



# COLLEGIATE

INDEPENDENT CO-EDUCATION  
FROM NURSERY TO SIXTH FORM

**Policy:** **Data Protection Policy (Whole School)**

*This Policy also applies to Pre-Prep*

**Date of issue:** September 2022

**Date of Review:** September 2025

**References:** Data Protection Act 2018  
General Data Protection Regulations  
GPDR – Subject Access Request Policy  
GDPR – Privacy Notice for Staff and Volunteers

**Author:** Data Protection Officer

Version	Date	Amendments
1.6	31.07.2019	<i>Updated with details of Data Protection Officer.</i>
1.7	08/2022	<i>Reviewed. Rebranded.</i>

*This policy is made available to parents of all pupils, on the School website, and on request from the School Office. It is available to the Staff at the School from the School website, in the Staff Handbook and on request from the School Office. Content of this policy is directly discussed with new staff upon induction into the School.*

*Collegiate School is committed to child protection and safeguarding children and young people and expects all staff, visitors and volunteers to share this commitment.*

## Introduction

The school is committed to complying with the Data Protection Act 2018. This policy describes the ways in which the school collects, holds, discloses and otherwise uses information (data) about pupils and their parents or guardians.

When accepting the offer of a place at the school for their child, parents or legal guardians consent to the school obtaining, using, and holding personal information including "sensitive personal data" about themselves and the child.

## Policy statement

This policy has been authorised by the Governing Body and the Headmaster and Head of Prep School, in compliance with the Data Protection Act 2018 ("the Act"), its regulations and guidance issued by the Information Commissioner. The policy is available to all members of staff and is available to parents, legal guardians and pupils on the school website.

"Processing" may include creating, obtaining, recording, holding, disclosing, amending, destroying or otherwise using personal data (this expression is explained below).

The school has appointed the Data Protection Officer (DPO) who will endeavour to ensure that all personal data is processed in compliance with this policy.

## The Data Protection Principles

In accordance with the eight Data Protection Principles in the Act, the school will do all that is reasonable to ensure that all personal data is:

- Fairly and lawfully processed
- Processed for a lawful purpose
- Adequate, relevant and not excessive
- Accurate and kept up-to-date
- Not kept for longer than necessary
- Processed in accordance with the Data Subject's rights
- Secure
- Not transferred to other countries without adequate protection

## Meaning of "personal data"

"Personal data" means any information relating to an identified or identifiable natural person. "Identifiable" means one who can be identified directly or indirectly, in particular by reference to an identification number or to one or more factors specific to physical, physiological, mental, economic, cultural or social identity.

## Sensitive personal data

The school may, from time-to-time, be required to process sensitive personal data relating to a pupil, a parent or a legal guardian or education guardian. Sensitive personal data is information as to racial or ethnic origin, political opinions, religious beliefs, trade union membership, physical/mental health or condition, sexual life, criminal offences and sentences imposed.

Sensitive personal data will generally be processed only where one of the following conditions applies:

- The Data Subject or parents (through the education guardian where appropriate) or legal guardian of a pupil who is the Data Subject has/have given explicit consent; or
- The information has already been made public by the Data Subject; or
- There is a medical or statutory requirement to process the data, for example, a statutory requirement to safeguard and promote the welfare of the Data Subject or any statutory

requirement to notify a suspicion of money laundering, or co-operate with UK authorities in other ways.

## **The type of data the School may collect**

The school is required, as part of its operation, to process a wide range of data relating to pupils and the pupils' parents or guardians. The school may collect this data in various ways, including in the ordinary course of school activities and from third parties. The following are some examples of the data which may be collected:

- Names, addresses, dates of birth and national insurance numbers;
- Bank details and other financial information;
- Academic, disciplinary, admissions and attendance records and references;
- Medical records;
- Numerical data relating to biometric information
- Examination and performance monitoring scripts and marks;
- Photograph/s and CCTV images;
- Details of racial or ethnic origin;
- Details of beliefs of a religious or similar nature;
- Records of physical and mental health;
- Lifestyle and social circumstances;
- Education and training details;
- Employment details (such as details of part-time jobs and, when pupils leave, information about his or her employment as part of the alumni);
- Disciplinary issues;
- Offences committed (or alleged to have been committed);
- Complaints made by or about an individual.

## **How the School will use this data**

The school will be using the data collected for the following purposes:

- For the performance of the school's contract with parents or legal guardians; or
- To comply with a legal or statutory obligation; or
- To protect the vital interests of the Data Subject; or
- For the administration of justice; or
- For the legitimate interests of the school or a third party (such as another school or an examining board);
- Administration for, and preparation of, examinations, training and communications with the DfE;
- Giving references;
- Educational support, including the administration and provision of healthcare services, welfare and pastoral services, and library services;
- To allow pupils access onto the school premises and automatic registration;
- School and staff administration;
- Promoting the school and fundraising.

Circumstances may arise in which the school believes it would be in the best interests of the pupil to share this data with other people. An obvious example is sharing data with medical staff.

## **Who the school may share data with**

The school may disclose data it has collected to the following in accordance with its obligations under the Data Protection Act 2018 to:

- School staff and the board of governors;
- Education and training establishments and examining bodies, such as the Qualifications and Curriculum Authority, the careers service and DfE;
- Healthcare, social and welfare advisers or practitioners;
- Pupils' relatives, guardians or other people associated with them;
- Pupils' current, past and prospective employers;
- Financial organisations and professional advisers;

- Contractors and agents, such as catering contractors, IT contractors, security contractors, travel agents for school trips or transport companies;
- Any other school or establishment a pupil attends, or which a parent or legal guardian proposes the pupil should attend;
- Relevant organisations and bodies involved in any complaints, disputes, investigations or legal proceedings; and
- The Independent Schools Inspectorate or other inspecting authorities established by statute

## Rights of access to data

Individuals have a right of access to their personal data unless an exemption applies (see below). An individual wishing to access their personal data should put their request in writing to the DPC. He/she will respond to a request for access to records within forty days of receiving the request or earlier if practicable. For these purposes, a request which arrives while the school is closed will be treated as having been received when the school next re-opens. Parents or legal guardians of an individual who is a pupil at the school have the right of access to personal data on behalf of the pupil.

Requests for information are usually free. However, the school may charge an administrative cost in some circumstances, for example if you are asking for a large amount of information or the request will take a lot of time and effort to process.

## Exemptions from the right of access

The Act provides that certain data is exempt from the right of access, including:

- Information which identifies other individuals;
- Information which the school reasonably believes is likely to cause damage or distress;
- Data prepared solely or mainly to request or give legal advice;
- Examination scripts written by a pupil;
- Data that does not concern a living individual;
- Data that is not part of a manual or electronic filing system;
- Data that may be evidence in criminal proceedings;
- (In some cases) documents protected by copyright.

The school will also treat as confidential any reference in the school's possession which has been prepared or given to UCAS and any reference for current or prospective education, training or employment of a pupil. The school acknowledges that an individual may have a right of access to a reference which the school receives about them from another source. Such a reference will only be disclosed, however, if:

- Disclosure will not identify the source of the reference; or
- The referee has given consent; or
- Disclosure is reasonable in all the circumstances.

## Who can exercise the rights

Rights under the Act belong to the individual to whom the personal data relates. In most cases, however, the school is entitled to rely on parental consent to process data relating to pupils unless, in the particular circumstances, it is unreasonable to rely on the parents' consent. This could arise, for example, if there is a conflict of interests between parents and a pupil or if disclosure of information would interfere with a pupil's lawful right to confidentiality.

The school will only grant a pupil direct access to their personal data if it reasonably believes that the pupil understands the nature of the request and that access would not be likely to cause damage or distress to the pupil or other pupils.

## Requests from third parties

The school will normally disclose such data as is necessary to third parties for the following purposes:

- To give a confidential reference relating to a pupil to any educational institution which it is proposed that the pupil may attend, or to a prospective employer;
- To give information relating to outstanding fees or payment history to any educational institution which it is proposed that the pupil may attend;
- To publish the results of public examinations or other achievements of pupils at the school;
- To publish non-portrait-style photographs or images of pupils in the school's prospectus or promotional video or on the school's website;

- To disclose details of a pupil's medical condition, allergies or disability, where it is in the pupil's interests that the school does so, for example, for medical advice, insurance purposes or to members of staff supervising sports and games or to organisers of school ventures.

In most other cases, the school will not generally disclose personal data to third parties unless the Data Subject or his/her parents (through education guardians where appropriate) or legal guardian has given consent or one of the specific exemptions under the Act applies. If the school receives a disclosure request from a third party it will take all reasonable steps to verify the identity of the third party before making any disclosure.

A parent or legal guardian who wishes to limit or object to the pupil's image being used in the school's promotional material should please notify the Headmaster or Head of Prep School in writing and request an acknowledgement of their letter. In the absence of notification, the school will, from time-to-time, make use of personal data relating to pupils, their parents or guardians in the following ways –

- In the school's prospectus, video, website or other promotional literature or materials in accordance with the school's terms and conditions.
- To compile and maintain the school's register of current or former pupils or any necessary list of pupils representing the school as a member of a team or on a school educational visit.
- To give information relating to the fundraising activities of the school and initiatives considered beneficial to members of the school community.
- To maintain contact with former members of the school and their association and to inform them of events and activities.
- A parent of a pupil of sufficient maturity and understanding should seek the consent of the pupil before limiting or objecting to the use of his/her image.
- In addition, images and names of pupils may appear in local press articles and features and on the school's officially sanctioned social networking sites.

## **When the School may transfer this information outside the European Economic Area (EEA)**

The school will only transfer this information outside the EEA if:

- The parent, guardian or pupil has asked us to; or
- The pupil has applied for a place at a university or school outside the EEA, or for a job, work experience or placement on a scheme outside the EEA, and the organisation or establishment concerned has asked us to supply it with that information or a reference.

## **Accuracy**

The school will do all that is reasonable to ensure that personal data held in relation to an individual is accurate from time-to-time. Individuals must notify the DPO of any changes to information held about them. An individual has the right to request that inaccurate information about them is erased or corrected.

## **Administration**

The school will take reasonable steps to ensure that members of staff will only have access to personal data relating to pupils, their parents or guardians, where it is reasonably necessary for them to do so. All members of staff will be made aware of this policy and of their duties under the Act. The school will do all that is reasonable to ensure that personal information is held securely and is not accessible to unauthorised persons.

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