

SHS C03 - PRIVACY NOTICE

WHO ARE WE?

St Hugh's School is an independent co-educational, preparatory school which provides day and boarding education for boys and girls from the age of 3 to 13 years old. St Hugh's School (Carswell) Trust Limited is a registered charity (Charity Commission reference number: 309640). Our postal address is: St Hugh's School, Carswell, Oxfordshire SN7 8PT. You can phone us: +44 1367 870700 or email: office@st-hughs.co.uk

This Privacy Notice sets out how St Hugh's School uses and protects any information that you give us or that we request for legitimate reasons.

St Hugh's School is committed to ensuring that your privacy is protected. Should we ask you to provide certain information by which you can be identified, then you can be assured that it will only be used in accordance with this Privacy Notice.

St Hugh's School may make changes, from time to time, by updating this notice on the website. You should check the website from time to time to ensure that you are happy with any changes. Where there are substantial changes that will affect your rights, they will be provided to you as far as is reasonably practicable. This notice is effective from May 2018.

WHAT IS THIS NOTICE FOR?

This notice is intended to provide information about how the school will use (or "process") personal data about individuals including: its staff; its current and prospective pupils; and their parents, carers or guardians (referred to in this notice as "parents") and alumni.

This information is provided in accordance with the rights of individuals under General Data Protection Regulation (GDPR) to understand how their data is used. Staff, parents, pupils and alumni are all encouraged to read this Privacy Notice and understand the school's obligations to its entire community.

This Privacy Notice applies alongside any other information the school 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 school's other relevant terms and conditions and policies, including:

- any contract between the school and its staff or the parents of pupils;
- the school's policy on taking, storing and using images of children;
- the school's Storage and Retention of Data Policy;

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- the school's safeguarding, pastoral, or health and safety policies, including as to how concerns or incidents are recorded; and
- the school's IT policies, including its E-Safety Policy;
- Anyone who works for, or acts on behalf of, the school (including staff, volunteers, governors and service providers) should also be aware of and comply with this Privacy Notice, which also provides further information about how personal data about those individuals will be used.

RESPONSIBILITY FOR DATA PROTECTION

St Hugh's School has appointed a Designated Data Security Lead (DDSL) who will deal with all your requests and enquiries concerning the school's uses of your personal data (see section on Your Rights below) and endeavour to ensure that all personal data is processed in compliance with this Privacy Notice and Data Protection Law.

The Designated Data Security Lead (DDSL) is Alistair Hamilton, The Bursar.

WHY THE SCHOOL NEEDS TO PROCESS PERSONAL DATA

In order to carry out its ordinary duties to staff, pupils and parents, the school may process a wide range of personal data about individuals (including current, past and prospective staff, pupils, parents or alumni) as part of its daily operation.

Some of this activity the school will need to carry out in order to fulfil its legal rights, duties or obligations; including those under a contract with its staff, or parents of its pupils.

Other uses of personal data will be made in accordance with the school's legitimate interests, or the legitimate interests of another, provided that these are not outweighed by the impact on individuals, and provided it does not involve special or sensitive types of data.

The school expects that the following uses may fall within that category of its (or its community's) "legitimate interests":

- For the purposes of pupil selection and admission
- The safeguarding of pupils' welfare, provision of pastoral care and health care services by school staff
- Compliance with legislation and regulation including the preparation of information for inspections by the Independent Schools Inspectorate, submission of annual census information to the Independent Schools Council and Department for Education
- To enable relevant authorities to monitor the school's performance and to intervene or assist with incidents as appropriate
- Provision of education to pupils including the administration of the school curriculum and timetable; monitoring pupil progress and educational needs; reporting on the same

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internally and to parents; administration of pupils' entries to examinations (CE / Pre-test); providing references for pupils (including after a pupil has left)

- Provision of educational support and related services to pupils (and parents) including the maintenance of discipline; administration of sports fixtures and teams, school trips; provision of the school's IT and communications system and virtual learning environment (and monitoring the same) all in accordance with our IT policies
- Operational management including the compilation of pupil records; the administration of invoices, fees and accounts; the management of the school's property; the management of security and safety arrangements and monitoring of the school's IT and communications systems; management planning and forecasting; research and statistical analysis; the administration and implementation of the school rules and policies for pupils and staff; the maintenance of historic archives
- Where otherwise reasonably necessary for the school's purposes, including to obtain appropriate professional advice and insurance for the school
- Staff administration including the recruitment of staff and engagement of contractors (including compliance with DBS procedures); administration of payroll, pensions and sick leave; review and appraisal of staff performance; conduct of any grievance, capability or disciplinary procedures; and the maintenance of appropriate human resources records for current and former staff; and providing references;
- To make use of photographic images of pupils, staff and parents in school publications, on the school website and (where appropriate) on the school's social media channels in accordance with the school's policy on Taking, Storing and Using images of Children;
- The promotion of the school through its website, the prospectus and other publications and communications (including through our social media channels);
- Maintaining relationships with past pupils and the wider school community by communicating with the body of current and former pupils and/or their parents or guardians and organising events.
- To give and receive information and references about alumni, current and prospective pupils, including relating to outstanding fees or payment history, to/from any educational institution that the pupil attended or where it is proposed they attend; and to provide references to potential employers;

In addition, the school may need to process special category personal data (concerning health, ethnicity, religion, special educational needs) or criminal records information (such as when carrying out DBS checks) in accordance with rights or duties imposed on it by law, including as regards safeguarding and employment, or from time to time by explicit consent where required. These reasons may include:

- To safeguard pupils' welfare and provide appropriate pastoral (and where necessary, medical) care, and to take appropriate action in the event of an emergency, incident or

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accident, including by disclosing details of an individual's medical condition where it is in the individual's interests to do so: for example for medical advice, social services, insurance purposes or to organisers of school trips;

- To provide educational services in the context of any special educational needs of a pupil;
- In connection with employment of its staff, for example DBS checks, welfare or pension plans;
- For legal and regulatory purposes (for example child protection and health and safety) and to comply with its legal obligations and duties of care.

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;
- car details (about those who use our car parking facilities);
- bank details and other financial information, e.g. about parents who pay fees to the school;
- past, present and prospective pupils' academic, disciplinary, admissions and attendance records (including information about any special needs)
- where appropriate, information about individuals' health, and contact details for their next of kin;
- references given or received by the school about pupils and staff, and information provided by previous educational establishments and/or other professionals or organisations working with pupils;
- images of pupils (and occasionally other individuals) engaging in school activities (in accordance with the school's policy on Taking, Storing and Using Images of Children).

HOW THE SCHOOL COLLECTS DATA

Generally, the school receives personal data from the individual directly (including, in the case of pupils, from their parents). This may be via a form, or simply in the ordinary course of interaction or communication (such as email, telephone, written assessments or conversations).

However, in some cases personal data may be supplied by third parties (for example another school, or other professionals or authorities working with that individual); or collected from third party or publicly available resources (for example, if you post something on the St Hugh's Twitter page, or if we find out about one of your achievements through a story in the local newspaper, or if someone else tells us).

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WHO HAS ACCESS TO PERSONAL DATA AND WHO THE SCHOOL SHARES IT WITH

Occasionally, the school will need to share personal information relating to its community with third parties, such as professional advisers (lawyers and accountants) or relevant authorities (HMRC, police or the local authority).

For the most part, personal data collected by the school will remain within the school, and will be processed by appropriate individuals only in accordance with access protocols (i.e. on a 'need to know' basis). Particularly strict rules of access apply in the context of:

- medical records (held and accessed only by the lead nurse and appropriate medical staff under her supervision, or otherwise in accordance with express consent);
- pastoral files;
- safeguarding files held by the DSL (Designated Safeguarding Lead), Deputy Head Pastoral (DHP), Richard Clarke.

However, a certain amount of any SEN 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.

Staff, pupils and 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 may include file notes on personnel or safeguarding files, and in some cases referrals to relevant authorities such as Social Services, the LADO or police. For further information about this, please view the school's Safeguarding Policy.

Finally, in accordance with Data Protection Law, some of the school's processing activity is carried out on its behalf by third parties, such as IT systems, web developers or cloud storage providers. This is always subject to contractual assurances that personal data will be kept securely and only in accordance with the school's specific directions.

HOW LONG WE KEEP PERSONAL DATA

The school will retain personal data securely and only in line with how long it is necessary to keep for a legitimate and lawful reason; this will be in accordance with school's Storage and Retention Policy. The school follows the legal recommendation for how long to keep ordinary staff and pupil personnel files following departure from the school. However, incident reports and safeguarding files will need to be kept much longer, in accordance with specific legal requirements. If you have any specific queries about how this policy is applied, or wish to request that personal data that you no longer believe to be relevant is considered for erasure,

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please contact Alistair Hamilton, The Bursar. However, please bear in mind that the school may have lawful and necessary reasons to hold on to some data.

St Hugh's School has a Record Retention Policy which specifies how long we will keep different types of data.

KEEPING IN TOUCH AND SUPPORTING THE SCHOOL

The school (in accordance with your preferences) will use the contact details of parents, alumni and other members of the school community to keep them updated about the activities of the school, and parent events of interest, including by sending updates and newsletters, by email and by post.

Should you wish to limit or object to any such use, or would like further information about them, please contact Alistair Hamilton, The Bursar, in writing. You always have the right to withdraw consent, where given, or otherwise object to direct marketing. However, the school may need nonetheless to retain some of your details (not least to ensure that no more communications are sent to that particular address, email or telephone number).

YOUR RIGHTS

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 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, should put their request in to Alistair Hamilton, The Bursar. You can contact him via: bursar@st-hughs.co.uk

The school will endeavour to respond to any such written 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. Time-limits can be reasonably extended if the SAR is not specific or limited in time and scope and/or if school holidays/staff availability prevent timely collation of data. The school will be better able to respond quickly to specific, targeted requests for information. If the request is similar to previous requests and/or manifestly unfounded or excessive, the school may refuse to comply.

You should be aware that certain data is exempt from the right of access. This may include information which identifies other individuals, or information which is subject to legal professional privilege. The school is also not required to disclose any confidential references given by the school for the purposes of the education, training or employment of any individual.

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Parents, staff and alumni can make subject access requests for their own, personal data. Parents can also make subject access requests for the children they are responsible for. While a person with parental responsibility will be expected to make a subject access request on behalf of pupils, the information in question is always considered to be the child's, by law. A pupil of any age may ask a parent or other representative to make a subject access request on his/her behalf. Pupils at St Hugh's School are generally assumed to not have the level of maturity to do this themselves, although this will depend on both the child and the personal data requested, including any relevant circumstances at home. All subject access requests from pupils will therefore be considered on a case by case basis.

Where the school is relying on consent as a means to process personal data, any person may withdraw this consent at any time (subject to similar age considerations as above). Please be aware however that the school may have another lawful reason to process the personal data in question even without your consent.

That reason will usually have been asserted under this Privacy Notice or may otherwise exist under some form of contract or agreement with the individual (e.g. an employment or parent contract, or through a purchase of goods and services).

WHOSE RIGHTS

The rights under Data Protection Law belong to the individual to whom the data relates. However, the school will rely on parental consent to process personal data relating to pupils (if consent is required) unless, given the nature of the processing in question, and the pupil's age and understanding, it is more appropriate to rely on the pupil's consent.

In general, the school will assume that pupils' 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 pupil's activities, progress and behaviour, and in the interests of the pupil's welfare, unless, in the school's opinion, there is a 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 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 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 school's policies and rules. Staff are under professional duties to do the same, covered under the relevant staff policy.

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DATA ACCURACY AND SECURITY

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 appropriate contact in school of any changes to information held about them to office@st-hughs.co.uk.

An individual has the right to request that any inaccurate or out-of-date information about them is erased or corrected (subject to certain exemptions and limitations under Act); please see above.

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 will be made aware of this policy and their duties under Data Protection Law and receive relevant training.

QUERIES AND COMPLAINTS

Any comments or queries on our Privacy Notice or Data Protection Policy should be directed to Alistair Hamilton, The Bursar, using the following contact details; bursar@st-hughs.co.uk.

If an individual believes that the school has not complied with this Privacy Notice or acted otherwise than in accordance with Data Protection Law, they should utilise the school complaints procedure and should also notify the Designated Data Security Lead (DDSL). You can also make a referral to or lodge a complaint with the Information Commissioner's Office (ICO), although the ICO recommends that steps are taken to resolve the matter with the school before involving the regulator.

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