Please acknowledge receipt by signing and returning the slip at the end of this Notice.

ELM GREEN PREPARATORY SCHOOL

PRIVACY NOTICE FOR PUPILS, PARENTS AND GUARDIANS AND STAFF

The General Data Protection Regulation (GDPR May 2018) and Data Protection Act includes rules on giving privacy information to those whose data is held by an organisation ("data subjects"). For the purposes of GDPR, Elm Green Preparatory School ("the School") is the "data controller" of personal data about pupils and their parents and/or guardians and staff ("personal data").

This document is intended to provide information about how the school will use (or "process") personal data about individuals. This Privacy Notice applies in addition to the school's other relevant terms and conditions and policies.

What is Personal Data?

Personal data includes everything from which a data subject can be identified. It ranges from simple contact details via personnel or pupil files to safeguarding information, and encompasses opinions, file notes or minutes, a record of anyone's intentions towards that person, and communications (such as emails) with or about them.

Personal data processed by the School

Personal data processed by the School includes contact details, national curriculum and other assessment results, admissions and attendance information, disciplinary, special educational needs, and images of pupils engaging in School activities (and in relation to parents and/or guardians, may include financial information). The School may also process sensitive personal data such as ethnic group, religious beliefs and relevant medical information. Your personal data will usually be collected directly from you, but some may be passed to the School by third parties.

Purposes for which Personal Data may be processed

Your personal data (including sensitive personal data, where appropriate) is processed by the School strictly in accordance with the GDPR and Data Protection Act in order to:

- assist in the process of pupil selection (and to confirm the identity of prospective pupils and their parents)
- support teaching and learning of its pupils, including extra-curricular activities
- monitor and report on their progress
- enables pupils to take part in national or other assessments, and to publish examination results
- safeguard pupils' welfare and provide appropriate pastoral care
- assess how well the School as a whole is doing
- communicate with former pupils
- monitor (as appropriate) use of the school's IT and communication systems in accordance with the school's IT Acceptable User Agreements
- where appropriate, promote the School to prospective parents and pupils (including through the School's prospectus and website)

- make use of photographic images of pupils in school publications and on the school website in accordance with the school's policy on taking, storing and using images of children
- monitor security through CCTV and
- other reasonable purposes relating to the operation of the School.

In addition, the school may need to process **special category personal data** (eg concerning health, ethnicity or religion) or criminal records information (such as 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 when 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 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
- 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.

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 (such as emails or written assessments).

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).

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

Occasionally, the School may pass your personal data (including sensitive personal data where appropriate) to third parties, including local authorities, other public authorities, schools receiving our students, independent school bodies such as the Independent School Inspectorate and the Independent Schools Council, health and social care professionals and the School's professional advisors, who will process the data.

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
- 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.

Staff, pupils and parents are reminded that the school is under duties imposed by law and statutory guidance (including 'Keeping Children Safe in Education' - 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 may include file notes on personnel or safeguarding files, and in some cases referrals to relevant authorities such as the Local Authority Designated Officer (LADO) or police. Further details are contained in the 'Safeguarding, Child Protection and Promoting the Welfare of Pupils policy.

In accordance with the school's Behaviour, Anti-Bullying, E-Safety and Complaints policies the school maintains records of any reported incidents.

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 or web developers. This is subject to contractual assurances that personal data will be kept securely and only in accordance with the school's specific directions.

The School does not share personal data about existing or former pupils with other parents/guardians or with the Parents' Association. The Association is a data controller in respect of the personal data it receives, and must itself comply with the GDPR and Data Protection Act.

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 seven years following departure from the school. However, incident reports and safeguarding files will need to be kept longer, in accordance with specific legal requirements.

Your Right to Access your Personal Data

Pupils and their parents and/or guardians and staff, as data subjects, have certain rights under the Data Protection Law to access and understand personal data about them held by the school. In some circumstances individuals may 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 organisation, should put their request in writing to the school. As our pupils are under the age of 13, a parent would normally be expected to make a request on a child's behalf.

The school will endeavour to respond to any such written requests as soon as is reasonably practicable and in accordance with any statutory time limits, which is one month in the case of requests for access to information.

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 pupil examination scripts, nor any confidential reference given by the school for the purposes of the education, training or employment of any individual.

When the school is relying on consent as a means to process personal data, any person may withdraw consent at any time. Please be aware however, that the school may have another lawful reason to process the personal data in question 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).

Whose Rights

The rights under Data Protection Law belong to the individual to whom the data relates (unless in the case of a pupil when parental consent is required to process personal data). However, where a pupil seeks to raise a concern 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.

Pupils, parents and/or guardians and staff are required to respect the personal data and privacy of others, and to comply with the Elm Green e-Safety Policy and relevant IT Acceptable User Agreements. In addition, staff are under professional obligation to comply with the Elm Green Code of Conduct for Staff.

Data Accuracy and Security

The school will endeavour to ensure that all personal data held in relation to an individual is up to date and as accurate as possible. Individuals are responsible for notifying the school of any changes to information held about them.

The school will take appropriate technical and organisational steps to ensure the security of personal data about individuals, including policies around the use of technology and devices and access to school systems. All staff will be made aware of their obligations and duties under Data Protection Law and receive relevant training.

Further queries

If you have any queries about this Notice, or how the data is processed by the School, please contact the Senior Teacher – Mrs Annette Nightingale (Elm Green Compliance Officer).

In the event that an individual considers the school has not acted properly when processing personal data he/she can contact the Information Commissioner's Office – ico.org.uk.

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DATA PRIVACY NOTICE - PLEASE DETACH AND RETURN THIS SECTION

Name: …….

I/We confirm receipt of the above Date Privacy Notice

Signed: ……. Date: …….

(Pupil's Name and Relationship to Pupil if applicable:) ……..