



# Clifton High School

co-educational nursery pre-school to sixth form

<b>Notice applies from EYFS to Sixth Form</b>	<b>How We Use Your Information: Privacy Notice for Parents</b>
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A shaded area denotes a regulation to which all schools must comply	

*Clifton High School is committed to child protection and safeguarding children and young people and expects all staff, visitors and volunteers to share this commitment.*

## **Introduction**

As a school, we wish to be transparent and provide accessible information to individuals about how we will use their personal data; this is a key element of the EU General Data Protection Regulation (GDPR). The most common way to provide this information is in a Privacy Notice. The term Privacy Notice is used to describe all the privacy information that we make available or provide to individuals when we collect information from them.

On 25<sup>th</sup> May 2018 the General Data Protection Regulation (GDPR) will replace the Data Protection Act 1998 (DPA). This will change the way we collect, store and process personal data. The GDPR has been adopted by the European Commission and will have implications for all organisations which control and process personal data. The impact of this change is extensive and wide-ranging, in particular for organisations within the charity sector. Although the landscape of post-Brexit GDPR is uncertain, the UK government has already confirmed the GDPR will apply in the UK.

This Privacy Notice is intended 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.

## **Child Protection and Safeguarding**

Child Protection and Safeguarding requirements always supersede the General Data Protection Regulation (GDPR). If information needs to be shared in the interests of child protection and safeguarding, this Notice can never be used as a reason not to do so.

### **What is Personal Information?**

Personal information is information that identifies you as an individual and relates to you. This includes your contact details, next of kin and financial information

### **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.

1. The School's primary reason for using your personal information is to provide educational services to your child.
2. We will have information about any family circumstances that might affect your child's welfare or happiness. This is to help us provide appropriate care and support to your child.

3. We will need information about any court orders or criminal petitions that relate to you. This is to enable us to safeguard the welfare and wellbeing of your child and the other pupils at the School.
4. We use CCTV to make sure the school site is safe. Images captured of you via CCTV will be your personal data. CCTV is not used in private areas such as toilets.
5. If there is a complaint or grievance made to the School that involves you we will use your information in connection with that complaint or grievance.
6. Where appropriate, the School will have information about your religious beliefs and practices in so far as they might affect your child's education or involvement in school activities.
7. 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. We may continue to use these photographs and videos after your child has left the School.
8. We will send you information to keep you up to date with what is happening at the School. For example, by sending you information about events and activities taking place (including fundraising events) and the School newsletter.
9. We keep your contact details when your child leaves the School so that we can send former pupils information and find out how they are progressing.
10. We may use information about you if we need this for historical research purposes or for statistical purposes.
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.

#### **Financial Information**

12. 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.
13. We will hold information about bankruptcy petitions and statutory demands, where relevant.
14. 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 other award 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 that make searches about you.
15. We will share your information with debt recovery agencies if you do not pay any school fees owed to the School.
16. We may obtain information about you from publicly available sources, such as Companies House and Zoopla to assess your ability to pay School fees.
17. We may use a third party organisation to assist us with our bursary application process. If you apply for a bursary, we may share information about you with that third party.

Failure to supply full details of the information requested may result in a refusal of an award or credit arrangement to allow you to settle fees over an extended period.

### **Sharing Personal Information with Third Parties**

18. In accordance with our legal obligations, we will share information with Local Authorities, the Independent Schools Inspectorate and the Department for Education; for example, where we have any child protection and safeguarding concerns or to comply with our legal obligations.
19. 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.
20. 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.
21. In certain circumstances, we may also need to share information with our legal advisers for the purpose of obtaining legal advice.
22. 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 will share your information with them if this is relevant to their work. Where you ask us to do so, we will share your information with Visiting Music Teachers for the purpose of facilitating music lessons.
23. If your child is not of British Nationality, we have to ensure that they 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 to comply with our duties as a Tier 4 sponsor.
24. 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.
25. We may share information about you with our insurance company; for example, where there is a serious incident at the School.
26. If you have unpaid fees while your child is at the School we will share information about this with other schools or educational establishments to which you intend to send your child.
27. If your child leaves us to attend another school, we may provide that school with information about you; for example, details of family circumstances if there have been any child protection and safeguarding incidents.
28. 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.
29. We may need to share information if there is an emergency; for example, if you are hurt whilst on School premises
30. We sometimes use contractors to handle personal information on our behalf. The following are examples
  - IT consultants who might access information about you when checking the security of our IT network
  - We may use third party "cloud computing" services to store some information rather than the information being stored on hard drives located on the School site

We obtain information about you from the Registration Form that you complete when you express an interest in the School and from your child's previous school. We may also get information from professionals such as doctors and from local authorities.

### **Our Legal Grounds for using your Information**

This section contains information about the legal bases we rely on when handling your information as described above.

#### **Legitimate Interests**

This means that the School is using your information when this is necessary for the School's legitimate interests, except when your interests and fundamental rights override our legitimate interests.

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, 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
- Protecting the School's reputation
- Facilitating the efficient operation of the School
- Ensuring that all relevant legal obligations of the School are complied with; for example in relation to Inspections

The School is relying on legitimate interests for all of the 30 purposes listed above.

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**

We will need to use your information in order to perform our obligations under our contract with you and also for you to perform your obligations; for example, we need your name and contact details to enable us to update you on your child's progress and to contact you if there is a concern.

The School is relying on contract for all the following purposes listed earlier: 1, 2, 3, 4, 12, 17, 19 and 22.

#### **Legal Obligation**

Where 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. This is relevant to the following purpose listed earlier: 18, 19, 20, 21, 23, 24 and 27.

#### **Vital Interests**

In limited circumstances we may use your information to protect your vital interests or the vital interests of someone else; for example if you or they are seriously hurt. This is especially relevant to purpose listed earlier 29.

### **Performance of a task carried out in the Public Interest (or carrying out public tasks)**

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 other children
- Facilitating the efficient operation of the School
- Ensuring that we comply with all of our legal obligations

The School is carrying out a public task in respect all of the following purposes listed earlier: 1, 2, 3, 4, 5, 18, 19, 20, 21, 22, 23, 24 and 28.

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.

### **Substantial Public Interest**

The School is also allowed to use special categories of personal information where doing so is necessary in the substantial public interest. This is similar to "public interest" in the table above and applies to the following purposes listed earlier: 1, 2, 3, 4, 5, 18, 19, 20, 21, 22, 23, 24 and 28.

### **Social Protection and Social Security Laws**

In addition, the School may use your information to comply with social security laws and social protection law; for example, to look after your child.

### **Vital Interests**

In limited circumstances we may use your information to protect your vital interests or the vital interests of someone else; for example, if you or they are seriously hurt.

### **Legal Claims**

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. See the purposes described in 21 and 25.

### **Criminal Offence Information**

We may only 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.

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 our pupils and you are not capable of giving your consent, or where you have already made the information public.

### **Multiple Legal Grounds**

As you will have seen, in some cases we rely on more than one of the bases for a particular use of your information; for example, we will rely on contract, legitimate interests and public interest grounds when using your information to provide your child with an education.

The ground that we will rely on for a particular purpose may vary depending on the circumstance; for example, if we decide to tell the local authority something about a parent for safeguarding reason. This may sometimes be because we have a legal obligation to do so but on other occasions we may tell the local authority because we are worried about the child even if we don't have a legal obligation to report; in which case we would be relying on legitimate interests and public interest.

### **Consent**

We may ask for your consent to use your information in certain ways as an alternative to relying on any of the grounds in the table above. 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 Data Compliance Officer, c/o the School Office, if you would like to withdraw any consent given.

### **Sending Information to other Countries**

In certain circumstances, we may send your information to countries that 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.

We will provide you with details about the safeguards we have in place outside of this Privacy Notice but if you have any questions about these safeguards please contact the Data Compliance Officer, via the School Office.

### **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 some information after your child has left the School to enable us to research circumstances if you make a complaint at a later date.

In exceptional circumstances, we may keep your information for a longer time than usual but would only do so if we had a good reason and if we were allowed to under Data Protection law.

We can keep information about you indefinitely if we need this for historical, research or statistical purposes; for example, if we consider the information might be useful to someone wishing to write a book about the School.

For more information, please see the Data Retention and Management Policy, which can be found on the School's website.

### **What decisions can you make about your Information?**

From 25<sup>th</sup> May 2018, Data Protection legislation gives you a number of rights regarding your information. Some of these are new whilst others build on your existing rights. Some of your rights are as follows

- *Rectification*: if information 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. 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. 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 grounds for using your information below") and c) the information is being processed by us on computer

- *Restriction:* our use of information about you may be restricted 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
- *Objection:* you may object to us using your information where: a) we are using it for direct marketing purposes (e.g. to send you the School magazine), b) we are relying on either the legitimate interests or performance of a task carried out in the public interest legal ground to use it - please see the section "Our legal grounds for using your information" earlier, and c) we are using it for historical or scientific research purposes or archiving purposes. For example, we may keep photographs of you at a School event for historical reasons

### **Further Information and Guidance**

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

The Data Compliance Officer is the person responsible at Clifton High School for managing how we look after personal information and deciding how it is shared. This Privacy Notice does not and is not intended to give you any rights that you did not already have; for example, it does not give you any additional contractual rights. The Data Compliance Officer can give you more information about your Data Protection rights.

Please contact the Data Compliance Officer, via the School office if you

- Object to Clifton High School using your information for marketing purpose; for example to send you information about school events. We will stop using your information for marketing purposes if you tell us not to
- Would like us to update the information we hold about you
- Would prefer that certain information is kept confidential
- Have any further questions

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).

If you consider that we have not acted properly when using your personal information you can contact the Information Commissioner's Office: [www.ico.org.uk](http://www.ico.org.uk). Telephone 01625 5457453.