

How We Use Your Child's Information Privacy Notice for Younger Pupils

Independent Day School for Boys and Girls

Barrow Hills School

February 2019

Introduction

This notice is to help you understand **how** and **why** we collect your child's personal information and **what** we do with that information. It also explains the decisions that you can make about your child's information.

We are giving you this notice because you are able to exercise your child's data protection rights on their behalf. When your child is older (usually when they reach the age of 12) they will be considered mature enough to exercise their own data protection rights.

If you have any questions about this notice please talk to the Deputy Head.

What is "personal information"?

Personal information is information that the School holds about your child and which identifies your child.

This includes information such as their date of birth and address as well as things like exam results, medical details and behaviour records. The School may also hold information such as your religion or ethnic group. The School may also record your child's religion or ethnic group. CCTV, photos and video recordings of your child are also personal information.

Our legal bases for using your child's information

This section contains information about the legal basis that we are relying on when handling your child's information.

The two tables below contain a general description of the different legal bases but we have also used a colour code system so that you can see which bases we are relying on for each of the purposes described at paragraphs 1 to 44 below.

Legitimate interests ("L")

This means that the School is using your child's information when this is necessary for the School's legitimate interests or someone else's legitimate interests. We won't rely on this basis when your child's interests and fundamental rights override our legitimate interests. Specifically, the School has a legitimate interest in:

- Providing your child (and other children) with an education and making sure that your child is behaving properly.
- Complying with our agreement with you for your child to be at the School.
- Keeping the school buildings safe.
- Making sure that the School is well managed and that we protect the School's reputation.
- Telling people about the School and what we do here e.g. we may use photographs of your child in our prospectus, on our website or in our social media.
- Improving the School e.g. if we want to raise money to support bursaries, build new buildings or to make sure that we are providing your child and their classmates with a good schooling experience.

- Safeguarding and promoting your child's welfare and the welfare of other children.
- Promoting the objects and interests of the School. This includes fundraising and using photographs of your child at our school events in promotional material.
- Ensuring that all relevant legal obligations of the School are complied with (for example in relation to inspections).
- Using your child's information in connection with legal disputes.
- Facilitating the efficient operation of the School.

In addition your child's personal information may be processed for the legitimate interests of others. For example, we may use information about your child when investigating a complaint made by another pupil.

Legal obligation ("LO")

Where the School needs to use your child's information in order to comply with a legal obligation, for example to report a concern about your wellbeing to Children's Services. Occasionally we may have a legal obligation to share your child's personal information with third parties such as the courts.

Vital interests ("VI")

In limited circumstances we may use your information to protect your vital interests or the vital interests of someone else. For example, to prevent someone from being seriously harmed or killed.

Performance of a task carried out in the public interest (or carrying out public tasks) ("PI")

The following are examples of when we use your information to perform tasks in the public interest:

- providing your child and others with an education;
- safeguarding and promoting your child's welfare and the welfare of others such as your child's classmates;
- facilitating the efficient operation of the School; and
- ensuring that we comply with all of our legal obligations.

The School must also comply with an additional condition where it processes special categories of personal information. These special categories include: personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, genetic information, biometric information, health information, and information about sex life or orientation. The bases that we are relying on to process special categories of information are set out below.

Substantial public interest ("SPI")

The School is allowed to use special categories of personal information where doing so is necessary in the substantial public interest. For example to provide your child with an education, to look after your child and their classmates or when the School is inspected.

Employment and social protection and social security law ("ESP")

There may be times when the School needs to use your child's information because we are an employer. Also the School will use your child's information to comply with social protection law (e.g. to look after your child) and social security laws (e.g. to implement an Education, Health and Care Plan (EHCP)).

Social protection law is concerned with preventing, managing, and overcoming situations that adversely affect people's wellbeing.

Vital interests ("V")

To protect the vital interests of any person where that person cannot give consent, for example, if they are seriously hurt and are unconscious.

Legal claims ("LC")

We are allowed to use your information if this is necessary for the establishment, exercise or defence of legal claims. For example, this allows us to share information with our legal advisors and insurers.

Medical purposes ("MP")

This includes medical treatment and the management of healthcare services.

How and why does the School collect and use your child's personal information?

We set out below different ways in which we use personal information and where this personal information comes from. The letters highlighted in different colours refer to the legal bases we are relying on. Please see the section above for an explanation.

1. Our primary reason for using your child's information is to provide your child with an education - **L**, **PI**, **SPI**.
2. The School will also use your child's personal information to safeguard and promote your child's welfare and the welfare of others (for example, so that we can look after your child if they are hurt) - **L**, **PI**, **SPI**, **ESP**, **V**, **MP**.

The admissions forms which you complete give us personal information about your child such as their name, contact details, disabilities, any particular difficulties they have with work, hobbies and interests, medical information (such as information about an allergy) and family circumstances. We get information from your child, his / her teachers and other pupils. Your child's old school also gives us information about how well your child did and any difficulties they had if we need this information to teach and care for them.

Sometimes we get information from your child's doctor and other professionals where we need this to look after your child.

3. We will use information about your child during the admissions process e.g. when marking entrance exams and considering any information provided on the registration form. We may let your child's previous school know if they have been offered a place at the School - **L**, **PI**, **SPI**.

4. We need to tell all appropriate members of staff if your child has a health issue - LI, PI, SPI, MP.
5. We will tell your child's teachers if he or she has special educational needs or requires extra help with some tasks - LI, PI, SPI.
6. We may need to share information about your child (e.g. about your child's health and wellbeing) with health professionals or a counsellor - LI, PI, SPI, ESP, VI, MP.
7. If we have information that your child suffers from an allergy we will use this information so that we can look after your child, e.g., making, as appropriate, teachers and the caterers aware - LI, PI, SPI, VI, MP.
8. If we have information that your child suffers from a disability we will use information about that disability to provide support - LI, PI, SPI, ESP (and in certain circumstances MP).
9. The School may also hold information about your child's religion or ethnic group including for meeting the reporting purposes of the Department for Education, Independent Schools Council, Independent Schools Inspectorate and the Catholic Schools' Census - LI, PI, SPI.
10. Where appropriate, the School will have information about your child's religious beliefs and practices. For example, if your child does not eat certain foods - LI, PI, SPI.
11. We use CCTV to make sure the School site is safe. Images captured of your child via CCTV will be your personal information. CCTV is not used in private areas such as toilets and changing rooms - LI, PI, SPI.
12. We record your child's attendance and if he or she has time away from the School we record the reason(s) why - LI, PI, SPI.
13. We may need to report some of your child's information to the government (e.g. the Department for Education). We will need to tell the local authority that your child attends the School, if your child leaves the School or let them know if we have any concerns about your child's welfare. The local authority may also share information with us for these reasons - LI, LO, PI, SPI, ESP.
14. We may need to share information about your child with the Health and Safety Executive (a government organisation) if there is a health and safety issue at the School - LI, LO, SPI.
15. The School is a charity which means that we may need to share your child's information with the Charity Commission which checks how we are behaving as a charity. We may also share your child's information with the Fundraising Regulator if this is relevant to their work - LI, LO, PI, SPI.
16. When we are inspected by the Independent Schools Inspectorate and the Diocese we will have to make your child's information available to the inspectors to assist them with their inspection - LI, LO, PI, SPI.
17. If the School receives a complaint or grievance which involves your child we will need to use their information to deal with this appropriately. For example, if you make a complaint or if another parent complains about an issue which involves your child - LI, PI, SPI.

18. The School may share information about your child with the local authority for the purpose of the preparation, implementation and / or review of your child's Statement of Special Educational Needs or Education Health and Care Plan - **LI, PI, LO, SPI**.
19. We are legally required to provide the Department for Education with certain information about your child. Some of this information will be stored on the National Pupil Database. Organisations can request information from the National Pupil Database which might include information about your child. But they are only allowed to do this for limited purposes and they must be very careful about how they use your child's information. More information can be found here - <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information> - **LO, SPI**.
20. We may need information about any court orders or criminal petitions which relate to your child. This is so that we can safeguard your child's welfare and wellbeing and the other pupils at the School - **LI, PI, SPI**.
21. If your child is from another country we have to make sure that they have the right to study in the UK. Sometimes the government will ask us to provide information as part of our reporting requirements. In addition to this we have a duty to provide information about your child to UK Visas and Immigration - **LI, LO, PI, SPI**.
22. Depending on where your child will go when they leave us we will provide their information to other schools. For example, we will share information about your child's exam results, scholarship potential, how well they have behaved at School and other information in order to provide references - **LI, PI, SPI**.
23. If your child has a safeguarding file, we are legally required to pass this file to their next school - **LI, LO, PI, SPI, ESP**.
24. As part of assessing your child's academic progress and potential, the School shares some information about your child with organisations such as GL Assessment (e.g., CATs) - **LI, PI, SPI**.
25. The School may set up logins for you and your child to use certain educational learning tools and apps online (e.g., Atestingtime, doddlelean.co.uk and Mangahigh) and the Engage Parent and Pupil portal which allows children and parents to access homework, timetables and rewards and sanctions - **LI, PI, SPI**.
26. Where EYFS funding applies we are required to share information about your child with Surrey County Council and in respect of their activities and achievements through the online learning journal, Tapestry.
27. If your child takes public examinations (e.g. Common Entrance / LAMDA / Music including ABRSM) we will need to share information about them with examination boards. For example, if your child requires extra time in exams - **LI, PI, SPI**.
28. We may need to share information with the police or our legal advisers if something goes wrong or to help with an enquiry. For example, if one of your child's classmates is injured at School or if there is a burglary - **LI, LO, PI, SPI, LC**.

29. Occasionally, we use consultants, experts and other advisors to assist the School in fulfilling its obligations and to help run the School properly. We will share your child's information with them if this is relevant to their work - **LI, PI, SPI**.
30. If your child has misbehaved in a serious way, we may need to share information with the police and we may need to use information about the action taken by the police - **LI, LO, PI, SPI, ESP**.
31. We may share some information with our insurance company to make sure that we have the insurance cover that we need or in connection with an actual or possible claim - **LI, PI, SPI, LC**.
32. We will share your child's academic and (where fair) their behaviour records with you or their education guardian so you can support their schooling - **LI, PI, SPI**.
33. If ever in the future, we are considering restructuring the charity which operates the School, we may share your information with the other parties involved and with the relevant professional advisors - **LI**.
34. We may need to share information with others if your child is on a School trip. For example, the travel company, at Border Controls, or with suppliers, e.g., accommodation providers - **LI, PI, SPI**.
35. We will monitor your child's use of email, the internet and mobile electronic devices e.g. mobile 'phones, iPads, laptops, etc. This monitoring is sometimes carried out using computer software. In certain circumstances we will look at the content of your child's communications (e.g. emails and text messages). We monitor and look at their use of technology (e.g. their use of their phone) to check that your child and their classmates are not misbehaving, at risk of harm or for other good reasons. If you would like more information about this you can read the School's E-Safety and appendix, ICT Acceptable Use of ICT Policy or speak to the Deputy Head - **LI, PI, SPI**.
36. We may use photographs or videos of your child for the School's website and social media sites or prospectus to show prospective pupils what we do here and to advertise the School. We may continue to use these photographs and videos after your child has left the School - **LI, PI**.
37. Sometimes we use photographs and videos for teaching purposes, for example, to record a drama lesson - **LI, PI**.

If you have any concerns about us using photographs or videos of your child please speak to the Deputy Head.
38. We publish our public exam results, sports fixtures and other news on the website and put articles and photographs in the local news to tell people about what we have been doing - **LI**.
39. We will keep details of your child's address when they leave so we can send them The Chronicle and find out how they are getting on. We may also pass their details onto the alumni organisation which is called Old Barrow Hillians alumni programme. Further information on the alumni association can be found here <http://www.barrowhills.org.uk/Old-Barrow-Hillians> - **LI**.

40. The School must make sure that our computer network is working well and is secure. This may involve information about your child, for example, our anti-virus software might scan files containing information about your child - **LI**.
41. We may share your child's information with King Edward's School. King Edward's School is also operated by Bridewell Royal Hospital. For example, if your child was involved in an activity or sport there or if you make an application for your child to progress to King Edward's - **LI, PI, SPI**.
42. From time to time, we may use a third party to provide activities such as an external sports coach. We may share your child's information with them, for example, to tell them what sports they are good at- **LI, PI**.
43. Some of the records the School keeps and which contain your child's personal information may be used by the School (or by someone else such as the government) to check that the School has been a good school. **LI, PI, SPI**
44. We also keep some information indefinitely for archiving purposes (this is known as "archiving in the public interest" under data protection law) and for historical research purposes. This includes the School's legitimate interest in research; supporting long-term accountability; enabling the discovery and availability of the School and the wider school community's identity, memory, culture and history; enabling the establishment and maintenance of rights and obligations and of precedent decisions; educational purposes; and commercial and non-commercial re-use. By way of examples, we keep some old photographs so that we have a record of what the School was like in the past and if we consider the information might be useful if someone wanted to write a book about the School. After 100 years, information that may be of historical interest is passed to the London Metropolitan Archive for conservation. In the same way, we may respond to requests of a genealogical and historical nature relating to information that is more than 100 years old. Information held in our archive may be made publicly available but this would only be done in compliance with data protection laws. Please speak to the Deputy Head if you would like more information - **LI, PI**.

We will only share your child's information with other people and organisations when we have a good reason to do so. In exceptional circumstances we may need to share it more widely than we would normally.

- We sometimes use contractors to handle personal information on our behalf for the following purposes:
 - Elmbrook Computer Services Limited and Getech Ltd, IT Consultants, who might access information about you or your child when checking the security of our IT network - **LI**.
 - We use software, apps and websites to help us with teaching, and to help us provide pastoral support to our pupils. For example, teaching apps include MangaHigh.com and doddlelearn.co.uk, and we use an Engage Parent and Pupil portal which allows children and parents to access homework, timetables and rewards and sanctions - **LI**.

- We, like all schools, use management information systems for academic, administration and finance purposes and the suppliers of the software have access to data. The School's main software systems is Engage (provided by Double First Ltd.) - [LI](#).
- We use third party "cloud computing" services to store some information rather than the information being stored on hard drives located on the School site - [LI](#).

If you have any questions about any of the above, please speak to the Deputy Head.

Criminal offence information

In exceptional circumstances, we may use information about criminal convictions or offences. We will only do this where the law allows us to. This will usually be where such processing is necessary to carry out our obligations, to exercise our rights or to look after our pupils.

Less commonly, we may use information relating to criminal convictions and offences where it is necessary in relation to legal claims, where it is necessary to protect our pupils and your child is not capable of giving consent, or where you have already made the information public.

More than one basis

As you will see from the information above, in some cases we will rely on more than one basis for a particular use of your child's information. In addition, we may move from one of the legal bases listed above to another as circumstances change. For example, as a safeguarding matter becomes more serious, we may start to rely on "legal obligation" to share personal information with the local authority in addition to the other legal bases which are noted for safeguarding purposes.

Consent

We may ask for your consent to use your child's information in certain ways as an alternative to relying on any of the bases in the table above. For example, we may ask for your consent before taking or using some photographs and videos if the photograph or video is more intrusive and we cannot rely on legitimate interests. If we ask for your consent to use your child's personal information you can take back this consent at any time.

Any use of your child's information before you withdraw your consent remains valid. Please speak to the Deputy Head if you would like to withdraw any consent given.

Sending information to other countries

In certain circumstances we may send your child's information to countries which do not have the same level of protection for personal information as there is in the UK. For example, we may store your child's information on cloud computer storage based overseas or communicate with you by email when you are overseas (for example, when you are on holiday).

The European Commission has produced a list of countries which have adequate data protection rules. The list can be found here: https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries_en

If the country that we are sending your child's information to is not on the list or is not a country within the EEA (which means the European Union, Liechtenstein, Norway and Iceland), then it might not have the same level of protection for personal information as there is in the UK.

We will provide you with details about the safeguards which we have in place outside of this privacy notice. If you have any questions about the safeguards that are in place please contact the Deputy Head.

For how long do we keep your child's information?

We keep your child's information for as long as we need to in order to educate and look after them. We will keep a lot of information after your child has left the School, for example, so that we can find out what happened if you make a complaint.

In some cases we may keep your child's information for a longer time than usual, but we would only do so if we had a good reason and only if we are allowed to do so under data protection law.

The Government has started an Independent Inquiry relating to the historic abuse of children. Like many schools, we have temporarily stopped the routine destruction of records in case they could be of assistance to the Inquiry. Once the Inquiry has finished or the guidance changes the School is likely to return to having specific retention periods or to confirm how we decide how long different types of information should be kept.

What decisions can you make about your child's information?

Data protection legislation gives you a number of rights regarding your child's information. The rights are as follows:

- **Rectification:** if information held by the School about your child is incorrect you can ask us to correct it.
- **Access:** you can also ask what information we hold about your child and be provided with a copy. This is commonly known as making a subject access request. We will also give you extra information, such as why we use this information about your child, where it came from and what types of people we have sent it to.
- **Deletion:** you can ask us to delete the information that we hold about your child in certain circumstances. For example, where we no longer need the information.
- **Portability:** you can request the transfer of your child's information to you or to a third party in a format that can be read by computer in certain circumstances. This applies where (a) the information has been provided by you; (b) the basis that we are relying on to process your child's information is consent or contract (please see "Our legal bases for using your information" above); and (c) the information is being processed by us on computer.
- **Restriction:** our use of information about your child may be restricted to simply storing it in some cases. For example, if you tell us that the information is inaccurate we can only use it for limited purposes while we check its accuracy.
- **Object:** you may object to us using your child's information where:
 - we are using it for direct marketing purposes (e.g. to send you an email about a fundraising opportunity);

- the legal basis on which we are relying is either legitimate interests or performance of a task carried out in the public interest. Please see the section "Our legal bases for using your child's information" above;
- If we ever use your information for scientific or historical research purposes or statistical purposes.

The Deputy Head can give you more information about your child's data protection rights.

Further information and guidance

This notice is to explain how we look after your child's personal information. The Deputy Head can answer any questions which you might have.

Like other organisations we need to keep your information safe, up to date, only use it for what we said we would, destroy it when we no longer need it and most importantly - treat the information we get fairly.

Please speak to the Head's Personal Assistant if:

- you would like to exercise any of your child's rights listed above; or
- you would like us to update the information we hold about your child; or
- you would prefer that certain information is kept confidential.

You have a right to lodge a complaint with a data protection supervisory authority. The supervisory authority in the UK is the Information Commissioner's Office - ico.org.uk. If you do have any concerns about how we have handled your child's personal information we would kindly ask that you contact us in the first instance before you speak to the ICO so that we have an opportunity to put things right.