

Privacy Notice for Parents/Pupils

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1. Introduction

This notice is intended to provide information about how the school will use (or "process") personal data about individuals including its current and prospective pupils and their parents, carers or guardians (referred to in this privacy notice as "parents").

This information is provided because data protection law gives individuals rights to understand how their data is used. This notice applies alongside any other information the school may provide about a particular use of personal data, for example when collecting data via an online or paper form. It also applies in addition to the school's other relevant terms and conditions and policies, including:

- any contract between the school and the parents of pupils,
- any policies or guidance applicable to staff concerning the handling of personal data,
- the school's policy on taking, storing and using images of children,
- the school's CCTV Policy,
- the school's Retention and Disposal Policy,
- the school's SEND, safeguarding, pastoral, or health and safety policies, including as to how concerns or incidents are recorded, and
- the school's IT policies, including but not limited to acceptable use policies, Online Safety Policy.

Anyone who works for, or acts on behalf of, the school (including staff, volunteers, governors and service providers) should also be aware of and comply with this privacy notice, which also provides further information about how personal data about those individuals will be used.

2. Responsibility for Data Protection

The bursar is responsible for ensuring that the school complies with data protection law.

Day to day, the compliance manager will deal with your requests and enquiries concerning the school's uses of your personal data and endeavour to ensure that the school complies with its policies and procedures in relation to data protection law.

They can be contacted by email at data.protection@emanuel.org.uk, by post at Emanuel School, Battersea Rise, London SW11 1HS, or by telephone on 020 8870 4171.

3. The Purposes and Legal Basis for Processing Pupil and Parent Personal Data

Emanuel School collects, creates and holds personal information relating to pupils and may also receive information about them from their previous school, local authority and the Department for Education (DfE). We also collect and hold personal information about our pupil's parents and carers.

The school needs to process a wide range of personal data about individuals (including current and prospective pupils or parents) as part of its daily operation. The school will need to carry out some of this activity to fulfil its legal rights, duties or obligations – including those under a contract with parents of its pupils and statutory duties placed upon us for the Department for Education (DfE) data collections.

Other uses of personal data will be made in accordance with the school's legitimate interests, or the legitimate interests of another, provided that these are not outweighed by the impact on individuals and provided it does not involve special or sensitive types of data.

The school expects that the following uses will fall within that category of its **legitimate interests**:

- for the purposes of pupil selection and to confirm the identity of prospective pupils and their parents,
- to support learning/education services, including musical education, physical training or spiritual development, career services, educational trips (in the UK and abroad) and extra-curricular activities to pupils, and monitoring pupils' progress and educational needs, including where such services are provided remotely (either temporarily or permanently),
- to carry out our outreach programme,
- to safeguard pupils' health and welfare and provide appropriate pastoral (and where necessary, medical) care,
- to keep children safe (food allergies/emergency contact details),
- 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,
- maintaining relationships with alumni and the school community,
- for the purposes of donor due diligence, record keeping, accountability (Gift Aid) and to confirm the identity of prospective donors and their background and relevant interests; to help the school shape their fundraising activity to promote its aims and ideals (please see *Keeping in Touch and Supporting the School's Development*),
- for the purposes of management planning and forecasting, research and statistical analysis including that imposed or provided for by law,
- to enable relevant authorities to monitor the school's performance and to intervene or assist with incidents as appropriate,
- to raise invoices and process payments in accordance with the school's terms and conditions,
- to monitor (as appropriate) use of the school's IT and communications systems in accordance with the school's IT policies,
- to comply with our obligation as a UK Visas and Immigration Licensed Sponsor to ensure that every pupil has permission to be in the UK,
- 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 *Photographic Image and Video Policy*,
- to provide information about the activities of the school including by sending updates and newsletters by email and post,

- for security purposes, including CCTV in accordance with the school's CCTV policy,
- to carry out or cooperate with any school or external complaints, disciplinary or investigation process, and
- where otherwise reasonably necessary for the school's purposes, including to obtain appropriate professional advice and insurance for the school.
- to determine the outcome of bursary applications and decide what level of bursary, if any, will be awarded.

In addition, the school will on occasion need to process **special category personal data** (concerning health, ethnicity, religion, biometrics or sexual life) in accordance with rights or duties imposed on it by law, including as regards safeguarding, or by explicit consent where required. These reasons will include:

- to safeguard pupils' welfare/wellbeing and provide appropriate pastoral (and where necessary, medical) care, and to take appropriate action in the event of an emergency, incident or accident, including by disclosing details of an individual's medical condition or other relevant information where it is in the individual's interests to do so: for example for medical advice, for social protection, safeguarding, and cooperation with police or social services, for insurance purposes or to caterers or organisers of school trips who need to be made aware of dietary or medical needs,
- to comply with public health requirements for reasons of public interest such as protecting against serious cross-border threats to health. This may include managing on-site testing and/or processing the results of tests taken and sharing this information with relevant health authorities,
- to provide educational services in the context of any special educational needs of a pupil,
- to provide evidence to public examination boards for special considerations as part of the teacher assessed grades process,
- to provide spiritual education in the context of any religious beliefs,
- to run any of its systems that operate on biometric data, such as for security and other forms of pupil identification (lockers, lunch etc.),
- as part of any school or external complaints, disciplinary or investigation process that involves such data, for example if there are SEN, health or safeguarding elements, or
- 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.

The school may ask for consent to use personal information in certain ways. Parents and/or pupils will be informed, and consent requested. If consent is given it can be withdrawn at any time. Any use of personal information before consent is withdrawn is still valid.

4. Categories of Pupil/Parent Personal Data

The types of pupil and parent data processed by the school include:

- personal identifiers and contacts (such as name, unique pupil number, contact details and address),
- bank details and other financial information (e.g. about parents who pay fees to the school), and any anti-money laundering information we are required to collect by law,
- personal characteristics such as pupil's ethnic group, religious beliefs, language,
- assessment and attainment records including examination scripts and marks,
- special educational and physical needs (including the needs and ranking),
- attendance records (such as sessions attended, number of absences, absence reasons and previous schools attended) / admissions records,
- information about a pupil's health and welfare/medical needs (such as GP information, allergies, medication, dietary requirements) and contact details for their next of kin/emergency contact,

- Destination data for school leavers (*This is any information that is collected on where a pupil goes after leaving Emanuel School - for example information about the university a sixth form leaver will attend or a sixth form college that a GCSE leaver will join.*),
- child protection records (*confidential records which relate to concerns about a child's welfare and safety*),
- safeguarding information (*such as court orders and professional involvement*),
- behavioural records, suspension and exclusion information,
- 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,
- correspondence with and concerning staff, pupils and parents past and present,
- images and video captured by staff around school, at school events and on educational visits and by external photographic agencies for use by the marketing department (in accordance with the school's Photographic Image and Video Policy),
- images captured by the school's CCTV system (in accordance with the school's CCTV Policy),
- nationality, passport and immigration status information (where applicable) or other evidence of the pupil's right to live/study in the UK,
- recording of one-to-one online video meetings (*in line with the school's safeguarding procedures*).
- data relevant for bursary applications (*such as identifiable details, financial information, capital assets, itemised household expenditures*).

Please note that this list is not exhaustive.

5. How the School Collects Data

Usually, the school receives personal data from the individual directly (including, in the case of pupils, from their parents) including via registration or medication forms. Data may also be collected simply in the ordinary course of interaction or communication such as emails or written assessments.

Pupil data is essential for the school's operational use. Whilst most of the pupil information you provide to us is mandatory, some of it is requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this.

In some cases, personal data may be supplied by third parties (for example another school, or other professionals or authorities working with that individual) or collected from reputable publicly available resources (for example for the purpose of wealth screening/donor research).

6. Data Processors

We use third party data processors to provide us with a management information system, accounts software, bursary management, cloud storage services, apps and software for use e.g. in the classroom.

This use of data processors will only take place if it is in compliance with the UK GDPR.

7. Accessing and Sharing Data with Third Parties (Other Data Controllers)

For the most part, personal data collected by the school will remain within the school and will be processed by appropriately trained staff in accordance with access protocols (e.g. on a 'need to know' basis).

Occasionally, the school (including its governing body as appropriate) will need to share personal information (including special category data as required) with third parties, such as

- relevant authorities (DfE, Independent Schools Inspectorate (ISI), Independent Schools Council, the Charity Commission, HMRC, Home Office, relevant public health/NHS bodies, police, Teaching Regulation Agency or the local authority/organisations within the multi-agency partnership),
- professional advisers (lawyers, insurers and accountants),
- Stage 3 complaint panels, which include independent panel members,
- appropriate contractors, such as visiting music teachers.

As part of the United Westminster & Grey Coat Foundation, the school may occasionally also need to share personal information with the foundation office.

The school will, on a case-by-case basis, consider whether it is appropriate to inform parents of requests for information received from external agencies where the school has a statutory obligation to respond.

Other third-party processors the school may share data with include the following:

- *Examination Boards*

Personal information (including special category data regarding reasonable adjustments, as applicable) will be shared with examination boards and awarding bodies such as the Joint Council for Qualifications (JCQ), for the purposes of examining and awarding qualifications. This information will be stored by the awarding body to maintain a comprehensive archive of a pupil's examination results. Awarding bodies may share this information with educational agencies (DfE, WG, The Skills Funding Agency, HESA, UCAS, local authorities, regulators, EFA or the Learning Records Service). The JCQ *Information for Candidates/Privacy Notice* (Information about you and how we use it) can be found [here](#).

The examination boards routinely used at Emanuel School include AQA, Pearson, Edexcel, OCR, WJEC/EDUQAS, CAIE.

- *Emanuel Parent Association (EPA)*

Where the school has received consent from the parent, the school may share their contact details with the Emanuel Parent Association (EPA), an organisation set up to help establish and maintain relationships with the school community.

The EPA is a separate data controller and the school is not responsible for the EPA's processing of personal data.

- *Trip Providers*

Where pupils take part in educational trips, their personal information may be shared with trip providers. Any information shared with trip providers is always subject to contractual assurances that personal data will be kept securely and only in accordance with the school's specific directions. For overseas trips this might include passport information to allow flight and other transport bookings. Additional safeguards will be provided to ensure that an appropriate level of protection is in place when sharing confidential information.

- *Careers Guidance*

We may share data with relevant organisations providing careers events and interviews, and careers competition organisers (e.g. Morrisby, UCAS).

- *UK Visas and Immigration*

Emanuel School is a Tier 4 Immigration Sponsor. As such we may be required from time to time to share personal data with UK Visas and Immigration when they carry out sponsor inspections or when they need to assess an individual's immigration status.

- *Debt Collections*

When fees are unpaid, we may share your contact details and fee payment history with a debt collection agency. We will write to you to inform you that we may do this prior to taking such action.

- *School Inspections*

On request we will share academic records with inspectors from the Independent Schools Inspectorate (ISI).

7.1 Accessing and Sharing Sensitive Data

Particularly strict rules of access apply to the context of special category data/sensitive data, most notably:

- medical records,
- pastoral or safeguarding files.

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.

However, certain details relating to pupils' special educational, medical, physical and/or other pastoral will be provided to staff more widely in the context of providing the necessary care and education that the pupil requires. Where external professionals are engaged to support a pupil, it is likely information will be shared with the external professional.

Safeguarding Data: Appropriate information sharing is central to effectively safeguarding children from harm, promoting their wellbeing and making sure that they get the support they need. The school can share information with other schools and children's social care teams. It is not usually necessary to ask for consent to share personal information for the purposes of safeguarding a child.

Sharing information on Prevent concerns is treated the same as wider safeguarding.

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 may include file notes on pupil or safeguarding files, in some cases referrals to relevant authorities such as the LADO, Children's Services, CAMHS or police and/or working with other organisations within the multi-agency partnership.

KCSIE also requires that, whenever a child leaves the school to join another school, his or her child protection file, including any Prevent concerns, is promptly and securely transferred to the new organisation, along with any other information which the school's designated safeguarding lead considers material to the ongoing care needs of any pupil. Where appropriate, the school will consult with parents as to how these needs are best served, but ultimately the decision as to what information is necessary to share with the new school is a safeguarding question that must be reserved to the school.

The school will retain a copy of the child protection file in accordance with the school's retention schedule for material related to safeguarding matters. For further information about this, please view the school's *Safeguarding and Child Protection Policy*.

8. Keeping in Touch and Supporting the School's Development

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, or parent and alumni events of interest, including by sending updates and newsletters, by email and by post. Where consent was given, the school will share parent contact details with the Emanuel Parent Association allowing them to communicate with parents about social events, educational seminars, second hand uniform sales.

Emanuel School's foundation, growth and success have been supported by philanthropy, and philanthropy continues to make an enormous impact at our school.

- Unless the relevant individual objects, the school will contact parents and/or alumni by post and email in order to promote and raise funds for the school and, where appropriate, other worthy causes.

You always have the right to withdraw consent, where given, or otherwise object to direct marketing or fundraising. However, the school is nonetheless likely to retain some of your details (not least to ensure that no more development communications are sent to that particular address, email or telephone number).

- As a fundraising organisation, we undertake in-house research and from time to time engage specialist agencies to gather information about you from publicly available sources, for example, Companies House, the Electoral Register, reputable news archive articles, publications, company websites and biographies on professional networking sites such as LinkedIn as well as geographic and demographic information based on your postcode.

The data obtained from these publicly available sources together with the data you provide helps to efficiently and effectively target and tailor our communications so that we can make appropriate requests. You always have the right to opt out of this processing.

- The school may also carry out wealth screening to fast track the research using our trusted third party partners. Information will be provided to those companies securely. The recipient of the information will be bound by confidentiality obligations, is required to respect the security of your data and to treat it in accordance with the law.

You always have the right to opt out of this processing.

We may also carry out research using publicly available information to identify individuals or Trusts who may have an affinity to our cause but with whom we are not already in touch. We also use publicly available sources to carry out due diligence on donors in line with the school's *Gift Acceptance Policy* and to meet money laundering regulations.

This research helps us to understand more about you as an individual so we can focus conversations we have with you about fundraising and volunteering in the most effective way and ensure that we provide you with an experience as a donor or potential donor which is appropriate for you.

Should you wish to limit or object to any such use as described above, or would like further information about them, please email development@emanuel.org.uk.

You always have the right to withdraw consent, where given, or otherwise object to direct marketing or fundraising. However, the school is nonetheless likely to retain some of your details (not least to ensure that no more communications are sent to that particular address, email or telephone number).

Please also refer to the *Privacy Notice for Alumni and Friends*.

9. Data Subject Rights

Data protection legislation gives individuals certain rights which are detailed below. If you wish to exercise these rights, please contact data.protection@emanuel.org.uk.

9.1 Right of access to personal data (data subject access requests)

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold. We take the security of personal data seriously and may ask for proof of identity to verify entitlement to the information requested.

The school will endeavour to respond to any such requests as soon as is reasonably practicable and in any event within statutory time limits (which is generally one month, but fulfilling more complex or multiple requests, e.g. those involving third party information, may take up to 2 months longer).

The school will be better able to respond quickly to smaller, targeted requests for information made during term time. If the request for information is manifestly excessive or similar to previous requests, the school may ask you to reconsider or require a reasonable fee for the administrative costs of complying with the request, or in certain cases refuse the request (but only where data protection law allows it, and in accordance with relevant regulatory guidance).

Individuals should be aware that the right of access is limited to their own personal data and certain data is exempt from the right of access. This will include information which identifies other individuals (parents need to be aware that this may include their own children in certain limited situations), or information which is subject to legal privilege (for example legal advice given to or sought by the school, or documents prepared in connection with a legal action).

The school is also not required to disclose any pupil examination scripts or other information consisting solely of pupil test answers, provide examination or other test marks ahead of any ordinary publication, nor share any confidential reference held by the school that was (or will be) given for the purposes of the education, training, appointment or employment of any individual.

Pupil Access 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 (see section 'Whose Right's below). A pupil of any age may ask a parent or other representative to make a request on their behalf.

Indeed, while a person with parental responsibility will generally be expected 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 evidence their child's authority for the specific request. Requests not considered in the child's best interests may sometimes be refused.

Pupils aged 12 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. Slightly younger children may however be sufficiently mature depending upon the child and all the circumstances.

Parental Access Requests

It must be clearly understood that the rules of 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 the pupil.

Parents will in general receive educational and pastoral updates about their children as outlined in the parent's contract. Where parents are separated, the school will 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, or on behalf of, or concerning pupils (whether made as a data subject access or simply as an incidental request) will therefore be considered on a case by case basis.

9.2 Right to withdraw consent

Where the school is relying on consent as a means to process personal data, any person may withdraw this consent at any time (subject to similar age considerations as above). Please be aware however that the school may have another lawful reason to process the personal data in question even without your consent.

That reason will usually have been asserted under this *Privacy Notice* or may otherwise exist under some form of contract or agreement with the individual (e.g. parent contract).

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 consent 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 processing in question, and the pupil's age and understanding, to rely on the pupil's consent, either alongside or in place of parental 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, for example 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 to do otherwise.

However, where a pupil seeks to raise concerns confidentially with a member of staff and expressly withholds their agreement to their personal data being disclosed to their parents, the school may be under an obligation to maintain confidentiality 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.

Pupils are required to respect the personal data and privacy of others, and to comply with the school's Pupil Acceptable Use Policy and the school rules. Staff are under professional duties to do the same covered under the relevant staff policy.

9.3 Right to Rectification

An individual has the right to have the personal data that we hold about them to be rectified if it is inaccurate or incomplete.

The school will endeavour to ensure that all personal data held in relation to an individual is kept up to date and accurate. Individuals must please notify the school of any significant changes to important information such as contact details held about them.

9.4 Right to Erasure

An individual has the right to request the deletion or removal of personal data where there is no compelling reason for its continued processing (subject to certain exemptions and limitations under data protection law). If an individual makes such a request, the school will consider whether the right to erasure applies and give a full and reasoned response.

9.5 Right to Restrict Processing

In certain circumstances individuals have the right to request that the school restricts the processing of their personal data (e.g. permitting its storage but no further processing). If such a request is made, the school will consider whether the right to restrict processing applies. If the processing cannot be restricted the school would give a full and reasoned response.

10. Data Retention

The school will retain personal data securely and only in line with how long it is necessary to keep for a legitimate and lawful reason. Typically, the legal recommendation for how long to keep pupil files is up to 7 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.

If you have any specific queries about how our retention and disposal 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 school by email at data.protection@emanuel.org.uk. However, please bear in mind that the school will often have lawful and necessary reasons to hold on to some data even following such a request.

A limited and reasonable amount of information will be kept for archiving purposes, for example; and even when you have requested we no longer keep in touch with you, we will need to keep a record of the fact in order to fulfil your wishes ('suppression record').

11. Data Security

The school has in place appropriate technical and organisational measures that ensure a level of security appropriate to the sensitive nature of the personal data that we process.

12. Policy Review

The school will update this privacy notice from time to time to ensure it still accurately reflects the school's use of personal data.

Any substantial changes that effect your rights will be provided to you directly as far as reasonably practicable.

13. Queries and Complaints

If you have a concern or complaint about the way we are collecting or using your personal data, you should raise your concern with us in the first instance by contacting the bursar at data.protection@emanuel.org.uk. Please include all relevant details in your email.

You can also lodge a complaint directly with the Information Commissioner's Office (ICO) [here](#), although the ICO recommends that steps are taken to resolve the matter with the school before involving the regulator.

14. Policy Review & Approval

Policy Owner	Bursar
Date of last review	August 2023
Approved by	Cabinet: 10 October 2023
Responsible Committee	Finance and Building
Date of next review	Summer 2024

15. Related Documents

- The UK General Data Protection Regulations (2021)
- UK Data Protection Act (2018)
- Privacy Notices
- Data Protection Guidelines for Staff
- Data Protection Policy
- Data Retention and Disposal Policy
- CCTV Policy
- Photographic Image and Video Policy
- Procedure for Responding to a Subject Access Request
- Safeguarding and Child Protection Policy
- Complaints Procedure