

# **How We Use Your Information Privacy Notice for Parents**

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**Whitgift School**

November 2024

## Parent Privacy Notice - Key Information

This notice contains the key information about **how** and **why** we collect your personal data and **what** we do with that information.

Personal data is information about you from which you can be identified (either directly or indirectly). For example, information about your family circumstances, your financial information and photos of you.

We use your personal data in order to:

- carry out our obligations and enforce our rights under our contract with you;
- teach your child and our other students;
- look after your child and others, such as, other students and staff;
- enable the School to comply with its legal obligations, to assist with the management and operation of the School, and to advance and protect the School's interests, objects and reputation; and
- fundraise, market and promote the School. For example, by writing to you about fundraising for a new school project.

We set out below examples of the different ways in which we use your personal data and where that personal data comes from:

- We obtain information about you from admissions forms (including our registration form) and from your child's previous school(s). We may also get information from professionals, such as doctors and from local authorities;
- We will have information about any family circumstances which might affect your child's welfare or happiness;
- We will process information about you in relation to the payment of fees and for risk management and compliance purposes. In some cases we get information about you from third parties such as credit reference agencies or from your child's previous school(s);
- We may obtain photos or images (including video recordings) of you at School events to use on social media and on the School website. This is to show prospective parents and students what we do here and to advertise the School. We may continue to use these photos and videos after your child has left the School;
- 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.

In some situations we may need to share your personal data with third parties. For example:

- In accordance with our legal obligations, we may share information with government and regulators such as the Independent Schools Inspectorate, the Department for Education and local authorities, for example, where we have any safeguarding concerns;
- If you have unpaid fees we may share information about this with any other school, or educational establishment, to which you intend to send your child;
- On occasion, we may need to share information with the police or other law enforcement authorities, our legal advisors and/or our insurers and their representatives; and

- If your child has an educational guardian, we may need to share information with them and/or with any homestay appointed to provide accommodation.

You have the following rights regarding your personal data:

- correction of information held;
- access to information held;
- deletion of information in certain circumstances;
- portability - the transfer of information to you or a third party;
- restriction of the use of information; and
- the right to object to the use of information in certain circumstances.

These rights are explained in more detail in the full privacy notice, and the Data Protection Compliance Officer can give you more information. The rights don't apply in all cases and are subject to exemptions.

We strongly recommend reading the full version of our Parent Privacy Notice which is published on the School's website and can be found here [Privacy Notice - Whitgift School](#). You can also obtain a copy of the full privacy notice by contacting the School on [office@whitgift.co.uk](mailto:office@whitgift.co.uk), at Whitgift School, Haling Park, South Croydon, CR2 6YT or on 020 8688 9222.

The full version includes additional points, such as:

- further information on the purposes for which we use your information;
- for how long the School retains your personal data; and
- our lawful bases for using your personal data.

The Data Protection Compliance Officer is the person responsible at our school for managing how we look after personal data. The Data Protection Compliance Officer can answer any questions which you may have about how we use your personal data.

## Parent Privacy Notice

### Introduction

This privacy notice is for parents and carers of our prospective, current and past students. Where the notice specifically refers to "parents" this is intended to cover all individuals with overall responsibility for students. This may include biological or adoptive parents, those with parental responsibility, and/or those who care for a student.

Whitgift School is a member of the John Whitgift Foundation, a registered charity (number 312612), with Head Office at North End, Croydon, CR9 1SS. The John Whitgift Foundation is the controller of your personal data. The Foundation encompasses the trading entity J W Educational Ltd, Company Number 03470213, with the same registered address.

The John Whitgift Foundation is registered with the UK Information Commissioner's Office as a Data Controller through the payment of the Data Protection Fee. It is committed to complying with all aspects of data protection and its responsibilities under both the General Data Protection Regulation (EU 2016/679) and the UK Data Protection Act 2018. The John Whitgift Foundation can be contacted at [enquiries@johnwhitgiftfoundation.org](mailto:enquiries@johnwhitgiftfoundation.org) or by telephone on 020 8680 8499.

This Privacy Notice relates specifically to Whitgift School, Haling Park, South Croydon, CR2 6YT and to the parents and carers of Whitgift School students. As a part of the John Whitgift Foundation data may be held by either or both of the School and the John Whitgift Foundation.

### What this Privacy Notice is for

This notice is to help you understand **how** and **why** we collect personal data about you and **what** we do with that information. It also explains the decisions that you can make about your information. The Data Protection Compliance Officer is the person responsible at our school for managing how we look after personal data. If you have any questions about this notice please contact the Data Protection Compliance Officer at [js@whitgift.co.uk](mailto:js@whitgift.co.uk) or by post at the School address.

Please note 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. This information is provided because data protection law gives individuals rights to understand how their personal data is used. Parents are encouraged to read this Privacy Notice and understand the School's obligations to its entire community.

### What is "personal data"?

Personal data is information about you from which you can be identified (either directly or indirectly).

This includes your contact details, emergency contact details, financial information and information about your health. CCTV images, photos and video recordings of you are also your personal data.

### Types of personal data processed by the School

This will include by way of example:

- names, addresses, telephone numbers, email addresses and other contact details
- bank details and other financial information

- where appropriate, information about individuals' health, welfare or safeguarding
- correspondence with parents
- images of parents at School events or captured on CCTV

### **Where we get your personal data from and who we share it with**

We obtain your personal data from a number of different sources. We get a lot of information from you (e.g. when you complete the registration form). We also get information from other sources such as our teachers, your child, your child's previous school(s), other members of your family, other students and their parents, as well as from people outside of the School.

We may also get information about you from government and from regulators, for example, from the local authority.

We will also share information with these people and organisations where appropriate. For example, if you tell us about something that has happened at home, we will share this with your child's teachers if relevant.

Personal data will be stored and protected securely and only accessed on a 'need to know' basis. Particularly strict rules apply in the context of medical records, SEND, pastoral and safeguarding files. Only that information necessary to ensure the appropriate care and education of your child will be shared more widely with staff.

Parents are reminded that the School is under duties imposed by law and statutory guidance (including Keeping Children Safe in Education) 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 file notes on safeguarding files, and, in some cases referrals to relevant authorities such as the LADO or police.

The sections below contain further information about where we get your personal data from and with whom it is shared.

### **Why we use your personal data and the lawful bases**

We use your personal data in order to:

- Carry out our obligations and enforce our rights under our contract with you;
- Teach your child and our other students;
- Look after your child and others, such as, other students and staff;
- Help the School to comply with its legal obligations, to assist with the management and operation of the School, and to advance and protect the School's interests, objects and reputation; and
- Fundraise, market and promote the School. For example, by writing to you about fundraising for a new school project.

Our lawful bases for using your personal data are as follows:

- **Contract:** We will need to use your personal data 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. We

may also rely on this basis where you have asked us to do something before entering into a contract with us. If we do not have a contract with you (i.e. if you are not a party to the School's parent contract) we will not rely on the contractual basis to use your information.

- **Legitimate interests:** This means that the School is using your personal data where this is necessary for the School's legitimate interests or someone else's legitimate interests.
  - Specifically, the School has a legitimate interest in:
    - educating and looking after its students;
    - complying with its contract with you for your child to be at the School;
    - 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;
    - investigating if something has gone wrong; and
    - protecting, promoting and improving the School.
  - This lawful basis only applies where our legitimate interests are not overridden by your interests, rights and freedoms. This basis applies to all of the 5 purposes listed above.
- **Public task:** This allows the School to use your personal data where doing so is necessary in order to perform a task in the public interest or to exercise one of our functions or powers as a school. This basis applies to purposes 2, 3 and 4 above. For example, when we use your personal data to look after your child.
- **Legal obligation:** The School might need to use your personal data to comply with a legal obligation. For example, to report a concern about your child's wellbeing to Children's Services or in relation to inspections. Occasionally we may have a legal obligation to share your personal data with third parties such as the courts, local authorities and/or the police. More detail of when we will do so is set out below.
- **Vital interests:** In limited circumstances we may use your personal data to protect your vital interests or the vital interests of someone else. For example, to prevent someone from being seriously harmed or killed.

The section below contains more information about our purposes for using your personal data and the lawful bases.

### **Our purposes and lawful bases in more detail**

This section contains more detail about the purposes for which your personal data is used, the applicable lawful bases as well as further information about sources and recipients. It does not say anything different to what is set out above but does go into more detail.

We have also used a colour coded system so that you can see which bases we are relying on for each of the purposes described at paragraphs 1 to 49 below. **L** means legitimate interests, **C** means contract, **PI** means public task, **LC** means legal obligation and **V** means vital interests. So **(L, PI)** means that we are relying on both legitimate interests and public task for that purpose.

- 1 The School's primary reason for using your personal data is to provide educational and pastoral services to your child and to keep you informed regarding their progress (LI, CT, PI).
- 2 We will use information about you in order to process your application for your child's admission to the School. We obtain information about you from the admissions forms and from your child's previous school(s). We may also get information from professionals such as doctors and local authorities (LI, CT, PI).
- 3 We will 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).
- 4 We may use medical information about you if we need this to look after your child (LI, CT, PI).
- 5 We will need information about any court proceedings, court orders or criminal petitions which relate to you. This is so we can safeguard the welfare and wellbeing of your child and the other students at the School (LI, CT, PI).
- 6 We use CCTV to help make the School site safe and for crime detection and prevention. We may also use CCTV in relation to complaints and any incidents which take place on our sites (e.g. accidents involving vehicles in our car park(s)). Images captured of you via CCTV will be your personal data. CCTV is not used in private areas such as toilets or changing rooms (LI, CT, PI, LO). For more information about our use of CCTV please see our CCTV Policy which can be requested from the Data Protection Compliance Officer.
- 7 We will use your personal data to take other steps to make sure the School site and buildings are safe, for example, we keep a record of visitors to the School at any given time (LI, PI, LO).
- 8 If there is a complaint or grievance made to the School that involves you, then we will use your personal data in connection with that complaint or grievance (LI, PI).
- 9 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 Education and Health Care Plan (LI, PI, LO).
- 10 Where appropriate, the School will have information about your religious beliefs or other beliefs and practices. For example, if you do not eat certain foods (LI, PI).
- 11 We will also hold information such as your religion or ethnic group for the purposes of invitations to specific events and catering (LI, PI).
- 12 We may use your personal data in order to help make the School better, for example, to raise money for the School (LI). In particular, we carry out targeted fundraising activity to ensure that we are contacting you with the most appropriate communication, which is relevant and timely. In doing so, we may use profiling techniques or use third party wealth screening companies and insight companies to provide us with general information about you. Such information is compiled using publicly available data about you or information that you have already provided to us. You will be given the opportunity to opt out of any current and/or future communication of this nature. For more information, please contact our Alumni & Development Office.

- 13 We may take photos or images (including video recordings) 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 photos and videos after your child has left the School (LI).
- 14 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 (LI).
- 15 We will keep details of your address when your child leaves the School so we can find out how your child is progressing (LI).
- 16 We may use your personal data when ensuring network and information security, for example, our anti-virus software might scan files containing information about you (LI).
- 17 We monitor our pupils' use of the internet and any internet-based platform and email as part of our safeguarding duties. On occasion, this may involve your personal data, e.g. if you have sent your child a message to their school email address (PI).
- 18 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.
- 18.1 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.
- 18.2 For example, we keep some old photos 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).
- 19 We may use your personal data in connection with legal disputes, for example, we may have to disclose your personal data as part of court proceedings (LI, PI, LO).

#### Financial information

- 20 We will process information about you in relation to the payment of fees and for risk management and compliance purposes. 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).
- 21 We may ask you for evidence of your identity e.g. copy of a driving licence or passport. This is so that we have a record of who is paying the fees for anti-money laundering purposes (LI).
- 22 We will hold information about bankruptcy petitions and statutory demands, where relevant (LI, CT).
- 23 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).

- 24 We may share your personal data with debt recovery suppliers if you do not pay any fees or other sums owed to the School (LI, CT).
- 25 We may obtain information about you from publicly available sources, such as Companies House and Zoopla, to verify your identity or other personal details and assess your ability to pay School fees (LI, CT).
- 26 If you apply to the School for a bursary, we will use the information that you provide to assess your application (LI, CT). We will also share your personal data with the "Whitgift for All" charity if they may be offering a bursary.
- 27 We may on occasion use a third party organisation to assist us with our bursary application process. If you apply for a bursary we will share information about you with them so that they can assess your application (LI, CT).

Failure to supply information may result in a refusal of an award or credit.

#### Sharing personal data with others

- 28 We will share information with local authorities, 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).
- 29 On occasion, we may need to share your personal data with the police, or other law enforcement authorities, for the prevention or detection of crime or the apprehension or prosecution of offenders. We will only do this in specific circumstances to assist the police with their investigations (LI, CT, LO, PI).
- 30 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).
- 31 In certain circumstances, we may also need to share information with our legal advisers for the purpose of obtaining legal advice and for the establishment, exercise or defence of legal claims (LI, LO, PI).
- 32 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 personal data with them if this is relevant to their work (LI, CT, PI).
- 33 We may share information about you with (and get information from) health authorities, providers of healthcare services and healthcare professionals, for example, in relation to pupil immunisations (LI, PI).
- 34 If your child is not a British or Irish national, 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 Child Student and Student sponsor (LI, CT, LO, PI).

- 35 Additionally, if your child is sponsored by us under a Child Student or Student visa we will have to provide information about them to UK Visas and Immigration to comply with our duties as their sponsor (LI, CT, LO, PI).
- 36 The School is part of the John Whitgift Foundation which as a charity means that in exceptional circumstances we may need to share your personal data with the Charity Commission e.g. in the event of a serious incident (LI, LO, PI).
- 37 We may share some information with our insurance company and their representatives to make sure that we have the insurance cover that we need or in connection with an actual or possible claim (LI, PI).
- 38 If the School is dealing with a request for information, query, complaint or grievance (e.g. from another parent), we may need to share your personal data with other parties if it is relevant and appropriate to do so. For example, with the appropriate staff, pupil or parent involved and governors (LI, PI).
- 39 If you have unpaid fees we may share information about this with other schools or educational establishments to which you propose to send your child (LI).
- 40 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 safeguarding incidents (LI, LO, PI).
- 41 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).
- 42 We may need to share information if there is an emergency, for example, if you are hurt whilst on School premises (LI, VI).
- 43 We will share information about you with the John Whitgift Foundation. For example, financial information or details of family circumstances (LI, PI).
- 44 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).
- 45 If you have appointed an educational guardian (and/or there are homestay arrangements) for your child, we may share your personal data with them (LI).
- 46 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).
- 47 If ever in the future, we are considering restructuring the charity which operates the School, we may share your personal data with the other parties involved and with the relevant professional advisors (LI).
- 48 Some of the records the School keeps and which contain your personal data 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).
- 49 We will share your personal data with the governors of the School if it is something they should be aware of, or the information will enable them to fulfil their role as a governor. For

example, if there is a concern involving you or your child or something which affects the running of the School (LI, PI).

As you will see from the above, in some cases we will rely on more than one lawful basis for a particular use of your information.

We use service providers to handle personal data on our behalf for the following purposes:

- We engage IT consultants who might access information about you when checking the security of our IT network;
- We use software, apps and websites to help us with teaching and the overall educational experience, and to help us provide pastoral support to our students. For example, we use an app which allows pupils to access homework which has been set by their teachers; and
- We use third party "cloud computing" services to store some information rather than the information being stored on the School site.

The use of service providers is always subject to contractual assurances that personal data will be kept securely and only in accordance with the School's specific directions.

We may share your personal data with any of the representatives or advisors of any of the third parties mentioned in this privacy notice. Anyone that we share information with may give us information about you as well.

If you have any questions about any of the above, please speak to the Data Protection Compliance Officer.

### **Consent**

We may ask for your consent to use your information in certain ways as an alternative to relying on any of the lawful bases above (e.g. LI or PI). For example, we may ask for your consent to use certain types of images or to send you information about our fundraising projects by email.

If we ask for your consent to use your personal data you can take back this consent at any time. Any use of your personal data before you withdraw your consent remains valid.

You can speak to the Data Protection Compliance Officer if you would like to withdraw any consent given.

### **Sending information to other countries**

When the School sends personal data outside of the UK, we have to consider if the other country has the same level of protection for personal data as there is in the UK. Some countries are considered by the UK Government to have adequate rules and this includes all of the European Economic Area and some other countries, such as, New Zealand, Argentina and Switzerland.

The School sends your personal data to countries with adequate rules when we:

- store your personal data in cloud computer storage with servers in the European Economic Area; or
- communicate with parents or agents based outside of the UK in some locations (eg EU).

In certain circumstances, we may send your personal data to countries which do not have the same level of protection for personal data as there is in the UK. For example, we may:

- pass your personal data to an organisation in a country being visited on a School trip for the purpose of making bookings; or
- communicate with parents or agents based outside of the UK (and not with an adequacy ruling).

In these cases, the School will ensure that appropriate contractual clauses are in place in order to provide the same level of protection as if the data were held in a country directly under the remit of the GDPR. This will not apply when communicating directly with parents.

We will provide you with additional details about where we are sending your personal data, whether the country has an adequacy finding and, if not, 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 Data Protection Compliance Officer.

### **For how long do we keep your personal data?**

We keep your personal data for as long as we need to for the purposes set out in this privacy notice. 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 make a complaint.

Typically, the legal recommendation for how long to keep ordinary student personnel files, including associated parent data, is up to 7 years following departure from the School. However, incident reports and safeguarding files will need to be kept much longer, in accordance with specific legal requirements.

In some cases, we may keep your personal data 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. Images of and any references to you in School publications, along with a minimal archival record may be retained indefinitely in the School's archives. Even if you have requested we no longer keep in touch with you, we will need to keep a record of the fact in order to fulfil your wishes (called a "Suppression record").

Please see the John Whitgift Foundation Data Protection Policy for more detailed information by contacting the Chief Executive at [emilyboynton@johnwhitgiftfoundation.org](mailto:emilyboynton@johnwhitgiftfoundation.org), by telephone on 020 8680 8499 or by post at North End, Croydon, CR9 1SS.

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

Individuals have various rights under data protection law to access and understand personal data about them held by the School, and in some cases ask for it to be erased or amended or have it transferred to others, or for the School to stop processing it – but subject to certain exemptions and limitations.

Any individual wishing to access or amend their personal data, or wishing it to be transferred to another person or organisation, or who has some other objection to how their personal data is used, should ideally put their request in writing to either the School or John Whitgift Foundation, preferably via email to [js@whitgift.co.uk](mailto:js@whitgift.co.uk) or [enquiries@johnwhitgiftfoundation.org](mailto:enquiries@johnwhitgiftfoundation.org).

The School will endeavour to respond to any such requests as soon as is reasonably practicable and in any event within statutory time limits (which is one month in the case of requests for access to information).

The School will be better able to respond quickly to smaller, targeted requests for information. If the request for information is manifestly excessive or similar to previous requests, we may ask you to reconsider, or require a proportionate fee (but only where data protection law allows it).

- **Correction:** The School 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 please notify the relevant person, (normally the School Office) of any significant changes to important information, such as contact details, held about them.
- An individual has the right to request that any out-of-date, irrelevant, inaccurate or incomplete information about them is erased or corrected (subject to certain exemptions and limitations under data protection law): please see above for details of why the School may need to process your data and of who you may contact if you disagree.
- The School will take appropriate technical and organisational steps to ensure the security of personal data about individuals, including policies around use of technology and devices, and access to School systems. All staff and governors will be made aware of this policy and their duties under data protection law and receive relevant training.
- **Access:** you can also ask what information we hold about you and to 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 who we have sent it to. You should be aware that the right of access is limited to your own personal data, and certain data is exempt from the right of access. This will include information which identifies other individuals (and parents need to be aware this may include their own children, in certain limited situations – please see section Whose rights? below), or information which is subject to legal privilege (for example legal advice given to or sought by the School, or documents prepared in connection with a legal action).
- The School is also not required to disclose any student examination scripts (or other information consisting solely of student test answers), provide examination or other test marks ahead of any ordinary publication, nor share any confidential reference given by the School itself for the purposes of the education, training or employment of any individual.
- Students can make subject access requests for their own personal data, provided that, in the reasonable opinion of the School, they have sufficient maturity to understand the request they are making (see section Whose rights? below). A student of any age may ask a parent or other representative to make a subject access request on his behalf.
- Indeed, while a person with parental responsibility will generally be entitled to make a subject access request on behalf of younger students, the law still considers the information in question to be the child's: for older students, the parent making the request may need to evidence their child's authority for the specific request.
- Students of Whitgift School are generally assumed to have this level of maturity, although this will depend on both the child and the personal data requested, including any relevant circumstances at home.
- It should be clearly understood that the rules on subject access are not the sole basis on which information requests are handled. Parents may not have a statutory right to information, but they and others will often have a legitimate interest or expectation in

receiving certain information about their children without their consent. The School may consider there are lawful grounds for sharing with or without reference to that student.

- Parents will in general receive educational and pastoral updates about their children. Where parents are separated, the School will aim to provide the same information to each person with parental responsibility, but may need to factor in all the circumstances including the express wishes of the child.
- All information requests from, on behalf of, or concerning students – whether made under subject access or simply as an incidental request – will therefore be considered on a case-by-case basis.
- **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. However, please bear in mind that the School will often have lawful and necessary reasons to hold on to some personal data even following such request.
- You may have heard of the "right to be forgotten". However, we will sometimes have compelling reasons to refuse specific requests to amend, delete or stop processing your (or your child's) personal data: for example, a legal requirement, or where it falls within a legitimate interest identified in this Privacy Notice. All such requests will be considered on their own merits.
- **Portability:** you can request the transfer of your personal data to you or to a third party in a format that can be read by computer.
- **Restriction:** you can request that we restrict how we use your personal data in certain circumstances.
- **Object:** you may object to us using your personal data where:
  - we are using it for direct marketing purposes (e.g. to send you an email about a fundraising opportunity);
  - the lawful basis on which we are relying is either legitimate interests or public task. Please see the section "Why we use your personal data and the lawful bases" above; and
  - if we ever use your personal data for scientific or historical research purposes or statistical purposes.

Some of these rights do not apply in all cases. For example, if you ask us to delete your personal data then in some cases we will not need to comply with your request.

The Data Protection Compliance Officer can give you more information about your data protection rights.

### **Whose rights?**

The rights under data protection law belong to the individual to whom the data relates. However, the School will often rely on parental authority or notice for the necessary ways it processes personal data relating to students – for example, under the parent contract, or via a form. Parents and students should be aware that this is not necessarily the same as the School relying on strict consent (see section on Consent above).

Where consent is required, it may in some cases be necessary or appropriate – given the nature of the processing in question, and the student's age and understanding – to seek the student's consent.

Parents should be aware that in such situations they may not be consulted, depending on the interests of the child, the parents' rights at law or under their contract, and all the circumstances.

In general, the School will assume that students' consent is not required for ordinary disclosure of their personal data to their parents, e.g. for the purposes of keeping parents informed about the student's activities, progress and behaviour, and in the interests of the student's welfare. That is unless, in the School's opinion, there is a good reason to do otherwise.

However, where a student 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 School may be under an obligation to maintain confidentiality unless, in the School's opinion, there is a good reason to do otherwise; for example where the School believes disclosure will be in the best interests of the student or other students, or if required by law.

### **Further information and guidance**

Please speak to the Data Protection Compliance Officer ([js@whitgift.co.uk](mailto:js@whitgift.co.uk)) if:

- you would like to exercise any of your rights listed above;
- you would like us to update the information we hold about you;
- you would prefer that certain information is kept confidential. Please note that there will be occasions when your expectation of confidentiality is overridden by the School's other obligations e.g. if we need to share information for safeguarding reasons; or
- you have any other comments or queries regarding this notice.

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). Failing to provide information may also adversely affect the education and care we are able to provide to your child.

If you are unhappy about the way in which we have handled your personal data, you have a right to lodge a complaint with the Information Commissioner's Office ([ico.org.uk](http://ico.org.uk)). If you do have any concerns about how we have handled your personal data, 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.

### **This notice**

The School may 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.

**Last Updated:** 28<sup>th</sup> November 2024