Culford School Privacy Notice

Parents and Pupils

Who We Are

Culford School, Bury St Edmunds, Suffolk, I28 6TX.

Culford is an Independent Boarding and Day School for pupils aged between 1 to 18 years and is part of the Methodist Independent Schools Trust. Registered Office: 27 Tavistock Square, London, WC1H 9HH. Charity No. 1142794. Company No.7649422.

Culford School is the controller and processor of data for Culford Nursery, Senior, Preparatory and Pre Preparatory School, Sports and Tennis Centre and commercial activities.

What this Privacy Notice is for

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

This makes the School a data controller of your personal information and this information is provided because data protection law gives individuals rights to understand how their data is processed.and this Privacy Notice sets out how we will use that information and what your rights are in respect of the data we hold about you. Please note that the School has a separate Privacy Notices for:

1. Staff - Employees, volunteers, self-employed staff and governors.
2. Commercial customers
3. Contractors and visitors
4. Pupil friendly version of this privacy notice.
5. Foundation Privacy Notice

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 the parents of pupils;
- the school' s data protection policy;
- the School's use of images;

- the School's CCTV, dashcam and sports performance cameras policy;
- the School's retention of records policy;
- the School's safeguarding, pastoral or health and safety policies, including how concerns or incidents are recorded; and
- the School's IT policies, including its Acceptable Use policy and ICT policy.

Responsibility for Data Protection

The School has appointed the Head of Compliance as the Data Protection Lead who will deal with your requests and enquiries concerning the School's processing 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. You can contact the School's Head of Compliance using these details:

The Head of Compliance, Culford School, Culford, Bury St Edmunds, Suffolk, IP28 6TX or email Compliance@culford.co.uk

Why the School needs to Process Personal Data

In order to carry out our ordinary duties to staff, pupils, parents, prospective parents and commercial customers, the School needs to process a wide range of personal data about our community as part of our daily operations.

Some of this activity the School will need to carry out in order to fulfil our legal rights, duties or obligations including those under a contract with our staff and parents of 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 our (or our community's) "**legitimate interests**":

- For the purposes of pupil application and selection, to confirm the identity of prospective pupils and their parents, and retain a record (if appropriate) for the purposes of future applications or openings;
- To carry out credit, identity and source of funds checks, whether with previous schools and/or third party sources or service providers, including for the purposes of verifying that parents are not subject to (or within the purview of) sanctions;
- Gift Aid declaration information, where relevant (for example, where we help you administer donations to charity from your pre-taxed earning);
- To provide education services (including musical education, physical training performance sports training, 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);
- To report to and liaise with parents about their child's progress, welfare, development and attendance including by way of regular reports and parents' evenings;
- To organise and manage meetings, events and social engagements for pupils and parents;

- To maintain relationships with alumni and the School community, including by direct marketing or fundraising activity;
- For the purposes of donor due diligence, and to confirm the identity of prospective donors and their background;
- For the purposes of management planning and forecasting, research 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 and current 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 health and welfare and provide appropriate pastoral care (including following the requirements and recommendations of the government's guidance on *Keeping Children Safe in Education* (or "KCSIE");
- To provide you with access to software, including AI, that supports the school's education purposes, for example, google classroom, Microsoft 365, SOCS; and for parents to access or share information for example to facilitate parents' evenings, use parent portals, book transport.
- To monitor (as appropriate) use of the School's IT and communications systems in accordance with the School's 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 Use of Images Policy;
- For security and safeguarding purposes, including by operating security cameras in various locations on the School's premises;
- For the prevention and detection of crime, and in order to assist with investigations (including criminal investigations) carried out by the police and other competent authorities;
- To carry out or cooperate with any School or external complaints, disciplinary or investigation process;
- To promote the School to prospective parents and pupils; 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, religion, biometrics or sexual life) or criminal records information (such as when carrying out DBS checks) in accordance with rights or duties imposed on us by law, including as regards safeguarding, 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 health / medical condition or other relevant information where it is in the individual's interests to do so: for example for emergency medical care, to arrange the assessment and diagnosis of a pupil's health and medical conditions and special educational needs, for social protection, safeguarding, health and safety 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;
- To provide educational services in the context of making reasonable adjustments for a pupil's disability and/or any special educational needs of a pupil;
- To provide spiritual education in the context of any religious beliefs;
- As part of any School or external complaints, disciplinary or investigation process that involves such data, for example if there are SEND, health or safeguarding elements; or
- For legal and regulatory purposes (for example child protection, diversity monitoring, health and safety and immigration / visa sponsorship compliance) 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, e-mail 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 (or others) who pay fees to the School, and any source of funds and/or anti-money laundering information we are required to collect by law;
- past, present and prospective pupils' academic, disciplinary, admissions, safeguarding and attendance records, and examination scripts and marks;
- nationality and other immigration status information (e.g. right to enter, live and [work or] study in the United Kingdom), including copies of passport information;
- information about pupils' health and medical conditions, special educational needs and family circumstances / living arrangements;
- contact details for 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 pupils and parents (past and present); and
- images 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) with the School.

However in some cases, personal data will be supplied by third parties (for example another school, or other professionals or authorities, or third party service providers who may credit and identity check parents and their source of funds); or collected from publicly available resources.

Who has Access to Personal Data and who the School shares it with

Processing by third parties. 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). However, some functions are outsourced including but not limited to e.g. accounting, IT, cloud storage / records management, monitoring, mailing, health services, sports activity provider and catering. In accordance with data protection law, this type of external data processing is always subject to contractual assurances that personal data will be kept securely and used only in accordance with the school's specific directions.

Data sharing. Occasionally, the School – including its governing body – will need to share personal information relating to its community of pupils and parents with third parties, such as:

- appropriate contractors, such as visiting music teachers, catering providers, physiotherapist, councillors etc.
- professional advisers (e.g. lawyers, insurers, PR advisers, accountants);
- examination boards;
- Stage 3 complaints panels, which may include independent panel members such as when a complaint is raised (and in accordance with the School Complaints Procedure, this requires the involvement of independent panel members);
- third parties and their advisers in the event of a possible or actual sale, merger or other restructuring of the school; and
- government authorities (e.g. HMRC, DfE, CAFCASS, police, Home Office, a relevant public health / NHS body and / or local authority) and/or appropriate regulatory bodies e.g. the Teaching Regulation Agency, the Independent Schools Inspectorate, the Charity Commission etc.
- If you are a parent and a member of the Parent Teacher Association ("PTA"), the School may share your contact details with the PTA. The PTA is a separate data controller and the School is not responsible for the PTA's processing of personal data.
- Culford School's Foundation to support Culford's Alumni to make connections, friendships, reunions and support fundraising. (See the Foundation's Privacy Notice on the school website)
- If the school has a joint controller or data sharing arrangement with any third party.
- If the school employs a PhD student whose doctorate analyses school data; such data will always be pseudonymised unless consent is sought from the data subject.

Access to and sharing of Special Category Data

Particularly, strict rules of access apply in the context of "special category" data, most notably:

- health and medical / special needs records; and
- pastoral or safeguarding files.

Medical / health data. The School needs to process such information to comply with statutory duties and to keep pupils and others safe, but the School will ensure only authorised staff can access information on a need-to-know basis. This may include wider dissemination if needed for school trips or for catering purposes within the school and to third party providers e.g. tour operators, sports and activity providers, medical services. Explicit consent will be sought where appropriate. However, a

certain amount of any 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.

Safeguarding data. The School is under duties imposed by law and statutory guidance (including Keeping Children Safe in Education or 'KCSIE') to record or report incidents and concerns that arise or are reported to it, in some cases regardless of whether they are proven, if they meet a certain threshold of seriousness in their nature or regularity. This is likely to include notes on personnel or safeguarding files, low-level concerns records kept about adults (which may include references to pupils or family members), and in some cases referrals to relevant authorities such as the LADO, Children's Services, CAMHS or the police.

KCSIE also requires that, whenever a child leaves the School to join another school or college, their child protection file is promptly provided to the new organisation, along with any other information which the School's *Designated Safeguarding Lead* considers material to the ongoing care needs of any pupil. Where appropriate, the School will consult with parents as to how these needs are best served, but ultimately the decision as to what information is necessary to share with the new school or college is a safeguarding question that must be reserved to the School. The School will retain a copy of the child protection file in accordance with its retention policy for material related to safeguarding matters.

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. 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 our retention policy is applied, or wish to request that personal data that you no longer believe to be relevant is considered for erasure or please contact The Compliance Office at compliance@culford.co.uk. However, please bear in mind that the School will often have lawful and necessary reasons to hold onto some personal data, even following such 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").

Keeping in Touch and Supporting the School

Culford Foundation 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.
- Contact parents and/or alumni by post and email in order to promote and raise funds for the school and, where appropriate, other worthy causes;
- Collect information from publicly available sources about parents' and former pupils' occupation and activities, in order to maximise the school's fundraising potential.

Should you wish to limit or object to any such use, or would like further information about them, please contact the Foundation@culford.co.uk . 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).

For further information Culford School Foundation's management of personal information, please see **CULFORD SCHOOL FOUNDATION PRIVACY NOTICE**

Your Rights

Individuals (both pupils and parents) have various rights under data protection law to access and understand their own personal data held and processed by the School, and in some cases ask for it to be erased or amended, or to have it transferred elsewhere, or for the School to stop processing it but subject to certain exemptions and limitations.

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 generally one month, however, fulfilling more complex or multiple requests, e.g. those involving third party information, may take 1-2 months longer. In any case the school will write to you as soon as possible and before the one month period if it needs to extend its response time.

As a data subject, you have a number of rights. You can:

- access and obtain a copy of your data on request;
- require us to change incorrect or incomplete data;
- require us to delete or stop processing your data, for example where the data is no longer necessary for the purposes of processing;
- object to the processing of your data where we are relying on our legitimate interests as the legal ground for processing; and
- ask us to stop processing data for a period if data is inaccurate or there is a dispute about whether or not your interests override our legitimate grounds for processing data.

If you would like to exercise any of these rights, please contact the Compliance Office at compliance@culford.co.uk

- Rights of access, etc.

The School will be better able to respond quickly to smaller, targeted requests for information made during term time. If the request for information is manifestly excessive or similar to previous requests, the school may ask you to reconsider or require a reasonable fee for the administrative costs of complying with the request, or in certain cases refuse the request (but only where data protection law allows it, and in accordance with relevant regulatory guidance).

If you consider that the personal data we hold is inaccurate, please let us know. We welcome any request for the right to rectification or the right to erasure.

However, the School will not necessarily delete or amend views, opinions, notes or records purely on the request of an individual who disputes the account, although we may keep a record of all parties' viewpoints.

- Requests that cannot be fulfilled

You should be aware that UK GDPR rights (including the right of access) are limited to your own personal data, and certain data is exempt. 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, or where a duty of confidence is owed by a legal adviser).

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 proportionate legitimate interest identified in this Privacy Notice. Generally, if the School still considers the processing of the personal data to be reasonably necessary, it is entitled to continue. All such requests will be considered on their own merits.

The School is also not required to:

- disclose any pupil examination scripts (or other information consisting solely of pupil test answers, potentially including in mock exam scripts or other types of exams / tests used to assess performance – although markers' comments may still be disclosable if they constitute pupil personal data); or
- provide examination or other test marks ahead of their ordinary publication date, nor share any confidential reference held by the school that was (or will be) given for the purposes of the education, training, appointment or employment of any individual.

Requests by or on behalf of pupils

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. Requests not considered in the child's best interests may sometimes be refused.

Pupils aged e.g. 12/13 and above 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. Slightly younger children / Older Prep 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. Where parents are separated, the School will in most cases 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, court orders, or pastoral issues.

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: certain types of uses of images, certain types of fundraising activity or where pupils and parents elect to be involved in educations studies for PhD student's placements. 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. a 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, either alongside or in place of parental 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 IT: Acceptable Use Policy and the School rules.

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 notify the relevant person 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.

Changes to this Privacy Notice

We reserve the right to update this privacy notice at any time.

Responsibility for Data Protection

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The Head of Compliance, Culford School, Culford, Bury St Edmunds, Suffolk, IP28 6TX or email Compliance@culford.co.uk

Data Protection Complaints

If you believe that we have broken your data protection or privacy rights, or you are unhappy with how the school has managed your data, you can complain to us direct by contacting the Compliance Office Compliance@culford.co.uk. Culford School's Data Protection Complaints Policy has further information about the complaints process.

If you are not happy with our response, or you want to contact the UK Information Commissioner's Office, which regulates and enforces data protection law in the UK, you can find details about how to do this at www.ico.org.uk.

If you have any questions about this privacy notice, please contact the Compliance Office on the details above.