PRIVACY NOTICE

RGS

PRIVACY NOTICE

Newcastle upon Tyne Royal Grammar School

INTRODUCTION

This policy applies to anyone who works for, or acts on behalf of, the Newcastle upon Tyne Royal Grammar School, the "school", including staff, volunteers, self-employed coaches and tutors, Governors and service providers as well as those individuals applying for a position at the School.

This policy also applies to the following related institutions:

(a) The RGS Educational Trust

(b) RGS Trading Ltd

(c) The RGS Support Staff Pension Plan

(d) The Old Novocastrians' Association.

As part of its operations, the school is required to process relevant *personal data*, both paper-based and electronic, and the school will take all steps to do so in accordance with this policy and the **UK General Data Protection Regulation (EU 2016/679)** and the **UK Data Protection Act 2018** (*the Acts*). For the purposes of the Act, the school is the *Data Controller.*

In accordance with the Act, the school has notified the Information Commissioner's Office (ICO) of its data processing activities. The school's ICO registration number is Z5794887.

WHAT THIS PRIVACY NOTICE IS FOR

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

Personal data means data that relates to a living individual who can be identified from those data or from those data and other information, which is in the possession of, or is likely to come into the possession of, the Data Controller. This includes information recorded as part of a relevant filing system, i.e. any data relating to individuals structured in such a way that specific information relating a particular individual is readily available.

This information is provided because Data Protection Law gives individuals rights to understand how their data is used. Staff, parents and pupils 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 ARCHIVES ACCESS POLICY;
- the school's CCTV POLICY;
- the school's RETENTION OF RECORDS POLICY;
- 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 ACCEPTABLE USE POLICIES, ESAFETY POLICY, JUNIOR SCHOOL COMPUTING POLICY, REMOTE WORKING POLICY and BRING YOUR OWN DEVICE 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 and the school's DATA PROTECTION POLICY for staff, which also provides further information about how personal data about those individuals will be used.

RESPONSIBILITY FOR DATA PROTECTION

The school and its associated bodies have appointed the Director Finance & Operations as its Privacy and Compliance Officer 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 policy and Data Protection Law.

The Director Finance & Operations may be contacted at:

The Royal Grammar School
Eskdale Terrace
Newcastle upon Tyne
NE2 4DX
communications@rgs.newcastle.sch.uk
0191 281 3940

WHY THE SCHOOL NEEDS TO PROCESS PERSONAL DATA

In order to carry out its ordinary duties to staff, pupils and parents, the school needs to process a wide range of personal data about individuals (including current, past and prospective staff, pupils or parents) 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 will fall within that category of its "**legitimate interests**":

- For the purposes of pupil selection (and to confirm the identity of prospective pupils and their parents);

- To provide education services, including musical education, physical training or spiritual development, career services, and extra-curricular activities to pupils, and monitoring pupils' progress and educational needs, including where such services are provided remotely (either temporarily or permanently);

- Maintaining relationships with alumni and the school community, including direct marketing or fundraising activity. This extends to undertaking donor due diligence, to meet money laundering regulations, as well as to confirm the identity of prospective donors and their background [and relevant interests]. We undertake in-house research and may from time to time engage specialist agencies to gather information from publicly available sources e.g. Companies House, the Electoral Register, company websites, social networks such as LinkedIn, political and property registers and news archives. You will always have the right to opt out of this processing. We may also carry out research using publicly available information to identify individuals who may have an affinity to our cause but with whom we are not already in touch. This may include people connected to our current major supporters, trustees or other lead volunteers. Such research helps us to focus conversations with individuals about fundraising and volunteering in the most effective way, and ensure that we provide an experience which is appropriate for our donors or potential donors.

- For the purposes of management planning and forecasting, research (for example, to assess the impact of price increases on current families) and statistical analysis, including that imposed or provided for by law (such as tax, diversity or gender pay gap analysis);
- To enable relevant authorities to monitor the school's performance and to intervene or assist with incidents as appropriate;
- To give and receive information and references about past, 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 of past pupils;
- To enable pupils to take part in national or other assessments, and to publish the results of public examinations or other achievements of pupils of the school;
- To safeguard pupils' welfare and provide appropriate pastoral care;
- To monitor (as appropriate) use of the school's IT and communications systems in accordance with the school's IT: ACCEPTABLE USE POLICY;
- To make use of photographic images of pupils 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;
- For security purposes, including CCTV in accordance with the school's CCTV POLICY;
- For regulatory record keeping / compliance purposes in respect of immigration requirements, as a visa sponsor and employer
- To make an informed recruitment decision and ensure a fair recruitment process;
- To comply with our equal opportunities monitoring obligations and to follow our equality and other policies;
- RGS Archives processes records of enduring value which contain personal data, for archiving purposes in the public interest;
- To carry out or cooperate with any school or external complaints, disciplinary or investigation process; and
- Where otherwise reasonably necessary for the school's purposes, including to obtain appropriate professional advice and insurance for the school.

In addition, the school will on occasion need to process **special category personal data** (concerning health, ethnicity, political opinions, religion or philosophical beliefs, biometrics, sexual orientation or sex life) 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 will 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 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 or to caterers or organisers of school trips who need to be made aware of dietary or medical needs;
- To 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 or other members of the School community, and sharing this information with relevant health authorities;

- 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, union membership or pension plans;
- As part of any school or external complaints, disciplinary or investigation process that involves such data, for example if there are SEN, health or safeguarding elements; or
- For legal and regulatory purposes (for example child protection, diversity monitoring 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 or whose child(ren) are in receipt of a bursary and any anti-money laundering information we are required to collect by law;
- past, present and prospective pupils' academic, disciplinary, admissions and attendance records (including information about any special needs), and examination scripts and marks;
- personnel files, including in connection with academics, employment or safeguarding;
- nationality and other immigration status information (eg right to work / study), including copies of passport information;
- where appropriate, information about individuals' health and welfare, and contact details for their next of kin;
- references given or received by the school about pupils, and relevant information provided by previous educational establishments and/or other professionals or organisations working with pupils;
- correspondence with and concerning staff, pupils and parents, past and present; and
- images and recordings of pupils (and occasionally other individuals) engaging in school activities, and images captured by the school's CCTV system (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 or written assessments).

However, in some cases personal data will be supplied by third parties (for example another school, or other professionals or authorities working with that individual); or collected from publicly available resources.

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:

- appropriate contractors, such as visiting music teachers;
- professional advisers (e.g. lawyers, insurers, PR advisers and accountants);
- government authorities (e.g. HMRC, DfE, police or the local authority);
- appropriate regulatory bodies (e.g. NCTL, the Independent Schools Inspectorate, the Charity Commission, the Pensions Regulator or the Information Commissioner);
- examination boards (e.g. OCR, JCQ);
- Stage 3 complaints panels, which will include independent panel members;
- to agents contracted for specific school related projects (e.g. online resources such as Office 365, SOCS, Evolve);
- to base line data and value-added assessment providers (e.g. CEM, GLA, ALPS, Hodder etc);
- The RGS Support Staff Pension Plan; and
- the Old Novocastrians' Association.

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 school doctor and appropriate medical staff under his/her supervision, or otherwise in accordance with express consent; and
- pastoral or safeguarding files.

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.

The Regulation applies in all countries which are members of the European Community. If it is necessary for any reason to transmit personal data outside the European Community, the consent of the data subject will be sought first.

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 is likely to include file notes on personnel or safeguarding files, and in some cases referrals to relevant authorities such as 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, direct mailing companies 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. Typically, the legal recommendation for how long to keep ordinary staff and pupil personnel files 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. Details of the school's RECORDS RETENTION

PROCEDURE & SCHEDULE is available on the school website.

If you have any specific queries about how our retention policy is applied, or wish to request that personal data that you no longer believe to be relevant is considered for erasure, please contact the Director Finance & Operations. 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 a request**.

A limited and reasonable amount of information will be kept for archiving purposes for example; and even where 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").

Further details on the school's records retention policy can be found in RGS RECORDS RETENTION PROCEDURE & SCHEDULE.

KEEPING IN TOUCH AND SUPPORTING THE SCHOOL

The school and the related institutions mentioned above 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, or alumni and parent events of interest, including by sending updates and newsletters, by email and by post. Unless the relevant individual objects, the school will also:

- Share personal data about parents and/or alumni, as appropriate, with organisations set up to help establish and maintain relationships with the school community, such as the Old Novocastrians' Association and Junior Family Group;
- contact parents and/or alumni, including via the organisations above, by post and email in order to promote and raise funds for the school and, where appropriate, other worthy causes;
- should you wish to limit or object to any such use, or would like further information about them, please contact the Director of Finance & Operations in writing. You always have the right to withdraw consent, where given, or otherwise object to direct marketing or fundraising. However, the school is nonetheless likely 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

The school will fully respect your rights under the Regulations including:

- to obtain access to, and copies of, the personal data that we hold about you;
- to require us to correct the personal data we hold about you if it is incorrect;
- to require us (in certain circumstances) to erase your personal data;
- to request that we restrict our data processing activities (and, where our processing is based on your consent, you may withdraw that consent, without affecting the lawfulness of our processing based on consent before its withdrawal);
- to receive from us the personal data we hold about you which you have provided to us, in a reasonable format specified by you, including for the purpose of you transmitting that personal data to another data controller;
- to object, on grounds relating to your particular situation, to any of our particular processing activities where you feel this has a disproportionate impact on your rights.

Please note that the above rights are not absolute, and we may be entitled to refuse requests where exceptions apply. 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 generally

one month, but actually fulfilling more complex or multiple requests, e.g. those involving third party information, may take 1-2 months longer).

Rights of access, etc.

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 put their request in writing to the Director of Finance and Operations.

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). If it is not possible to respond within one month due to the request being complex or there being a number of requests from the same individual, we can extend the time to respond by a further two months. We will let the individual know within one month of receiving their request explaining why the extension is necessary.

The school will be better able to respond quickly to smaller, targeted requests for information. If the request for information is manifestly unfounded or excessive the school may ask you to reconsider, or require a proportionate fee (but only where Data Protection Law allows it) or may refuse to respond to such a request. A request may be manifestly unfounded if the individual has no clear intention to access the information or is malicious in intent and is using the request to harass an organisation with no real purposes other than to cause disruption. Whether a request is excessive depends on its particular circumstances. A request may be excessive if it repeats the substance of previous requests and a reasonable interval has not elapsed; or overlaps with other requests.

Requests that cannot be fulfilled

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 further 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 pupil examination scripts (or other information consisting solely of pupil 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.

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.

Pupil requests

Pupils 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 pupil of any age may ask a parent or other representative to make a subject access request on his/her behalf.

Indeed, while a person with parental responsibility will generally be entitled to make a subject access request on behalf of younger pupils, the law still considers the information in question to be the child's: for older pupils, the parent making the request may need to evidence their child's authority for the specific request.

Pupils in the Senior 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. Older Junior School children may however be sufficiently mature to have a say in this decision, depending on the child and the circumstances.

Parental requests, etc.

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 pupils without their consent. The school may consider there are lawful grounds for sharing with or without reference to that pupil.

Parents will, in general, receive educational and pastoral updates about their children, in accordance with the Parent Contract.

All information requests from, on behalf of, or concerning pupils – whether made under subject access or simply as an incidental request – will therefore be considered on a case by case basis.

Consent

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). Examples where we do rely on consent are: uses of images and recordings (see the RGS PHOTOGRAPHY IN SCHOOL POLICY), transfer of data to foreign universities as part of their application process, where visas are required for certain overseas trips and certain types of fundraising activity. Please be aware however that the school may not be relying on consent but 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 because a purchase of goods, services or membership of an organisation such as an alumni or parents' association has been requested).

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 pupils – for example, under the parent contract, or via a form. Parents and pupils 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 pupil's age and understanding – to seek the pupil'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 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. That is 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 ACCEPTABLE USE POLICIES, ESAFETY POLICY, JUNIOR SCHOOL COMPUTING POLICY, and BRING YOUR OWN DEVICE POLICY and the school rules. Staff are under professional duties to do the same covered under the relevant staff ACCEPTABLE USE POLICY, ESAFETY POLICY, REMOTE WORKING POLICY and BRING YOUR OWN DEVICE POLICY.

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 school via the online Parent Portal or 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 or inaccurate or 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, 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.

THIS POLICY

The school 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.

QUERIES AND COMPLAINTS

Any comments or queries on this policy should be directed to the Director of Finance and Operations using the following contact details The Royal Grammar School, Eskdale Terrace, Newcastle upon Tyne, NE2 4DX, communications@rgs.newcastle.sch.uk or 0191 281 3940.

If an individual believes that the school has not complied with this policy or acted otherwise than in accordance with Data Protection Law, they should utilise the school complaints/grievance procedures as appropriate and should also notify the Director of Finance and Operations. Without prejudice to any administrative or judicial remedy, you have the right to lodge a complaint with the supervisory authority, the Information Commissioner's Office (ICO), if you consider that the processing of your personal data infringes the principles of the Regulations, although the ICO recommends that steps are taken to resolve the matter with the school before involving the regulator. Their address is as follows:

Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire
SK9 5AF

or via their website at https://ico.org.uk/make-a-complaint/

RGS

CONTACT DETAILS

Royal Grammar School, Eskdale Terrace, Newcastle upon Tyne NE2 4DX

Tel: 0191 281 5711

General enquiries: communications@rgs.newcastle.sch.uk

www.rgs.newcastle.sch.uk

This policy applies to the whole school and is published to parents, students and staff
Updated: August 2024 Reviewed: August 2025 Author: N Miller