



DATA PROTECTION AND PRIVACY POLICY

Introduction and duties

Thorpe Underwood Services Limited and any of its group companies (trading as *Queen Ethelburga's Collegiate*, which includes *Queen's Kindergarten, Chapter House Preparatory School, King's Magna Middle School, Queen Ethelburga's College* and *The Faculty of Queen Ethelburga's*) (the "**Collegiate**") is required, as part of its day to day operations, to process personal data about its current, prospective and former students and their parents, its current prospective and former staff, its suppliers/contractors, its current and prospective stakeholders and supporters and other third party individuals connected to the Collegiate. In doing so, the Collegiate is legally obliged to process such personal data in accordance with the Data Protection Act 1998 (the "**DPA**").

This policy sets out the basis on which any personal data the Collegiate collects or that is provided to the Collegiate, will be processed by the Collegiate. The following should be carefully read to understand the views and practices of the Collegiate regarding personal data and how the Collegiate will treat it.

For the purpose of the DPA, the data controller is Thorpe Underwood Services Limited of Thorpe Underwood Hall, Ouseburn, York, YO26 9SS.

Information / personal data the Collegiate may process

Personal data processed by the Collegiate can take many different forms. It may be factual information, opinions, images or other types of information about a living individual. The Collegiate may collect and process the following information/data:

- For all, general personal data such as name, address, contact details (including, without limitation, telephone number, mobile telephone number, e-mail address).
- For staff and contractors or other suppliers, additional information required for their employment/appointment including images, audio and video recordings and biometric data.
- For students, admissions, academic, disciplinary and other education related records, information about special educational needs, references, examination scripts and marks, images, audio and video recordings and biometric data.
- For parents and/or guardians, employment details and financial information.
- Sensitive personal data processed by the Collegiate about an individual includes data concerning their ethnic group, religious beliefs, criminal records and proceedings, trade union membership and relevant medical information.

Generally, the Collegiate collects person data it processes directly from the subject of that data (or, in the case of a student, his/her parents and/or guardians (“**Data Subject**”) however the Collegiate may receive information about you from third parties (including, for example, the Criminal Records Bureau, referees, business partners, sub-contractors, search information providers, credit reference agencies).

Purposes for which information/personal data collected may be used

Personal data (including sensitive personal data, where appropriate) is processed by the Collegiate in accordance with the DPA for the following purposes:

- **The provision of education** including the registration of prospective students and administration of the admissions process; administration of the school curriculum and timetable; administration of student’s entries to public examinations, reporting upon and publishing the results; providing references for students and preparation of information for inspections.
- **The provision of educational support and ancillary services** including the provision of pastoral care, welfare, health care services and maintenance of discipline; provision of careers and library services; administration of school trips; boarding house administration; monitoring of student’s e-mail communications, internet use and telephone calls.
- **The general administration of the Collegiate** including the compilation of student records; the administration of invoices, fees and accounts; the management of the Collegiate’s property; the management of security and safety arrangements (including use of CCTV); the administration and implementation of the policies of the Collegiate and other reasonably purposes related to the operations of the Collegiate.
- **The protection and promotion of the legitimate interests and objectives of the Collegiate** including the publication of its website, the prospectus, publications, fund raising for charitable and other purposes, the maintenance of historic archives and communicating with former students.
- **The administration of the staff, agents and suppliers of the Collegiate** including recruitment of staff / engagement of contractors, (including compliance with Disclosure and Barring Service checks (or such similar checks or services)), salary administration, pension administration, health administration, health insurance/benefits, training and appraisal including performance and disciplinary records and equal opportunities monitoring, and the maintenance of appropriate human resources records for current and former staff, and providing references.
- **Compliance with the Collegiate’s contractual and other legal obligations.**

Testing and Examinations

In order to administer national tests, the Collegiate are required to pass on some personal data to the bodies responsible for the National Curriculum and associated assessment arrangements.

Parents are informed that, if the Collegiate is not granted permission to pass on such personal data (whether via the Parent Portal or otherwise), it is unable to enter the student for public examinations.

The results of national tests are passed on to the Department of Education in order to compile statistics on trends and patterns in levels of achievement, to evaluate the effectiveness of the National Curriculum and the associated assessment arrangements, and to ensure that these are continually improved. The Collegiate will endeavour to only pass on the absolute minimum information required by law to any Government Agency or the like.

Processing of Personal Data

The Collegiate will only process personal data for the purpose(s) for which it was originally acquired or which have subsequently been notified to the Data Subject and will not process it for any other purpose without permission, unless permitted to do so under the DPA. The Collegiate may communicate with Data Subjects by post, email, telephone, SMS (or other electronic messaging service).

Personal data shall only be disclosed to those staff members, contractors, subcontractors, suppliers, or agents who need to access the personal data to carry out the purposes for which it was acquired. The Collegiate adopts appropriate reasonable security measures to ensure that personal data is kept secure and not processed without proper authority.

The Collegiate will not transfer personal data outside of the European Economic Area unless it is satisfied that the Data Subject's rights under the DPA will be adequately protected. The Collegiate would seek permission from an individual and, in the case of a student, her parents/guardian before allowing that person to feature particularly prominently in documentary films or articles for which the Collegiate may give permission. When processing personal data for the purposes set out above the Collegiate may communicate by post, email and SMS (or other electronic messaging service) and may make use of cloud computing services.

The Collegiate may share personal data with certain third parties

From time to time the Collegiate may pass personal data (including sensitive personal data where appropriate) to third parties, including local authorities, other public bodies (e.g. the DBS, UK Border Agency, HM Revenue and Customs, Department for Education and Department for Work and Pensions), independent school bodies such as the Independent Schools Inspectorate and the Independent Schools Council, health professionals, and the Collegiate's professional advisers who will process the data:

- to enable the relevant authorities to monitor the Collegiate's performance;
- to compile statistical information (normally used on an anonymous basis);
- to secure funding for the Collegiate for on behalf of individual students;
- to safeguard students' welfare and provide appropriate pastoral (and, where relevant, medical) care;
- where specifically requested by students and/or their parents or guardians;
- where necessary in connection with learning and co-curricular activities undertaken by students;

- to enable students to take part in public examinations and other assessments and to monitor their progress and educational needs;
- to obtain appropriate professional advice and insurance for the Collegiate;
- where a reference or other information about a student or former student is requested by another educational establishment or employer to whom they have applied;
- where otherwise required by law, regulation, or court order; and
- otherwise where reasonably necessary for the operation of the Collegiate and employment of its staff.

The Collegiate may also share certain financial information (including relating to the payment of school fees) with other educational establishments to which a student (or a third party on their behalf) has applied or enrolled. The Collegiate reserves its right to provide such personal data as may be reasonably required to third parties (including debt recovery agents and professional advisers) in relation to debt recovery and associated enforcement action.

Staff Information

Data concerning staff will be confidentially and securely stored, in personal files, which are subject to access only by those needing to work with them. In order to comply with regulations governing staffing of schools, a Central Register of key professional information is kept, with restricted access. Staff may ask to see their personal files, with the exception of any data which might compromise another individual's right to privacy or make it difficult to detect a crime. Applicants for jobs will be made aware of what information is being collected, and why, and respect for personal privacy will be observed. Legal obligations for disclosure of information will supersede the protection of privacy, unless they are subject to an exemption. Data collected for monitoring purposes will be retained only for the designated purpose, will be kept securely, and will be destroyed securely, once no longer needed.

Parent Portal

The School operates an online Parent Portal, which provides a secure environment for communicating with parents and guardians, including in relation to authorisations for extra lessons, activities, and personal weekend visits, along with providing school reports, exam results, and allowing other correspondence between the Collegiate and parents/guardians.

Due to the nature of this system, certain personal data may be accessible by those persons granted access to the system.

The School will therefore only grant access to, and add personal data to, the Parent Portal with consent. Consent will be deemed to have been granted by the joint signatories of the registration form enrolling a student with the Collegiate, and the School may enter any personal data provided on such form and subsequently provided by a joint signatory thereto onto the Parent Portal unless notified otherwise.

The School will not grant access to the Parent Portal to any person who is not a joint signatory to the registration form enrolling a student with the Collegiate without the prior consent of the persons with existing access to the Parent Portal.

In the event that access to the Parent Portal or personal data or information contained therein is to be restricted (such as, for example, following family breakdown) the data subject should immediately contact the Principal.

Rights of access to personal data

Data Subjects have certain rights under the DPA, including a general right to be given access to personal data held about them by any data controller.

If individuals wish to access their personal data held by the Collegiate or, in the case of parents/guardians, if they wish to access personal data held about their child or a student for whom they have parental responsibility, then a request should be submitted to the Principal in writing, and the Collegiate is entitled to ask for any further information, reasonably required, to locate the information and satisfy itself about the identity of the person making the request. The Collegiate may charge an administration fee of £10 for providing this information. The Collegiate aims to respond to such subject access requests as quickly as possible and will ensure that any information is provided **within 40 days** of any fee being paid and any further information regarding the identity or location of the information being received (unless an exemption from the right of access under the DPA applies).

However, the 40 days does not begin until after the fee and any further information about identity or the location of the information is received.

As a general guide, by the age of 12 an individual has sufficient maturity to understand his rights and to make an access request himself if he wishes, although this should be considered on a case-by-case basis. If the child cannot understand the nature of the request, someone with parental responsibility can ask for the information on the child's behalf and receive the response. A child who understands the nature of an access request may ask an adult to act on their behalf. Anyone can appoint an agent in this way, and those responsible for responding should treat the agent's request as though it came from the child. If it is not clear whether an adult has parental responsibility for the child or is acting as their agent, then this should be clarified before responding to the request.

When a request is received from a child, for access to their own information, those responsible for responding should take into account whether:

- the child wants their parent (or someone with parental responsibility for them) to be involved in the request; and
- the child properly understands what is involved in making the request and the type of information they will receive.

Where the response includes information about another individual, the request will be considered carefully. There is a duty to consider the rights of the individual making the request and the privacy of any other individuals who may be identified.

Under the subject access right, parents will only be able to see all the information about their child when the child is unable to act on their own behalf or gives their consent. They should be aware that they may not be consulted.

Rights of access to educational record

The Collegiate recognises that a parent has the right to access their child's educational record. The educational record is confined to information that comes from a teacher or other employee of a school, the student or their parents. Communications about a particular child from head teachers and teachers at a school and other employees at an education authority will therefore form part of that child's official educational record, as will correspondence from an educational psychologist engaged by the governing body under a contract of services. It may also include information from the child and their parents, such as information about the health of the child.

Information kept by a teacher solely for their own use does not form part of the official educational record.

The Collegiate will respond to requests for information from students, or parents, for information that contains, wholly or partly, an educational record **within 15 working days**.

By law, requests from parents to view their child's educational record should be dealt with by the Collegiate Board. All other requests for personal information from the student, or someone acting on their behalf, should be dealt with by the Principal.

Withholding of Information

The Collegiate may withhold certain information if:

- the information relates to:
 - information which might cause serious harm to the physical or mental health of the student or another individual;
 - cases where the disclosure would reveal a child is at risk of abuse
 - information contained in adoption and parental order records;
 - information given to a court in proceedings under the Magistrates' Courts (Children and Young persons) Rules 1992;
 - copies of examination scripts; and
 - providing examination marks before they are officially announced
- the request is for unstructured personal information. Where the request is for unstructured personal information, the Collegiate is entitled to ask for a description of the information to help them find it. They do not have to supply the information, or confirm whether or not it

exists, if it would cost more than £450 to do either of these things. This cost structure is in The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004.

Queries and Complaints

Any queries on this policy should be directed to the Principal. If an individual believes that the Collegiate has not complied with this policy or has acted otherwise than in accordance with the Act, they should utilise the Collegiate complaints procedure, available on the Parent Portal or on request.

Related Policies

This policy should be read in conjunction with other policies which can relate to the confidentiality of information:

- Medical Policy
- Safeguarding Policy
- Safe Recruitment Policy
- Pastoral Care Policy
- Equal Opportunities Policy
- Anti-Bullying Policy
- CCTV Policy
- Acceptable Use Policy

Reviewed May 2016

To be reviewed by [May 2017]