



Claremont Fan Court School

Privacy Notice

This is the name given to our policy on the personal information we hold about members of the school community both past and present.

Who we are

The Claremont Fan Court Foundation Limited (which trades as Claremont Fan Court School) is a Data Controller which means it determines how an individual's personal information is processed and for what purposes.

The Claremont Fan Court Foundation Limited's company registration number is 1262373 and its Charity registration number is 274664. Its registered address is Claremont Drive, Esher, Surrey, KT10 9LY, UK.

Contact details:

The Heads of Senior, Preparatory or Pre-Preparatory Schools and Bursar are listed on the welcome page of our website <http://www.claremontfancourt.co.uk/47/welcome>

They can be contacted via the contact page on the website and as follows:

Telephone: 01372 467841

Email: dataenquiry@claremont.surrey.sch.uk

November 2020

CONTENTS

Page	Item
3	What is this Privacy Notice for
3	Responsibility for data protection
3	What is personal information
3	Why the school needs to process personal information and who it shares it with
5	Special category personal information
5	Types of personal information processed by the school
6	How the school collects personal information
6	Who has access to personal information
6	Sending information to other countries
7	How long we keep personal information
7	Keeping in touch and supporting the school
7	Understanding your rights
9	Consent
9	Whose rights
9	Data accuracy and security
10	Concerns and complaints

What the Privacy Notice for?

This privacy notice provides information on how the school collects and uses (or processes) personal information (or data) about individuals including its current, past and prospective staff, pupils and their parents, carers or guardians (referred to in this notice as 'parents').

This information is provided because individuals have the right to understand how their information is used. School staff (including volunteers, governors and service providers), parents and pupils are encouraged to read this notice and understand the school's obligations to its community.

This Privacy Notice applies in addition to the school's other relevant terms and conditions and policies including staff and parent contracts, Records Retention and Technology Acceptable Usage Policies. For Governors, employees and job applicants, please also refer to the Staff and Governor and Job Applicant Privacy Notices.

Responsibility for Data Protection

The Key Leadership Team comprising the Head of the Senior, Preparatory and Pre-Preparatory Schools and the Bursar, will deal with any request about the school's use of your personal information and work to ensure your personal information is used in accordance with this Privacy Notice and Data Protection Law.

What is personal information?

Personal information is information the school holds that identifies a person as an individual. This can include information such as date of birth, address, religion, ethnic group, medical details and behaviour records. Photos and video recordings are also personal information.

Why the school needs to process personal information and who it shares it with

In order to carry out its duties to staff, pupils and parents, the school uses personal information as part of its daily operation to fulfil its legal rights, duties and obligations including those under contract with its staff or parents of its pupils.

Personal information may also be used to fulfil the school's legitimate interests, or the legitimate interests of a third party unless there is a good reason not to, for example, to protect an individual person.

Below are listed examples of the different ways in which the school may share and use personal information under the data protection categories of legitimate interest and legal obligations:

1. To provide educational services and to monitor pupils' progress, development and educational needs.
2. To safeguard pupil welfare and provide appropriate pastoral care.
3. To fulfil our contractual and legal obligations.
4. To provide statutory data collection information to the local authority or government.
5. To maintain admissions and attendance registers.

6. For the purposes of planning, forecasting, research and analysis to assist with the efficient operation of the school and to assess the quality of the services we provide.
7. The school may need to share personal information with our insurers, lawyers, accountants or consultants if necessary to complete their work.
8. To carry out or assist with any school or external complaints, disciplinary or investigation issues.
9. To enable appropriate authorities to monitor the school's performance and to intervene or assist with incidents as appropriate such as where we may have concerns about a pupil's welfare.
10. For the purposes of pupil selection and to confirm the identity of prospective pupils and their parents. If a pupil is from another country, the school has to make sure they have the right to study in the UK. The school might have to provide their information to UK Visas and Immigration.
11. The school may process financial information about parents in relation to paying fees. For example, using credit reference agencies or for bursary applications.
12. To carry out donor due diligence checks on those individuals and organisations who may give money to the school.
13. To provide and receive information and references about past, current and prospective pupils and staff with other schools or employers where the pupil or staff previously attended, or where they may go.
14. To maintain relationships with alumni and the school community, including direct marketing or fundraising activity.
15. To enable pupils to take part in national or other assessments and exams and to publish the results of public examinations or other achievements of pupils or staff on the school website.
16. To test and assess pupil progress and predict examination grades.
17. To monitor the use of the school's IT and communications systems in accordance with the school's technology acceptable usage policy.
18. To make use of photographic images of pupils and staff in school publications, on the school website, social media sites (in accordance with the social media policy) and use on internal displays.
19. The school may use photographs or videos for teaching and production purposes, such as recording a drama lesson, exam practical evidence or school productions.
20. For security purposes, including CCTV.
21. The school may share personal information such as dietary, medical and passport information with:
 - The school's catering contractor
 - External trip and activities companies including trips abroad
 - Transport and coach companies
 - External clubs and activities companies
22. The school uses third party 'cloud' services and websites to store personal information offsite for purposes such as:
 - Testing and diagnosing pupils for special educational needs.
 - Parent and staff online payment systems, information portals, messaging and emailing services, parents evening, club and ticket booking systems.
 - Showing pupil progress and achievements, such as pupil portfolios.
 - Teaching and learning websites and platforms that provide digital learning spaces for pupils and staff.
 - Publishing sports fixture information and team sheets.
 - Sending marketing emails to promote events such as open mornings and toddler sessions.
 - Making student work available to external examiners.
 - Alumni database and communication.

- Collecting and storing data via Google Forms, Google Drive and Microsoft Office 365
- recording and monitoring live on-line lessons, tutor periods and tutorials (via platforms such as google meet). These recordings will be made available to staff for training and safeguarding purposes.

Special category personal information

The school may need to use special category personal information such as racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic information, biometric information, health information and information about sex life or orientation or criminal records information. These reasons may include:

1. To safeguard pupil welfare and provide appropriate pastoral or medical care and to take appropriate action in the event of an emergency, incident or accident. This could include 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.
2. To provide educational support for any special educational needs of a pupil.
3. To provide education with consideration to individual religious beliefs.
4. To run DBS checks and manage pension plans.
5. Student and staff biometric data is used for the cashless food till systems.
6. As part of any school or external complaints, disciplinary or investigation process that involves this data; for example if there are SEN, health or safeguarding elements
7. 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 information processed by the school

This will include by way of example:

1. Names, addresses, telephone numbers, email addresses, IP addresses, usernames and other contact details.
2. Passport details for identification and school trips abroad.
3. Biometric information for cashless tills.
4. Car details for those who use our car parking facilities.
5. Bank and National Insurance details and other financial information.
6. Past, present and prospective pupil academic, disciplinary, admissions and attendance records, special needs information, examination papers and marks.
7. Past, present and prospective parents' employment information.
8. Where appropriate, information about individuals' health and contact details for their next of kin.
9. References given or received by the school about pupils or staff and information provided by previous educational establishments, other professionals or employers.
10. Images of pupils and staff taking part in school activities and images captured by the school's CCTV system.
11. Correspondence with and concerning staff, pupils and parents past and present.
12. Information relating to past, present and prospective school personnel.

How the school collects personal information

Generally, the school receives personal information from the individual directly (including, in the case of pupils, from their parents). This may be via paper and digital forms such as application, admission and annual data collection forms or in the ordinary course of interaction or communication (such as email or written assessments). However, in some cases, personal information may be supplied by third parties (for example, another school or other professionals or authorities) or collected from publicly available resources such as Companies House and LinkedIn.

Who has access to personal information

The school may need to share personal information relating to its community with third parties such as professional advisers or relevant authorities such as The Department for Education, the Police, the local authority and the Independent Schools Inspectorate.

For the most part, personal information collected by the school will remain within the school and will be processed by appropriate individuals. Particularly strict rules of access apply to:

- Pastoral and safeguarding information
- Medical records

However, a certain amount of medical, pastoral and special educational needs information will need to be provided to staff so the necessary care and education that the pupil requires can be safely provided.

Staff, pupil and parents are reminded that the school is obliged 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 level of seriousness.

For the purposes of maintaining a safe and secure environment, the school reserves the right to monitor all network traffic including internet use and email through its filtering systems.

Finally, some of the school's use of data is carried out on its behalf by third parties such as IT systems, web developers, cloud storage and social media providers.

Sending information to other countries

The school may send information to other countries where:

- The school stores information on computer servers based overseas; or
- The school communicates with families or their child when overseas (for example, during the summer holidays if families live in a different country).

The European Commission has produced a list of countries which have adequate data protection rules. If the country that we are sending your information to is not on the list or is not a country within the European Economic Area (EEA), then it might not have the same level of protection for personal information as the UK.

How long we keep personal information

The school will retain personal information 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 personal information is up to seven 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. The school may keep some information about you indefinitely if we need this for historical, research or statistical purposes.

If you have any specific queries about how this notice is applied, or wish to request that personal information you no longer believe to be relevant is considered for deletion, please contact your head of school or the bursar. However, the school may have lawful and necessary reasons to continue to hold some information.

Please refer to the school's records retention policy (available on request from the bursar's office) for more detail.

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 school activities or alumni and parent events of interest, including sending updates and newsletters, by email and by post. The school may also:

- Contact parents and/or alumni by post and email in order to promote and raise funds for the school and 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 remove your consent at any time please contact your head of school or the Bursar in writing. You always have the right to withdraw consent, however, the school may need to retain some details to ensure that no more communications are sent to that particular address, email or telephone number.

Understanding your rights

Individuals have various rights under Data Protection Law to access and understand personal information about them held by the school and in some cases ask for it to be erased, amended, transferred or for the school to stop processing it.

Any individual wishing to access, amend or correct their personal information or wishing it to be transferred to another person or organisation in an easily accessible format, should put their request in writing to their head of school or the Bursar.

The school will endeavour to respond to any such requests as soon as possible and within one month for a subject access request. If the request is overly excessive or similar to previous requests, the school may ask you to reconsider or charge a proportionate fee.

- **Requests that cannot be fulfilled**

You should be aware that certain information is exempt from the right of access such as information which identifies other individuals, legal advice given to or sought by the school, legal action documents, exam scripts, examination or other test marks ahead of any ordinary publication, confidential references 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, the school will sometimes have very strong reasons to refuse specific requests to amend, delete or stop using your personal information: 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.

Subject access requests made directly by a pupil will be considered on a case by case basis depending on their age and maturity.

- **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. A pupil of any age may ask a parent or other representative to make a subject access request on their behalf.

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 show evidence of their child's authority for the specific request.

Pupils aged 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. Younger pupils 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. 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.

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 information, any individual may withdraw this consent at any time. Please be aware however, the school may have another lawful basis to process the personal information in question even without the individual's 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, a purchase of goods, services or membership of an organisation such as an alumni request).

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.

Where consent is required, it may in some cases be necessary or appropriate – given the nature of the use 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 not to.

However, where a pupil seeks to raise concerns confidentially with a member of staff and expressly withholds their agreement to their personal information 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.

Staff and pupils are required to respect the personal data and privacy of others and to comply with the school's technology usage policy and the school rules.

Data accuracy and security

The school will endeavour to ensure that all personal information held is as up to date and accurate as possible. Individuals should notify their head of school or the Bursar at their earliest opportunity of any changes to their information. Responsibility for changes in information relating to a pupil rests with the parent.

An individual has the right to request inaccurate or out-of-date information about them is deleted or corrected, subject to certain exemptions and limitations under data protection law.

The school will take appropriate technical and organisational steps to ensure the security of personal information about individuals. All school staff and Governors will be made aware of this notice and their duties under Data Protection Law and receive relevant training.

This notice

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.

Concerns and complaints

If an individual believes the school has not complied with this notice or not acted in accordance with Data Protection Laws, they should raise their concern or grievance with their head of school or the Bursar initially.

The individual can also raise their concern with the Information Commissioner's Office (ICO – www.ico.org.uk) although the ICO recommends that steps are taken to resolve the matter with the school before involving them.