Date: October 2021

Next Review due: May 2022

Responsibility: Principal/Bursar/Data Protection Coordinator

DAME ALLAN'S SCHOOLS PRIVACY NOTICE FOR PARENTS/CARERS

1. INTRODUCTION

Under data protection law, individuals have a right to be informed about how we, Dame Allan's Schools, (hereafter we or the Schools) (which comprises Dame Allan's Junior School and Nursery, Dame Allan's Boys' School, Dame Allan's Girls' School and Dame Allan's Sixth Form, registered charity number 1084965 and company number 4002372) use (or 'process') any personal data that we hold about them.

We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about **pupils and their parents, carers or guardians, including current, past and prospective pupils and their parents, carers or guardians (referred to in the notice as "pupils" and "parents")**.

We are the 'data controller' for the purposes of data protection law.

Our Data Protection Coordinator (DPC) is Mrs J. Taylor.

This Privacy Notice should be read in conjunction with our Data Protection Policy. It applies alongside any other information the Schools 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 Schools' other relevant terms and conditions and policies, including:

- any contract between the Schools and parents;
- the Schools' policies, including:
    - the Taking, Storing and Using Images of Children Policy;
    - the Retention of Records Policy;
    - the CCTV policy;
    - the Child Protection and Safeguarding Policy, including as to how concerns or incidents are recorded;
    - the Whole School Policy on the Acceptable Use of Electronic Devices and Information Technology Systems;
    - the Staff Code of Conduct.

Covid-19 Related processing

While pandemic conditions persist, the Schools may need to collect, share and otherwise process personal data in accordance with Government guidance. This may be for reasons not specifically set out in this Privacy Notice but always for the purposes of protecting public and individual health by seeking to limit the spread of coronavirus (Covid-19).

Please note that there are also separate privacy notices in respect of Covid-19 testing, which are available on the Schools' website.

2. THE PERSONAL DATA WE HOLD

Personal data that we may collect, use, store and share (when appropriate) about pupils and parents includes, but is not restricted to:

- Names, dates of birth, addresses, telephone numbers, email addresses and other contact details, contact preferences;
- Identification documents, including passports, birth certificates, visa details, EHIC card details;
- Admissions records;
- Academic records, including results of internal assessments and externally set tests and examinations;
- Characteristics, such as ethnic background or special educational needs;
- Exclusion and disciplinary information;
- Details of any medical conditions, including physical and mental health and records of vaccinations taking place within the Schools, and contact details of next of kin;
- Attendance information;
- Safeguarding information;
- Records relating to sports, music and other extra-curricular activities undertaken by pupils, whilst at or when representing the Schools or other external organisations;

- References and other information given or received by the Schools about pupils, including that provided by previous educational establishments and/or professionals or organisations working with pupils;
- Information required to support pupils when they leave the Schools, including UCAS numbers, predicted grades for university applications and required university offer grades;
- Destinations of pupils, when they leave the Schools, including university to be attended and course to be taken;
- Details of any support received, including care packages, plans and support providers;
- Photographic images and recordings of pupils engaged in school activities, including those taken whilst participating in tours, trips and visits;
- CCTV images captured in school;
- Financial information, including bank account details for fee collection and information required for the awarding of bursaries and any other reductions in fees payable to the Schools and any anti-money laundering information we are required to collect by law;
- Car details of any Year 12 and 13 students, who drive to the Schools and park close to their grounds.

We may also hold data about pupils that we have received from other organisations, including other schools, local authorities and the Department for Education.

We may also process anonymised data, for purposes such as business reporting and website development. Where data is anonymized, it is not personal data, and so is not covered in this policy.

3. SPECIAL CATEGORY DATA

Some of the information we hold is what is classed as special category data. Special category data includes any information concerning racial or ethnic origin, political opinions, religious or philosophical beliefs, health, genetic or biometric data. We have a duty of care to process some special category data about our pupils, to ensure their health and wellbeing and for welfare and safeguarding purposes. Under data protection law we must fulfil additional criteria to lawfully process special category data, which are detailed below.

4. WHY WE USE THIS DATA

We use this data to:

- Provide educational services, including musical education, physical training, spiritual development, career services and extra-curricular activities to pupils, and supporting and progressing pupil learning and educational needs, and monitoring and reporting on pupil progress, including where such services are provided remotely (either temporarily or permanently)
- Enable pupils to enter external national or other examinations and competitions, including sports tournaments, competitions and events;

- Enable the Schools to give references to potential employers of pupils, including references for the purpose of admissions to Higher and Further Education;
- Provide appropriate pastoral and medical care; including receiving appropriate vaccinations and making available pupils' allergy information to kitchen and lunchtime supervisory staff or to caterers or organisers of school trips, so that first response care may be administered in case of an allergic reaction;
- Safeguard pupils' health and welfare, including taking 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;
- Provide appropriate extra-curricular activities for pupils, including appropriate visits, trips and tours in the UK and abroad;
- Provide access to appropriate on-line educational tools;
- Assess the quality of our services;
- Administer admissions waiting lists;
- Select appropriate pupils to join the Schools (and to confirm the identity of those pupils and their parents) and retain a record if appropriate for the purposes of future applications or openings;
- Assist pupils to participate in work experience opportunities;
- Issue invoices for fees and other services;
- Award bursaries and other reductions in fees payable;
- Provide appropriate care for pupils before school and in our after school care provision;
- Enable the Schools to purchase team wear and other items of named clothing for specific school events, tours and/or trips;
- Enable relevant authorities to monitor the Schools' performance and to intervene or assist with incidents as appropriate;
- Enable the Schools to publish newsletters and other forms of communication relating to the results of public examinations and/or achievements of pupils and events taking place at the Schools, including yearbooks, programmes for concerts and other performances, Speech Day and other award presentations, either in hard copy or published on the Schools' website and social media channels;
- Enable the Schools to publish teams for sporting fixtures and other events, either in hard copy (for example - on display boards) or published on the Schools' website, including the Schools' Sports Website (and its associated app), and social media channels;
- Enable the Schools to create displays of pupils' work and achievements;
- Enable the Schools to give and receive information and references about pupils, including relating to outstanding fees or payment history, to/from any educational institution that pupil attended;

- Make use of photographic images and recordings of pupils in school publications, on the Schools' website and on the Schools' social media channels, in accordance with the Taking, Storing and Using Images of Children Policy;
- Share personal data about parents and/or alumni, as appropriate, with organisations set up to help, establish and maintain relationships with the Schools' community, such as DASPA, DASPA(J) and the Allanian Society;
- Carry out research;
- Keep our premises secure, including CCTV in accordance with the Schools' CCTV Policy;
- To monitor (as appropriate) use of the Schools' IT and communications systems in accordance with the Schools' Policy on the Acceptable Use of Electronic Devices and Information Technology Systems;
- Obtain appropriate professional advice and insurance for the Schools;
- Comply with the law regarding data sharing and the Schools' other legal obligations;
- Establish and retain written and photographic records and archives of the Schools' classes, teams, pupils and key events each year for historic and research purposes;
- Comply with public health requirements in respect of Covid-19 (or similar) testing including managing on-site testing and/or processing the results of tests taken by pupils, and sharing this information with relevant health authorities.

5. OUR LEGAL BASIS FOR USING THIS DATA

We only collect and use pupils' and parents' personal data when the law allows us to. Most commonly, we process it where:

- We are performing our contract with the pupil and their parent(s) to provide education services;
- We need to comply with a legal obligation;
- We need it to perform an official task in the public interest;
- We need it to pursue our legitimate interests.

Less commonly, we may also process pupils' and parents' personal data in situations where:

- We have obtained consent to use it in a certain way;
- We need to protect the individual's vital interests (or someone else's interests).

To process special category data we need an additional lawful basis. We will process special category data most commonly where:

- We have the explicit consent of the pupil (or their parents);
- The processing is necessary under social security or social protection law;
- We are processing it in the vital interests of an individual;
- We are providing health care or treatment under the responsibility of a health professional.

Where we have obtained consent to use pupils' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using pupils' and parents' personal data overlap, and there may be several grounds which justify our use of this data.

Where we are processing data on a legal or contractual basis, if you choose not to share this data with us we may not be able to enroll your child as a pupil, or provide our education services.

6. COLLECTING THIS DATA

Generally, we collect personal data from pupils and parents directly. This may be via a form (either in hard copy or electronically) or simply in the ordinary course of interaction or communication, such as email or written assessments. While the majority of information we collect about pupils is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you or your child, we make it clear whether providing it is mandatory or optional. If it is mandatory, we will explain the possible consequences of not complying.

In some cases, personal data may be supplied by third parties, for example, another school or other professionals or authorities working with that individual.

7. HOW WE STORE THIS DATA

We keep personal information about pupils and parents while they are attending the Schools. We may also keep it beyond their attendance at the Schools if this is necessary in order to comply with our legal obligations. Our Retention of Records Policy sets out how long we keep information about pupils and parents. We keep personal information in paper and electronic form. This is always kept securely and access to it is limited to relevant members of the Schools' staff only.

A copy of our Retention of Records Policy is available on our website or a copy can be requested from the Schools' Data Protection Coordinator.

Access to sensitive data

Particularly strict rules of access apply in the context of "special category", in particular:

a. Medical data

The Schools need to process this information to comply with statutory duties and to keep pupils and others safe, but the Schools will ensure only authorised staff can access information on a need-to-know basis. This may include wider dissemination if needed for school trips or for catering purposes. Express consent will be sought where appropriate.

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.

b. Safeguarding data

The Schools are under duties imposed by law and statutory guidance (including Keeping Children Safe in Education (KCSIE)) 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 notes in safeguarding records, whether on paper or kept electronically (using the CPOMS software), and in some cases referrals to relevant authorities, such as the LADO or police.

KCSIE also requires that, whenever a child leaves the Schools to join another school or college, his/her child protection file is promptly provided to the new organisation. The Schools will retain a copy in accordance with their Retention of Records Policy for material related to safeguarding matters.

For further information, please see the Schools' Child Protection and Safeguarding Policy.

Data security

The Schools 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 notify the Schools of any significant changes to important personal information, such as contact details, held about them.

The Schools will take appropriate technical and organisational steps to ensure the security of personal data about individuals, including policies relating to the use of technology and devices and access to school systems. All staff and governors will be made aware of these policies and their duties under data protection law and receive relevant training.

8. DATA SHARING

We do not share information about pupils and/or parents with any third party without consent unless the law, our policies or the terms of this privacy notice allow us to do so. It will remain within the Schools, and will be processed by appropriate individuals only in accordance with access protocols (i.e. on a need to know basis).

Where it is legally required, or necessary for the purposes provided (and it complies with data protection law) we may share personal information about pupils with:

- All relevant local authorities – to meet our legal obligations to share certain information with them, such as safeguarding concerns and exclusions;
- Central and local government authorities, including the Department for Education, Home Office, relevant NHS bodies);
- The pupil's family and representatives;
- Educators and examining bodies;
- Our regulator, the Independent Schools Inspectorate;
- The Independent Schools Council for the purpose of allowing them to carry out their annual census;
- Suppliers and service providers – to enable them to provide the service we have contracted them to perform. For example, some of the Schools' IT services, including

IT systems and cloud storage are carried out by third parties and we may ask tour operators and/or travel agents to organise tours, visits and trips for pupils to attend. Some organisers of competitions, tournaments or events (for example, sports) require details of pupils participating to be shared with them in order for the Schools to enter teams or individuals into those events. This is always subject to contractual or other appropriate assurances that personal data will be kept securely and only in accordance with the Schools' specific directions;

- Teachers, leaders and coaches of extra-curricular activities - to allow them to deliver the session or set of sessions requested by parents, either in the Parents' Booklet or otherwise (for example, instrumental and voice lessons, LAMDA lessons, sports coaching);
- Our auditors;
- Survey and research organisations, including universities (for example, we use various testing tools provided by the Centre for Evaluation and Monitoring (CEM) as part of our assessment programme for pupils. This assists us to monitor pupil's progress, inform our teaching and to understanding each pupil's potential);
- Health and social welfare organisations (including health bodies who visit the Schools to carry out immunisation programmes);
- Professional advisers and consultants;
- Charities and voluntary organisations;
- Police forces, courts and tribunals;
- Stage 3 complaints panels, which include independent panel members;
- Professional bodies.

9. NATIONAL PUPIL DATABASE

We are required to provide information about pupils to the Department for Education as part of statutory data collections such as the school census and the Early Years census.

Some of this information is then stored in the National Pupil Database (NPD), which is owned and managed by the Department for Education and provides evidence on school performance to inform research.

The database is held electronically so it can easily be turned into statistics. The information is securely collected from a range of sources including schools, local authorities and exam boards.

The Department for Education may share information from the NPD with other organisations which promote children's education or wellbeing in England. Such organisations must agree to strict terms and conditions about how they will use the data.

For more information, see the Department's webpage on how it collects and shares research data.

You can also contact the Department for Education with any further questions about the NPD.

10. YOUTH SUPPORT SERVICES

Once our pupils reach the age of 13, we are legally required to pass on certain information about them to all relevant local authorities and other local youth support providers, as they have legal responsibilities regarding the education or training of 13-19 year-olds.

This information enables them to provide youth support services, post-16 education and training services, and careers advisers.

Parents or pupils once aged 16 or over, can contact our Data Protection Coordinator to request that we only pass the individual's name, address and date of birth to the above providers.

11. TRANSFERRING DATA INTERNATIONALLY

We do not in the standard course of running the Schools transfer data outside of the European Economic Area (EEA). However, where we do intend to do so (for example, if organising a school trip), you will be notified before we do so, and then we will only do so in accordance with data protection law and after ensuring appropriate safeguards are in place.

12. PARENTS' AND PUPILS' RIGHTS REGARDING PERSONAL DATA

Individuals have a right to make a **'subject access request'** to gain access to personal information that we hold about them.

Parents can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 13), or where the child has provided consent.

Parents also have the right to make a subject access request with respect to any personal data we hold about them.

If you make a subject access request, and if we do hold information about you or your child, we will:

- Give you a description of it;
- Tell you why we are holding and processing it, and how long we will keep it for;
- Explain where we got it from, if not from you or your child;
- Tell you who it has been, or will be, shared with;
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this;
- Give you a copy of the information in an intelligible form.

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

The Schools are not required to disclose any pupil examination scripts (or other information consisting solely of pupil test answers – although markers' comments may still be disclosable if they constitute pupil personal data); provide examination or other test marks ahead of their ordinary publication date; nor share any confidential reference held by the Schools that

was (or will be) given for the purposes of the education, training, appointment or employment of any individual.

In general, the Schools will assume that pupils' consent is not required for ordinary disclosure of their personal data to their parents (for example, for the purposes of keeping parents informed about the pupil's progress and behaviour, and in the interests of pupil welfare), unless the Schools consider there is 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 Schools may be under an obligation to maintain confidentiality unless, in the Schools' opinion, there is a good reason to do otherwise (for example where the Schools believe 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 Schools' Policy on the Acceptable Use of Electronic Devices and Information Technology Systems and the school rules.

If you would like to make a subject access request please contact our Data Protection Coordinator.

Other rights

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress;
- Prevent it being used to send direct marketing;
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person). Currently we do not carry out any automated decision making or profiling on the personal data we process. If this changes then we will let you know and update this Notice accordingly;
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing;
- Request the transfer of automated personal data to them or to a third party. We will provide personal data in a structured, commonly used, machine-readable format;
- Withdraw their consent at any time where we are processing personal data on the lawful basis of consent (for example when publishing photographs on our website). The individual can do this by contacting the Data Protection Coordinator;
- Claim compensation for damages caused by a breach of the data protection regulations.

To exercise any of these rights, please contact our Data Protection Coordinator.

13. EDUCATIONAL RECORDS

A subject access request should not be confused with a request for a copy of a pupil's educational record.

As an independent school we are not legally bound to provide you with a copy of your child's educational record; however we are happy to provide a copy of our pupils' educational records to you in line with our Data Protection Policy, subject to a £10 administration fee. Requests for educational records should be made to the contact address below.

14. QUERIES AND COMPLAINTS

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or you have any other query or concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our Data Protection Coordinator.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at https://ico.org.uk/concerns/
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

15. CONTACTING US

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our **Data Protection Coordinator**:

Name: Mrs J. Taylor

Address: Bursar's Office, Dame Allan's Schools, Fowberry Crescent, Fenham, Newcastle upon Tyne, NE4 9YJ

Tel: 0191 274 5910

Email: j.taylor@dameallans.co.uk

The Schools 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.