CLAREMONT
FAN COURT SCHOOL

STATEMENT:

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.

Contact details

The headmaster, the head of the junior school and the director of operations can be contacted via the 'contact us' link on our website: http://www.claremontfancourt.co.uk/

They can also be contacted by telephone:

Headmaster/senior school:	01372 467841
Head of junior school:	01372 465380
Director of operations:	01372 473602

Or email: dataenquiry@claremont.surrey.sch.uk

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What is this 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'). Collectively, we refer to these individuals in the privacy notice as the school's community.

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 polices 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 headmaster, head of junior school, the director of operations, director of finance, deputy head (pastoral), deputy head (academic) and deputy head (staff) 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 processing applications for fees assistance (bursaries)
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, for safeguarding purposes and to provide remote support
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. This includes but are not limited to; Senso and related software. This monitoring is conducted by both Claremont staff when on-site and related software on and off site for safeguarding and remote monitoring purposes to allow for proper academic use of devices and to ensure safety, wellbeing and promote professional and academic standards. The use of all devices is actively checked, monitored and managed when inside and outside of the classroom and students should have no expectation or presumption of privacy when using a school-managed device.
- 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 Workspace and Microsoft Office 365 platforms
- Recording and monitoring live on-line lessons, tutor periods and tutorials (via platforms such as Google Meet or Microsoft Teams). 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. 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
6. 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. Car details for those who use our car parking facilities
4. Bank and National Insurance details and other financial information
5. Past, present and prospective pupil academic, disciplinary, admissions and attendance records, special needs information, examination papers and marks
6. Past, present and prospective parents' employment information
7. Where appropriate, information about individuals' health and contact details for their next of kin
8. References given or received by the school about pupils or staff and information provided by previous educational establishments, other professionals or employers
9. Images of pupils and staff taking part in school activities and images captured by the school's CCTV system
10. Correspondence with and concerning staff, pupils and parents past and present
11. 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.

Medical 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. Express consent will be sought where appropriate.

Safeguarding data - 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.

Staff, pupils and parents are reminded that 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 file notes on personnel or safeguarding files, low-level concerns records kept about adults, and in some cases referrals to relevant authorities such as the LADO or police.

KCSiE also requires that, whenever a child leaves the school to join another school or college, his or her child protection file is promptly provided to the new organisation. The school will retain a copy in accordance with its retention policy for material related to safeguarding matters.

For further information about this, please refer to the school's safeguarding policy (available on the school's website).

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.

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 director of operations. 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 bursary) 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 director of operations 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 director of operations.

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

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 director of operations 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 director of operations initially.

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