



Brentwood School

Data Protection Privacy Notice for Pupils, Parents, Guardians and Alumni

Policy Owner:	Bursar		
Relevant to:	Whole School (3-18)		
Relevant Legislation/Guidance:	Data Protection Act 2018 Information Commissioner's Office		
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	Safeguarding Policy (inc Annex A)		

DATA PROTECTION PRIVACY NOTICE FOR PUPILS, PARENTS, GUARDIANS AND ALUMNI

1. INTRODUCTION

- 1.1.** This is the privacy policy of the Brentwood School Charitable Incorporated Organisation (Charity Number 1153605), it includes the following operating entities; the Senior and Preparatory Schools, Brentwood School Enterprises, the Brentwood School Association, the Brentwood School Foundation, and the Brentwood School Sports Centre (herein referred to collectively as the 'School', 'we', or 'us'). The School also acts as the Data Controller and Processor for the Society of Old Brentwoods who share this policy. The School is committed to protecting your data and respecting your privacy.
- 1.2.** This policy recognises the school will process personal data for a variety of 'data subjects', this can include current, past and prospective pupils, their parents, carers or guardians (parents, carers and guardians are referred to collectively as 'parents'). This policy sets out the basis on which any personal data we collect or that is provided to us from data subjects will be processed. Please read this policy carefully to understand our practices regarding your personal data and how we will treat it. Providing personal data and information to us is only permitted where you are accepting and consenting to the practices described in this policy. This policy applies to pupils, parents, guardians and alumni and should be read in conjunction with the School's terms and conditions and other applicable policies.
- 1.3.** This policy is provided on our website at <https://www.brentwoodschool.co.uk/we-are-brentwood/reports-policies> , but it will be regularly reviewed and updated so please remember to re-check it for the current version.

2. RESPONSIBILITY FOR DATA PROTECTION

- 2.1.** For the purposes of the Data Protection Act 2018 (the 'Act'), the data controller is Brentwood School Charitable Incorporated Organisation (Charity Number 1153605) at Brentwood School, Bayman Gate, Middleton Hall, Brentwood, CM15 8EE. The school's Data Protection Officer ('DPO') is the School Bursar, who is responsible for monitoring the School's compliance and you can raise any question or concern about data protection by contacting them at Brentwood School, Ingrave Road, Brentwood, Essex CM15 8AS or by email to - bursar@brentwood.essex.sch.uk.
- 2.2.** In accordance with the Act, the School has notified the Information Commissioner's Office (ICO) of its processing activities. The School's ICO registration number is Z6606833 and its registered address is Middleton Hall Lane, Brentwood CM15 8EE.

2.3. Security of your personal data

The School will take appropriate technical and organisational steps to ensure the security of data subjects' personal data, ensuring that it is held in accordance with the Principles of the Act. The School uses a Next Generation Firewall by Palo Alto Networks to protect their network, details about the certifications can be found here:

<https://www.paloaltonetworks.co.uk/legal-notices/trust-center/tech-certs>

The G Suite applications from Google are used throughout the school including storage. Details of the Google security standards can be found here: <https://cloud.google.com/security/compliance/#/industries=Education®ions=Europe>.

All staff will be made aware of this policy and their duties under the Act. The School carries out annual training of appropriate staff.

Security of your personal data

3. WHAT IS PERSONAL DATA

3.1. The Law defines personal data as:

Any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

3.2. Information you give us

You may give us personal data about you or your child in a number of ways; these include: Using, visiting or interacting with our website; visiting the School; corresponding with us by phone, email or post; and sending information to us as requested by us and/or is necessary from time to time. For example, this may include payment of fees and providing medical records to us. When providing us with personal data we require, you are doing so by consent, if you are not happy to consent please make this known to us.

3.3. Common information you provide may include the following personal data:

- Names, addresses, telephone numbers, e-mail addresses and other contact details;
- Date of birth and year group;
- Bank details and financial information, including credit card information;
- Photographs;
- Passport details, nationality and information relating to immigration status as may be required;
- Past, present and prospective pupils' academic, disciplinary, admissions and attendance records (including information about any special needs), and examination scripts and marks; and
- Details concerning race, religion and ethnicity.

3.4. Information we may receive from other sources

We may be working closely with third parties who will provide the School with your or

your child's personal data:

- This may include personal data from your child's previous or new school(s), medical practitioners, photographers, local authorities, education authorities, business partners, payment and delivery services, debt collectors, lawyers and credit reference agencies.
- Personal data related to the process of bursary and scholarship decision that will deal with both personal data about your child and your finances.
- References given or received by the School about pupils, 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. We may also use CCTV footage to ensure the School is safe.
- We may receive information about you if you use any of the websites we operate or the services we provide.

4. BASIS OF PROCESSING - OUR LEGAL GROUNDS FOR USING YOUR INFORMATION

4.1. There are six available lawful bases that the School uses for processing data:

- (a) Consent: The individual has given clear consent to process their personal data for a specific purpose.
- (b) Contract: The processing is necessary for a contract or because we were asked to take specific steps before entering into a contract.
- (c) Legal obligation: The processing is necessary to comply with the law.
- (d) Vital interests: The processing is necessary to protect someone's life or health.
- (e) Public task: The processing is necessary to perform a task in the public interest, and the task or function has a clear basis in law. (This is rarely relevant to the School).
- (f) Legitimate interests: The processing is necessary for the legitimate interests or the legitimate interests of a third party, unless there is a good reason to protect the individual's personal data, which overrides those legitimate interests.

The School uses a combination of these legal grounds for using information depending on the processing required. The most common is when 'consent' has been provided for a specific purpose or because the School has a contractual right to process data under the terms on which the pupil is a student. Because of its obligations to ensure the safety and wellbeing of pupils, the School also most commonly processes information on the legal basis of 'vital interests' or 'legal obligation'.

4.2. It is in the nature of provision of education as a School that we also process sensitive personal data. Extra care is taken with such personal data, but the processing basis will still be one of the above.

5. HOW AND WHY DOES THE SCHOOL USE PERSONAL DATA

5.1. We need to use personal data for the School to run efficiently, safely and in order to

fulfil its legal rights, duties or obligations, including those under a contract with the School's staff, or parents of its pupils. Examples include:

- For the purposes of pupil selection and to confirm the identity of prospective pupils and their parents;
- For the purposes of staff selection and to confirm the identity of prospective members of staff (including safeguarding checks);
- To provide educational services, including musical education, physical training or spiritual development, career services, and extra-curricular activities to pupils, and monitoring pupils' progress and educational needs;
- For the purposes of management planning and forecasting, research and statistical analysis, and to enable the relevant authorities to monitor the School's performance;
- 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 (and where necessary, medical) care, and to take appropriate action in the event of an emergency 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, insurance purposes or to organisers of School trips;
- To monitor (as appropriate) use of the School's IT and communications systems in accordance with the School's IT acceptable use policies;
- 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, and for regulatory and legal purposes (for example child protection and health and safety) and to comply with its legal obligations; and
- Where otherwise reasonably necessary for the School's purposes, including to obtain appropriate professional advice, services and insurance for the School.

5.2. Inevitably, there will be an overlap between what the School does that is necessary to (a) perform our contract with you, (b) carry out our legal obligations and (c) pursue a legitimate interest. If you have any questions or concerns in this regard, please contact the DPO for clarity as to the basis of particular processing.

5.3. Keeping in Touch and Supporting the School

The School 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, including by sending updates and newsletters by email and by post. Unless the relevant individual objects, the School may also:

- Share personal data about current and past parents and/or alumni, as appropriate, with organisations set up to help establish and maintain relationships with the School community, such as the School Development Office and the Society of Old Brentwoods;
- Contact current and past parents and/or alumni by post and email in order to promote and raise funds for the School; and
- Collect information from publicly available sources about current and past 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 DPO in writing.

6. SENSITIVE PERSONAL DATA CONSENT AND PHOTOGRAPHS

- 6.1.** The School will need to process individuals' sensitive personal data. Sensitive personal data includes data concerning an individual's physical or mental health, race or ethnic origin, political or religious beliefs, sexual orientation, trade union membership, or criminal records and proceedings. Sensitive personal data is entitled to special protection under the Act, and will only be processed by the School with the explicit consent of the relevant individual, or as otherwise permitted by law.
- 6.2.** You or your child do not have to give us details about your child's race, religion or ethnicity if you do not want to. If you do provide such information, the School will only use this to assist with the day-to-day running of the School and for equal opportunities monitoring purposes.
- 6.3.** We will seek your permission if we decide to post any photographs of your child on any of our marketing materials (including our prospectus, advertisements or websites).

7. COOKIES

Our website uses cookies to distinguish you from other users of our website. This helps us to provide you with a good experience when you browse our website and also allows us to improve our site. For detailed information on the cookies we use and the purposes for which we use them see our Cookie Policy which is made available on our website - <http://www.brentwoodschool.co.uk/Cookie-Policy>.

8. TRANSMISSION OF PERSONAL INFORMATION OUTSIDE THE EEA

Personal sensitive data that we process about you and your child will never be stored or processed by us outside of the European Economic Area ('EEA'). Only where we are communicated to someone like a parent who is not in the UK or a travel company outside of the EEA being used for a school trip, will any data be shared, and then only under contractual terms. Any Educational cloud software programs who store data outside the EEA will not be sent any sensitive data.

9. YOUR RIGHTS

9.1. Under the Act, you and your child have the following rights:

- The right to be informed how data is used by the School;
- The right of access to personal data held by the School. For more information please refer to the section on 'Subject Access Requests' below.
- The right to have inaccurate personal data we hold about you corrected. If a data subject believes that any of their information held by the School is incorrect or incomplete, they should contact the DPO as soon as possible. The School will promptly correct any information found to be incorrect.
- You have the right to request that we delete your and your child's personal data where:
 - (a) The personal data are no longer necessary in relation to the purposes for which they were collected or processed;
 - (b) You withdraw your consent to processing for which we previously obtained your consent;
 - (c) The personal data have been unlawfully processed; or
 - (d) We are required to erase the personal data in order to comply with the law.

9.2. **Please note:** A child over 13 years of age may exercise these rights and is legally capable of making personal data decisions independent of their parent or guardian. Please note many rights are not absolute, the right is to request. Other legal reasons can sometimes prevent the School from honouring a request.

9.3. Pupils' Rights

In most cases the School will rely on parental consent to process personal data relating to pupils unless it is more appropriate to rely on the pupil's consent. Parents should be aware that in such situations they may not be consulted. Children under the age of 13 will not be able to provide consent to the processing of their personal data.

9.4. 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.

10. SUBJECT ACCESS REQUESTS

10.1. Any data subject wishing to access their personal data should put their request in writing to the DPO. The School will respond to any such written requests (known as 'Subject Access Requests') within one calendar month of the date of receiving the request. A fee will not be charged unless the request is manifestly unfounded or excessive. Further details are available from the DPO.

10.2. Pupils can make Subject Access Requests for their own personal data. A person with parental responsibility will generally be expected to make a Subject Access Request on behalf of pupils. A pupil of any age may ask a parent or other representative to make a Subject Access Request on their behalf.

10.3. All members of the School community should be aware that certain data is exempt from the right of access under the Act. 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 (though examiners' comments may, in certain circumstances, be disclosed), nor any reference given in confidence by the School for the purposes of the education, training or employment of any individual.

11. DISCLOSURE, INFORMATION SHARING AND SAFEGUARDING PRACTICE

11.1. Personal data collected by the School will generally remain within the School, and will be processed as detailed in this policy by appropriate individuals only in accordance with the School's policies (i.e. on a 'need to know' basis). Particularly strict rules of access apply to medical records and pastoral and safeguarding files, all of which are regarded as sensitive information.

11.2. However, personal data may be disclosed where the failure to do so would result in a child or vulnerable adult being placed at risk of harm. Similarly, human rights concerns, such as respecting the right to a private and family life, would not prevent sharing where there are real safeguarding concerns. For further information, see HM Government's "Information sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers" (July 2018).

11.3. 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.

11.4. The Local Safeguarding Children Board (LSCB) can require an individual or body to comply with a request for information. This can only take place when the information requested is for the purpose of enabling or assisting the LSCB to perform its functions and any request for information about individuals should be necessary and proportionate.

11.5. Occasionally, the School will need to share personal information relating to its community with third parties, such as:

- Professional advisers (lawyers and accountants);
- Government authorities (e.g. the Department for Education, HMRC, police or the local authority). The School is under a duty to disclose personal data to social services and the police where the School has reason to believe there are

safeguarding concerns in respect of your child. For further information about this, please refer to the School's Safeguarding Policy or contact the DPO; and

- Affiliated authorities including OFSTED, the Independent Schools Council, the Independent Schools Bursars' Association, the Boarding Schools Association and the Large Independent Day Schools group. Much of the information supplied to these groups is anonymous in character.

11.6. Where your child is not British, we may have to provide information about you or your child to UK Visas and Immigration.

11.7. Any data processing carried out on the School's behalf by third parties (for example, business partners, service providers, web developers, or cloud storage providers), will always be subject to contractual assurances that personal data will be kept securely and only processed in accordance with the School's specific directions. We may also disclose your personal information when there is a legal requirement for the purposes of fraud protection and credit risk reduction.

12. QUERIES AND COMPLAINTS

12.1. If an individual believes that the School has not complied with this policy or acted or otherwise than in accordance with the Act, they should notify the DPO.

12.2. A complaint or referral can also be made to the Information Commissioner's Office (ICO), Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF. Tel (01626) 545 700. However, the ICO recommends that steps are taken to resolve the matter with the School before involving the regulator.

13. STORAGE AND RETENTION OF PERSONAL DATA RECORDS - HOW LONG DO WE KEEP YOUR INFORMATION?

13.1. The School will retain personal data securely and only in line with how long it is necessary to process your data for a legitimate and lawful reason. Incident reports and safeguarding files will need to be kept much longer, in accordance with specific legal requirements.

13.2. Typically, ordinary staff and pupil personnel files will be maintained in full up to 7 years following departure from the school. This is to meet requirements for information often requested after a pupil or member of staff departs. The school will then minimise data and only keep for historical purposes the names and periods of association with the school of Governors, Staff and Pupils. For Pupils, we will also hold key information in relation to educational progress and external examination attainment in order to respond effectively to reference requests.

13.3. If you have any specific questions about how the School's 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 DPO.

13.4 Reviews are conducted on a regular basis to ensure that all information being kept is still relevant and, in the case of personal data, necessary for the purposes for which it is held (and if so, that it is accurate and up-to-date).

14. CHANGES TO OUR PRIVACY NOTICE

Any changes that we make to this privacy notice will be posted on our website and, where appropriate, will be notified to you by email. Please check periodically to see any updates or changes to this policy. If you are unable to access the School website, paper copies of this information can be obtained directly from the School.