect and use personal information?

We set out below examples of the different ways in which we use personal information and where this personal information comes from. We obtain information about you from the admissions forms and from your child's previous school. We also may get information from professionals such as doctors and local authorities. 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 educational services to your child - LI, CT, PI, SPI.
2. We may have information about any family circumstances which might affect your child's welfare or happiness. This is to help us provide appropriate care and support to your child - LI, CT, PI, SPI.
3. We may need information about any court orders or criminal petitions which relate to you. This is so that we can safeguard the welfare and wellbeing of your child and the other pupils at the School - LI, CT, PI, SPI.
4. 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 toilets, Sports changing rooms or within the boarding houses - LI, CT, PI, SPI.
5. If there is a complaint or grievance made to the School which involves you then we will use your information in connection with that complaint or grievance - LI, PI, SPI.
6. The School may share information about you with the local authority for the purpose of the preparation, implementation and / or review of your child's Statement of Special Educational Needs or Education Health and Care Plan - LI, PI, LO.
7. 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.
8. We may take photographs or videos of you at School events to use on social media and on the School website. This is to show prospective parents and pupils what we do here and to advertise the School and for educational purposes. We may continue to use these photographs and videos after your child has left the School - LI.

9. We may 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 - **LI**.
10. We may keep details of your address when your child leaves the School so we can send you Kestrel and find out how your child is progressing. We may keep your details as part of our Old Witleians alumni programme. Further information on the alumni association can be found at <http://www.kesw.org/Old-Witleians>- **LI**.
11. We may use your information when ensuring network and information security, for example, our anti-virus software might scan files containing information about you - **LI**.
12. 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. For example, we keep some old photographs so that we have a record of what the School was like in the past. Information held in our archive may be made publicly available but this would only be done in compliance with data protection laws - **LI, PI**.

Financial information

13. We will process financial information about you in relation to the payment of fees. In some cases we get information about you from third parties such as credit reference agencies or from your child's previous school(s) - **LI, CT**.
14. We will hold information about bankruptcy petitions and statutory demands, where relevant - **LI, CT**.
15. We may search the files of any licensed credit reference agency in order to verify your identity. This also allows us to assess your application for the award of a bursary or for credit in contemplation of an agreement for the deferment of fees. The credit reference agency will keep a record of that search and details about your application. This record will be seen by other organisations which make searches about you - **LI, CT**.
16. We may share your information with debt recovery suppliers if you do not pay any school fees owed to the School - **LI, CT**.
17. We may obtain information about you from publicly available sources, such as Companies House and Zoopla, to assess your ability to pay School fees or during any means-testing assessment - **LI, CT**.
18. If you apply for a bursary we will hold the information and use for the initial and subsequent assessments and we will share information about you with other Educational Charities so that we can assist your application and they can assess your application. Failure to supply information may result in a refusal of an award or credit - **LI, CT**.

19. 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**

Sharing personal information with third parties

20. In accordance with our legal obligations, we will share information with local authorities, as appropriate, the Independent Schools Inspectorate and the Department for Education, for example, where we have any safeguarding concerns or to comply with our legal obligations. These organisations may also provide information to us for these purposes - **LI**, **LO**, **PI**, **SPI**.
21. On occasion, we may need to share your information with the police for the prevention and investigation of crime and the prosecution of offenders. We will only do this in specific circumstances to assist the police with their investigations - **LI**, **CT**, **LO**, **PI**, **SPI**.
22. 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**.
23. In certain circumstances, we may also need to share information with our legal advisers for the purpose of obtaining legal advice - **LI**, **LO**, **PI**, **SPI**, **LC**.
24. Occasionally we may use consultants, experts and other advisors to assist the School in fulfilling its obligations and to help run the School properly (e.g. our accountants). We might need to share your information with them if this is relevant to their work - **LI**, **CT**, **PI**, **SPI**.
25. If your child is not of British nationality we have to make sure that your child has 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 to comply with our duties as a Tier 4 sponsor - **LI**, **CT**, **LO**, **PI**, **SPI**.
26. The School is a charity which means that in exceptional circumstances we may need to share your information with the Charity Commission, e.g. in the event of a serious incident - **LI**, **LO**, **PI**, **SPI**.
27. We may need to share information with others if your child is on a School trip. For example, the travel company, at Border Controls, or with suppliers, e.g. accommodation providers.
28. We may share information about you with our insurance company, for example, where there is a serious incident at the School - **LI**, **SPI**, **LC**.
29. If you have unpaid fees we may share information about this with other schools or educational establishments to which you intend to send your child - **LI**.
30. If your child leaves us to attend another school we may need to provide that school with information about you. For example, details of family circumstances if there have been any safeguarding incidents - **LI**, **LO**, **PI**, **SPI**.
31. We may share information about you with others in your family, such as another parent or step-parent. For example, where this is part of our obligation to take care of your child, as part of our wider legal and regulatory obligations, or in connection with school fees - **LI**, **PI**, **SPI**.
32. We may need to share information if there is an emergency, for example, if you are hurt whilst on School premises - **LI**, **VI**.

33. We may share information about you with Barrow Hills School which is also operated by the Bridewell Royal Hospital. For example, financial information or details of family circumstances - **LI**, **PI**, **SPI**.
34. If you have appointed an agent to act on your behalf, we may share information with them. For example, we may send letters to them so that they can pass these on to you - **LI**.
35. We may send you information about the School before you accept a place for your child. For example, we may send you a copy of the School prospectus - **LI**.
36. If your child has an Education and Health Care Plan (EHCP), we will share information with and obtain information from the local authority about you - **LO**, **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 sometimes use contractors to handle personal information on our behalf for the following purposes:
 - Ramsac Ltd, IT Consultants, who might access information about you when checking the security of our IT network - **LI**.
 - We use software, apps and websites to help us with teaching, and to help us provide pastoral support to our pupils. For example, we use a portal (currently Firefly) which allows pupils to access homework which has been set by their teachers - **LI**.
 - 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, respectively) - **LI**.
 - 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 - **LI**.

If you have any questions about any of the above, please speak to Dr A N Lennard.

Information provided by prospective parents on the Pupil Registration Forms

This information will be used by the School during the admissions process in order to manage and assess your application and your child's suitability for a place at the School. This includes:

39. We may contact your child's current or previous school to ask for a reference – **LI**, **CT**, **PI**, **SPI**.
40. We may ask for information about other schools to which you are applying because they may hold their entrance exam on the same day as ours - **LI**, **PI**.
41. We may contact other people with parental responsibility to check that they consent to your child joining the School - **LI**, **CT**, **PI**, **SPI**.
42. Any Medical Information provided will be used to ensure that we have made any reasonable adjustments/suitable arrangements for you or your child when they visit the School or during any entrance assessments and subsequently if they are offered a place - **LI**, **CT**, **LO**, **PI**, **SPI**, **VI**.

43. We may share your information with credit reference agencies - **LI**, **CT**.

44. If your child is not offered a place, or if you do not accept the offer of a place, we will only retain this information for as long as we need to. Unless there are exceptional circumstances, information is kept for a year after the end of the admissions process - **LI**, **CT**, **LO**.

Criminal offence information

In exceptional circumstances, we may use information relating to criminal convictions and offences where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations or to exercise our rights or where there is a substantial public interest in doing so.

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 your interests (or someone else's interests) 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 this notice, in some cases we will rely on more than one basis above 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, 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 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 write to the Head if you would like to withdraw any consent given.

In some cases we will rely on more than one of the grounds above for a particular use of your information. For example, we may rely on legitimate interests and public interest grounds when using your information for safeguarding reasons.

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 (including, 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 the School Office in the first instance.

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 your child. We will keep a lot of information after your child has left the School, for example, so that we can find out what happened if you made a complaint.

In exceptional circumstances 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.

We can keep information about you 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. 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.

The Government's Independent Inquiry into Child Sexual Abuse is ongoing. Like many schools, we have temporarily ceased the routine destruction of records in case they could be of assistance to the Inquiry or made subject to a disclosure order. Once the Inquiry is concluded or the guidance changes our intention would be to publish specific retention periods or the criteria used to determine the retention period for varying types of information.

If you have any questions about the above, please speak to Dr A N Lennard.

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 and be provided with a copy (to the extent that we are allowed to, particularly in respect of confidentiality where child protection / safeguarding information and medical records are concerned). 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 (again subject to the confidentiality above).
- **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. 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 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:
 - a. we are using it for direct marketing purposes (e.g. to send you an email about a fundraising opportunity);
 - b. 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; and
 - c. if we ever use your information for scientific or historical research purposes or statistical purposes.

Further information and guidance

Dr A N Lennard is the person responsible at our School for managing how we look after personal information and deciding how it is shared. He can give you more information about your data protection rights.

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.

This privacy notice does not, and is not intended to, give you any rights which you did not already have. For example, it does not give you any additional contractual rights.

Please write to the Head if:

- you object to us using your information for marketing purposes, e.g. to send you information about School events. We will stop using your information for marketing purposes if you tell us not to; or
- you would like us to update the information we hold about you; or
- you would prefer that certain information is kept confidential.

If you fail to provide certain information when requested, we may not be able to perform our obligations under the contract we have entered into with you. We may also be prevented from complying with our legal obligations (such as to ensure the welfare of your child and their classmates).

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.