



Annemount

Nursery and Pre-preparatory School

Data Privacy Policy

This policy applies to the whole school including EYFS

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Introduction

Annemount School collects and uses personal information about pupils, parents or carers, staff, visitors and volunteers and other individuals who come into contact with the school. This information is gathered for the purposes of providing education and other associated functions such as safeguarding. In addition, there may be a legal requirement to collect and use information to ensure that the school complies with its statutory obligations.

This policy should be read in conjunction with the

- Acceptable Use of ICT Policy
- Special Educational Needs Inclusion, English as an Additional Language and Gifted and Talented Policy
- Privacy Notice for Parents/Carers (*Appendix A*)
- Privacy Notice for Staff (*Appendix A*)

Aim

Annemount School aims to ensure that all personal data collected about staff, pupils, parents, visitors and other individuals is collected, stored and processed in accordance with the [General Data Protection Regulation \(GDPR\)](#) and the expected provisions of the Data Protection Act 2018 (DPA 2018) as set out in the [Data Protection Bill](#).

This policy applies to all personal data, regardless of whether it is in paper or electronic format.

Legislation and guidance

This policy meets the requirements of the GDPR and the expected provisions of the DPA 2018. It is based on guidance published by the Information Commissioner's Office (ICO) on the [GDPR](#) and the ICO's [code of practice for subject access requests](#).

Definitions

Term	Definition
Personal data	<p>Any information relating to an identified, or identifiable, individual. This may include the individual's:</p> <ul style="list-style-type: none">• Name (including initials)• Identification number• Location data• Online identifier, such as a username <p>It may also include factors specific to the individual's physical, physiological, genetic, mental, economic, cultural or social identity.</p>
Special categories of personal data	<p>Personal data which is more sensitive and so needs more protection, including information about an individual's:</p> <ul style="list-style-type: none">• Racial or ethnic origin• Political opinions

	<ul style="list-style-type: none"> • Religious or philosophical beliefs • Trade union membership • Genetics • Biometrics (such as fingerprints, retina and iris patterns), where used for identification purposes • Health– physical or mental • Sex life or sexual orientation
Processing	Anything done to personal data, such as collecting, recording, organising, structuring, storing, adapting, altering, retrieving, using, disseminating, erasing or destroying. Processing can be automated or manual.
Data subject	The identified or identifiable individual whose personal data is held or processed.
Data controller	A person or organisation that determines the purposes and the means of processing of personal data.
Data processor	A person or other body, other than an employee of the data controller, who processes personal data on behalf of the data controller.
Personal data breach	A breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data.

The data controller

The school processes personal data relating to parents, pupils, staff, visitors and others, and therefore is a data controller. The school is registered as a data controller with the ICO and will renew this registration annually or as otherwise legally required.

Data protection principles

The GDPR is based on data protection principles that Annemount School must comply with. The principles say that personal data must be:

- Processed lawfully, fairly and in a transparent manner
- Collected for specified, explicit and legitimate purposes
- Adequate, relevant and limited to what is necessary to fulfil the purposes for which it is processed
- Accurate and, where necessary, kept up to date
- Kept for no longer than is necessary for the purposes for which it is processed
- Processed in a way that ensures it is appropriately secure

This policy sets out how the school aims to comply with these principles.

Collecting personal data

Lawfulness, fairness and transparency

Annemount School will only process personal data where Annemount School have one of 6 'lawful bases' (legal reasons) to do so under data protection law:

- The data needs to be processed so that the school can **fulfil a contract** with the individual, or the individual has asked the school to take specific steps before entering into a contract
- The data needs to be processed so that the school can **comply with a legal obligation**
- The data needs to be processed to ensure the **vital interests** of the individual e.g. to protect someone's life
- The data needs to be processed so that the school, as a public authority, can perform a task **in the public interest**, and carry out its official functions
- The data needs to be processed for the **legitimate interests** of the school or a third party (provided the individual's rights and freedoms are not overridden)
- The individual (or their parent/carer when appropriate in the case of a pupil) has freely given clear **consent**

As part of its educational programme, Annemount School offers online services to pupils, such as classroom apps and/or assessment tools and will rely on consent as a basis for processing.

Whenever Annemount School first collects personal data directly from individuals, Annemount School will provide them with the relevant information required by data protection law in its Privacy Notice (*see Appendix A*).

Limitation, minimisation and accuracy

Annemount School will only collect personal data for specified, explicit and legitimate reasons.

If Annemount School wants to use personal data for reasons other than those given when Annemount School first obtained it, Annemount School will inform the individuals concerned beforehand, and seek consent where necessary.

When staff members no longer need the personal data they hold, they must ensure it is deleted or anonymised. This will be done in accordance with the [Information and Records Management Society's toolkit for schools](#).

Sharing personal data

Annemount School will not normally share personal data with anyone else, but may do so where:

- There is an issue with a pupil or parent/carer that puts their safety or the safety of our staff at risk
- Our suppliers or contractors need data to enable us to provide services to our staff and pupils – for example, swimming pool, uniform shop. When doing this, Annemount School will:
 - Only appoint suppliers or contractors which can provide sufficient guarantees that they comply with data protection law
 - Establish a data sharing agreement with the supplier or contractor, either in the contract or as a standalone agreement, to ensure the fair and lawful processing of any personal data Annemount School share
 - Only share data that the supplier or contractor needs to carry out their service, and information necessary to keep them safe while working with us

Annemount School will also share personal data with law enforcement and government bodies where Annemount School is legally required to do so, including for:

- Local Authority or Department for Education as part of statutory data collections
- The prevention or detection of crime and/or fraud
- The apprehension or prosecution of offenders
- The assessment or collection of tax of Annemount School to HMRC
- In connection with legal proceedings
- Where the disclosure is required to satisfy our safeguarding obligations
- Research and statistical purposes, as long as personal data is sufficiently anonymised or consent has been provided

Annemount School may also share personal data with emergency services and local authorities to help them to respond to an emergency situation that affects any of our pupils or staff.

Where Annemount School transfers personal data to a country or territory outside the European Economic Area, Annemount School will do so in accordance with data protection law.

Monitoring arrangements

This policy will be reviewed by Annemount School and updated if necessary when the Data Protection Bill receives royal assent and becomes law (as the Data Protection Act 2018) – if any changes are made to the bill that affect Annemount School's practice. Otherwise, or from then on, this policy will be reviewed by Annemount School every year.

Roles and responsibilities

This policy applies to all staff employed by Annemount School, and to external organisations or individuals working on its behalf. Staff members who do not comply with this policy may face disciplinary action.

Proprietor/Headteacher

The proprietor and Head Teacher, Geraldine Maidment, has overall responsibility for ensuring that the school complies with all relevant statutory obligations on behalf of Annemount School Ltd.

All staff

Staff members are responsible for:

- Ensuring that any portable device used remotely is password protected
- Ensuring that data is not transferred or uploaded to personal devices
- Collecting, storing and processing any personal data in accordance with this policy
- Informing the school of any changes to their personal data, such as a change of address
- Contacting the Headteacher in the following circumstances:
 - Any questions about the operation of this policy, data protection law, retaining personal data or keeping personal data secure
 - If they have any concerns that this policy is not being followed
 - If they are unsure whether or not they have a lawful basis to use personal data in a particular way
 - If they need to rely on or capture consent, draft a privacy notice, deal with data protection rights invoked by an individual, or transfer personal data outside the European Economic Area
 - If there has been a data breach
 - Whenever they are engaging in a new activity that may affect the privacy rights of individuals
 - If they need help with any contracts or sharing personal data with third parties

Working Remotely

There are occasions when staff members may work remotely. This may involve logging into the school server system when not on the premises. Consideration is given to any potential risks and threats that may occur when 'remote working' takes place often in the form of written risk assessments. The procedure to enter the school server system will involve either a password on a mobile device or using a password protected 'log me in service' followed by an additional password protected log-in to the school server. For those not actively logging into the school server password protected memory sticks are used.

Training

All staff members are provided with data protection training as part of their induction process.

Data protection will also form part of continuing professional development, where changes to legislation, guidance or the school's processes make it necessary.

Subject access requests and other rights of individuals

Subject access requests

Individuals have a right to make a 'subject access request' to gain access to personal information that the school holds about them. This includes:

- Confirmation that their personal data is being processed
- Access to a copy of the data
- The purposes of the data processing
- The categories of personal data concerned
- Who the data has been, or will be, shared with
- How long the data will be stored for, or if this isn't possible, the criteria used to determine this period
- The source of the data, if not the individual
- Whether any automated decision-making is being applied to their data, and what the significance and consequences of this might be for the individual

Subject access requests must be submitted in writing, either by letter or email to the school office. They should include:

- Name of individual
- Correspondence address
- Contact number and email address
- Details of the information requested

If staff members receive a subject access request, they must immediately forward it to the Head Teacher.

Children and subject access requests

Children below the age of 12 are generally not regarded to be mature enough to understand their rights and the implications of a subject access request. Therefore, most subject access requests from parents or carers of pupils at Annemount School may be granted without the express permission of the pupil. This is not a rule and a pupil's ability to understand their rights will always be judged on a case-by-case basis.

Responding to subject access requests

When responding to requests, Annemount School:

- May ask the individual to provide 2 forms of identification
- May contact the individual via phone to confirm the request was made
- Will respond without delay and within 1 month of receipt of the request
- Will provide the information free of charge
- May tell the individual Annemount School will comply within 3 months of receipt of the request, where a request is complex or numerous. Annemount School will inform the individual of this within 1 month, and explain why the extension is necessary

Annemount School will not disclose information if it:

- Might cause serious harm to the physical or mental health of the pupil or another individual
- Would reveal that the child is at risk of abuse, where the disclosure of that information would not be in the child's best interests
- Is contained in adoption or parental order records
- Is given to a court in proceedings concerning the child

If the request is unfounded or excessive, Annemount School may refuse to act on it, or charge a reasonable fee which takes into account administrative costs.

A request will be deemed to be unfounded or excessive if it is repetitive, or asks for further copies of the same information.

When Annemount School refuses a request, Annemount School will tell the individual why, and tell them they have the right to appeal to the ICO.

Other data protection rights of the individual

In addition to the right to make a subject access request (see above), and to receive information when Annemount School are collecting their data about how Annemount School uses and processes it, individuals also have the right to:

- Withdraw their consent to processing at any time were consent was given
- Ask us to rectify, erase or restrict processing of their personal data, or object to the processing of it (in certain circumstances)
- Prevent use of their personal data for direct marketing
- Challenge processing which has been justified on the basis of public interest
- Request a copy of agreements under which their personal data is transferred outside of the European Economic Area
- Object to decisions based solely on automated decision making or profiling (decisions taken with no human involvement that might negatively affect them)
- Prevent processing that is likely to cause damage or distress
- Be notified of a data breach in certain circumstances
- Make a complaint to the ICO
- Ask for their personal data to be transferred to a third party in a structured, commonly used and machine-readable format (in certain circumstances)

Individuals should submit any request to exercise these rights to the Head Teacher.

Photographs and videos

As part of Annemount School activities, Annemount School may take photographs and record images of individuals within Annemount School.

Annemount School will obtain written consent from parents/carers for photographs and videos to be taken of their child for communication, marketing and promotional materials.

Uses may include:

- Within school on display boards, in newsletters, etc.
- Online on Annemount School's website
- Outside of school by external agencies such as the school photographer, newspapers,
- Press or publications such as the *Good Schools Guide*.

Consent can be refused or withdrawn at any time. If consent is withdrawn, Annemount School will endeavour to delete the photograph or video and not distribute it further. When using photographs and videos in this way, Annemount School will not accompany them with any other personal information about the child without consent, to ensure they cannot be identified.

Data protection by design and default

Annemount School will put measures in place to show that Annemount School has integrated data protection into all data processing activities, including:

- Only processing personal data that is necessary for each specific purpose of processing, and always in line with the data protection principles set out in relevant data protection law

- Integrating data protection into internal documents including this policy, any related policies and privacy notices
- Regularly training members of staff on data protection law, this policy, any related policies and any other data protection matters;
- Conducting reviews and audits to test our privacy measures and make sure Annemount School is compliant
- Maintaining records of our processing activities, including:
 - For the benefit of data subjects, making available the name and contact details of Annemount School and all information Annemount School is required to share about how it uses and processes personal data (via Privacy Notices – appendix A)
 - For all personal data that Annemount School holds, maintaining an internal record of the type of data, data subject, how and why Annemount School is using the data, any third-party recipients, how and why Annemount School is storing the data, retention periods and how Annemount School are keeping the data secure

Data security and storage of records

Annemount School will protect personal data and keep it safe from unauthorised or unlawful access, alteration, processing or disclosure, and against accidental or unlawful loss, destruction or damage.

Disposal of records

Personal data that is no longer needed will be disposed of securely. Personal data that has become inaccurate or out of date will also be disposed of securely, where Annemount School cannot or does not need to rectify or update it.

For example, Annemount School will shred paper-based records, and delete electronic files. Annemount School may also use a third party to safely dispose of records on the school's behalf. If Annemount School does so, Annemount School will require the third party to provide sufficient guarantees that it complies with data protection law.

Personal data breaches

The school will take all reasonable measures to ensure that there are no personal data breaches.

In the unlikely event of a suspected data breach, Annemount School will follow the procedure set out in appendix B.

When appropriate, Annemount School will report the data breach to the ICO within 72 hours.

Date: May 2018

Review Date: July 2018

Appendix A: Privacy Notice for Parents/Carers & Privacy Notice for Staff

Privacy notice for parents/carers

Introduction

This notice is to help you understand how and why Annemount School collects your child's personal information and what the school does 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.

Under data protection law, individuals have a right to be informed about how the school uses any personal data that Annemount School hold about them. Annemount School complies with this right by providing 'privacy notices' to individuals where Annemount School processes their personal data.

This privacy notice explains how Annemount School collects, stores and uses personal data about pupils, parents or carers including those listed as 'Emergency Contacts'.

Annemount School is the 'data controller' for the purposes of data protection law. The school has a Data Privacy Policy which can be found on the school website or obtained from the school office.

The personal data Annemount School holds

Personal data that Annemount School collects and uses and stores and shares (when appropriate) about individuals includes, but is not restricted to:

- Contact details, contact preferences, date of birth, identification documents
- Results of internal and external assessments
- Pupil records and reports
- Characteristics, such as ethnic background, religion, English as an additional language, any special educational needs
- Exclusion information
- Details of any medical conditions, including physical and mental health
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs and video images captured in school

Annemount School may also hold data about pupils and families that Annemount School has received from other organisations, including other schools, local authorities and the Department for Education.

Why Annemount School uses this data

Annemount School uses this data to:

- Comply with the law regarding data sharing
- Fulfil its legal obligations regarding admissions and registration
- Fulfil its legal obligations regarding Health, Safety and Welfare
- Support pupil learning
- Monitor and report on pupil progress

- Assess the quality of its services
- Share news and information with the parent community
- Showcase the life and ethos of the school

Our legal basis for using this data

Annemount School will only process personal data where Annemount School has one of 6 'lawful bases' (legal reasons) to do so under data protection law:

1. The data needs to be processed so that the school can **fulfil a contract** with the individual, or the individual has asked the school to take specific steps before entering into a contract

2. **Comply with a legal obligation (LO)**

Where the School needs to use your child's information in order to comply with a legal obligation to report a concern about wellbeing to Children's Services. We will also have to disclose your child's information to third parties such as the courts, the local authority or the police where legally obliged to do so.

3. The data needs to be processed to ensure the **vital interests (VI)** of the individual e.g. to protect someone's life

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

This applies where what we are doing is for the benefit of people generally. The following are examples of where this applies:

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

5. **Legitimate Interests (LI)**

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 building safe.
- Making sure that the School is well managed and that we protect the School's reputation.
- Safeguarding and promoting your child's welfare and the welfare of other children.
- Promoting the objects and interests of the School. This includes fundraising e.g. if we want to raise money and using photographs of your child in promotional material such as on our website and in the prospectus.
- 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.

6. The individual (or their parent/carer when appropriate in the case of a pupil) has freely given clear **consent**

Some of the reasons listed above for collecting and using pupils' personal data overlap, and there may be several grounds which justify our use of this data.

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.

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. This is similar to "public interest" above. For example, the School will use information about your child's health to look after them. We may also use other types of special category personal data about your child to provide them 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 will 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. Social protection law is concerned with preventing, managing, and overcoming situations that adversely affect people's wellbeing.

Vital interests (VI)

In limited circumstances we may use your child's information to protect your child's vital interests or the vital interests of someone else (e.g. if your child or they are seriously hurt).

Legal claims (LC)

The processing is necessary for the establishment, exercise or defence of legal claims. This allows us to share information with our legal advisors and insurers. This applies whenever sharing special category data is necessary in relation to legal claims.

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.

1. Our primary reason for using your child's information is to provide your child with an education - **LI**, **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) - **LI**, **PI**, **SPI**, **ESP**, **MP**.

The admissions and intakes forms which you complete give us personal information about your child. We get information from your child, their 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 welcoming your child to attend the school for an informal assessment 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 - LI, PI, SPI.
4. We need to tell all appropriate members of staff if your child has a health issue - LI, PI, SPI.
5. We will tell your child's teachers if they have special educational needs or require extra help with some tasks - LI, PI, SPI.
6. If we have information that your child suffers from an allergy, we will use this information so that we can look after your child - LI, PI, SPI, VI, MP.
7. 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.
8. Where appropriate, the School will have information about your religious beliefs and practices. For example, if your child does not eat certain foods - LI, PI, SPI.
9. 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.
10. We will 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 - LI, LO, PI, SPI, ESP.
11. 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.
12. When we are inspected by the Independent Schools Inspectorate we will have to make your child's information available to the inspectors to assist them with their inspection - LI, LO, PI, SPI.
13. 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.
14. The School may share information about your child with the local authority or educational support or learning support teachers 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.
15. 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 includes 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.
16. 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 progress and attainment results and provide references - LI, PI, SPI.
17. If your child has a safeguarding file, we are legally required to pass this file to their next school - LI, LO, PI, SPI, ESP.
18. 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.

19. 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 data with them if this is relevant to their work - [LI](#), [PI](#), [SPI](#).

20. 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](#).

21. We may share some information with our insurance company to make sure that we have the insurance cover that we need - [LI](#), [PI](#), [SPI](#), [LC](#).

22. If you have appointed an agent to act on your behalf during the admissions process, then we may share information about your child with them. For example, we may send them the acceptance letter so that they can pass this on to you- [LI](#).

23. We will share your child's academic and (where necessary) their behaviour records with you so you can support their schooling - [LI](#), [PI](#), [SPI](#).

24. We will acquire consent for the use of photographs or videos of your child for the School's website and to show prospective pupils what we do here and to advertise the School. We will continue to use these photographs and videos after your child has left the School - [LI](#), [PI](#).

25. Sometimes we use photographs and videos for teaching purposes, for example, to record a drama lesson - [LI](#).

26. We publish our 7+ entrance results as well as other news on the website and put articles and photographs in newspapers to tell people about what we have been doing - [LI](#).

27. 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](#).

28. From time to time, we may use a third party to provide activities such as instrumental music teachers, external sports coach and learning support teachers. We may share your child's information with them, for example, to tell them what sports they are good at- [LI](#), [PI](#).

29. We can keep information about your child for a very long time or even indefinitely if we need this for historical, research or statistical purposes. For example, if we consider the information might be useful if someone wanted to write a book about the School - [LI](#).

Third Parties

Annemount School does not share information about pupils with any third party unless the law and or its policies allows.

Where it is legally required, or necessary (and it complies with data protection law), Annemount School may share personal information about pupils with:

- *The local authority – to meet legal obligations to share certain information with it, such as safeguarding concerns and admissions status*
- *The Department for Education*
- *The pupil's family and representatives*
- *Educators, examining bodies and education groups*
- *Ofsted, Independent Schools Inspectorate*
- *Suppliers and service providers – to enable them to provide the service Annemount School has contracted them for*
- *Financial organisations*
- *Central and local government*
- *The school auditors*

- *Survey and research organisations*
- *Health authorities*
- *Security organisations*
- *Health and welfare organisations*
- *Professional advisers and consultants*
- *Charities and voluntary organisations*
- *Police forces, courts, tribunals*
- *Professional bodies*

How Annemount School stores this data

Annemount School keeps personal information about pupils and their families prior to starting and while they are attending Annemount School. Annemount School may also keep it beyond their attendance at Annemount School if this is necessary in order to comply with our legal obligations.

Data security and storage of records

Annemount School will protect personal data and keep it safe from unauthorised or unlawful access, alteration, processing or disclosure, and against accidental or unlawful loss, destruction or damage.

Data sharing

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.

Transferring data internationally

Sending information to other countries

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.

Parents and pupils' rights regarding personal data

Individuals have a right to make a 'subject access request' to gain access to personal information that the school holds about them.

Parents/carers can make a request with respect to their child's data where the child is not considered mature enough to understand their rights over their own data (usually under the age of 12), or where the child has provided consent.

Parents also have the right to make a subject access request with respect to any personal data the school holds about them.

If you make a subject access request to Annemount School it will:

- Give a description of it
- Explain why Annemount School is holding and processing it, and how long Annemount School will keep it for
- Explain where Annemount School got it from, if not from you or your child
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

Individuals also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

Requests can be made to the Head teacher.

Other rights

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe, including the right to:

- Object to the use of personal data if it would cause, or is causing, damage or distress
- Prevent it being used to send direct marketing
- Object to decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact the Head teacher.

Complaints

Annemount School takes any complaints about collection and use of personal information very seriously. This should be read in conjunction with the Complaints Policy which can be found on the school website.

If you think that the collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about data processing, please raise this with Annemount School in the first instance.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113

- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact the Head teacher.

Headteacher@annemount.co.uk

02084552132

This notice is based on the [Department for Education's model privacy notice](#) for pupils, amended for parents and to reflect the way Annemount School use data in this school.

Privacy notice for staff

Under data protection law, individuals have a right to be informed about how the school uses any personal data that Annemount School hold about them. Annemount School complies with this right by providing 'privacy notices' to individuals where Annemount School processes their personal data.

This privacy notice explains how Annemount School collects, stores and uses personal data about individuals Annemount School employs, or otherwise engages, to work at Annemount School.

Annemount School is the 'data controller' for the purposes of data protection law.

The personal data Annemount School holds

Annemount School processes data relating to those Annemount School employs, or otherwise engages, to work at Annemount School. Personal data that Annemount School may collect, use, store and share (when appropriate) about an individual includes, but is not restricted to:

- Contact details
- Date of birth, marital status and gender
- Next of kin and emergency contact numbers
- Salary, annual leave, pension and benefits information
- Bank account details, payroll records, National Insurance number and tax status information
- Copy of Passport
- Recruitment information, including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process
- Qualifications and employment records, including work history, job titles, working hours, training records and professional memberships
- Performance information
- Outcomes of any disciplinary and/or grievance procedures
- Absence data
- Copy of driving licence
- Photographs and video footage
- Data about use of the school's information and communications system

Annemount School may also collect, store and use information about an individual that falls into "special categories" of more sensitive personal data. This includes information about (where applicable):

- Race, ethnicity, religious beliefs, sexual orientation and political opinions
- Trade union membership
- Health, including any medical conditions, and sickness records

Why Annemount School uses this data

The purpose of processing this data is to help the running the school, including to:

- Enable staff to be paid
- Facilitate safe recruitment, as part of safeguarding obligations towards pupils
- Support effective performance management
- Inform recruitment and retention policies

- Allow better financial modelling and planning
- Enable ethnicity and disability monitoring
- Improve the management of workforce data across the sector
- Support the work of the School Teachers' Review Body

Lawful basis for using this data

Annemount School will only process personal data where it has one of 6 'lawful bases' (legal reasons) to do so under data protection law:

- The data needs to be processed so that the school can **fulfil a contract** with the individual, or the individual has asked the school to take specific steps before entering into a contract
- The data needs to be processed so that the school can **comply with a legal obligation**
- The data needs to be processed to ensure the **vital interests** of the individual e.g. to protect someone's life
- The data needs to be processed so that the school, as a public authority, can perform a task **in the public interest**, and carry out its official functions
- The data needs to be processed for the **legitimate interests** of the school or a third party (provided the individual's rights and freedoms are not overridden)
- The individual (or their parent/carer when appropriate in the case of a pupil) has freely given clear **consent**

Some of the reasons listed above for collecting and using personal information overlaps, and there may be several grounds which justify the school's use of data.

How Annemount School stores this data

Annemount School creates and maintains an employment file for each staff member. The information contained in this file is kept secure and is only used for purposes directly relevant to employment.

Data sharing

Annemount School does not share information about employees with any third party without consent unless the law and policies allow.

Where it is legally required or necessary (and it complies with data protection law), Annemount School may share personal information about employees with:

- *The Local Authority – to meet legal obligations to share certain information, such as safeguarding concerns*
- *The Department for Education*
- *The employee's family or representatives*
- *Educators and examining bodies*
- *Independent Schools Inspectorate*
- *Suppliers and service providers – to enable them to provide the service Annemount School have contracted them for, such as payroll*
- *Financial organisations*
- *Central and local government*
- *The school's auditors*
- *Survey and research organisations*
- *Trade unions and associations*

- *Health authorities*
- *Security organisations*
- *Health and social welfare organisations*
- *Professional advisers and consultants*
- *Charities and voluntary organisations*
- *Police forces, courts, tribunals*
- *Professional bodies*
- *Employment and recruitment agencies*

Transferring data internationally

Where Annemount School transfers personal data to a country or territory outside the European Economic Area, Annemount School will do so in accordance with data protection law.

Your rights

How to access personal information Annemount School holds about you

Individuals have a right to make a '**subject access request**' to gain access to personal information that the school holds about them.

If a subject access is requested, and if Annemount School does hold information, Annemount School will:

- Give a description of it
- Explain why Annemount School is holding and processing it, and how long Annemount School will keep it for
- Explain where Annemount School got it from, if not from you
- Tell you who it has been, or will be, shared with
- Inform whether any automated decision-making is being applied to the data, and any consequences of this
- Give a copy of the information in an intelligible form

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances. To make a request, please contact the Headteacher.

Your other rights regarding your data

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

- Object to the use of your personal data if it would cause, or is causing, damage or distress
- Prevent your data being used to send direct marketing
- Object to the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Claim compensation for damages caused by a breach of the data protection regulations

To exercise any of these rights, please contact the Headteacher.

Complaints

Annemount School takes any complaints about collection and use of personal information very seriously. This should be read in conjunction with the Complaints Policy which can be found on the school website.

If you think that the collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with the school in the first instance.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Contact us

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact the Headteacher Geraldine Maidment.

Headteacher@annemount.co.uk

02084552132

This notice is based on the [Department for Education's model privacy notice](#) for the school workforce, amended to reflect the way Annemount School uses data in this school.

Appendix B: Personal data breach procedure

This procedure is based on [guidance on personal data breaches](#) produced by the ICO.

- On finding or causing a breach, or potential breach, the staff member or data processor must immediately notify the Head Teacher.
- The Headteacher will investigate the report, and determine whether a breach has occurred. To decide, the Headteacher will consider whether personal data has been accidentally or unlawfully:
 - Lost
 - Stolen
 - Destroyed
 - Altered
 - Disclosed or made available where it should not have been
 - Made available to unauthorised people
- The Headteacher will make all reasonable efforts to contain and minimise the impact of the breach, assisted by relevant staff members where necessary.
- The Headteacher will assess the potential consequences, based on how serious they are, and how likely they are to happen
- The Headteacher will work out whether the breach must be reported to the ICO. This must be judged on a case-by-case basis. To decide, the Headteacher will consider whether the breach is likely to negatively affect people's rights and freedoms, and cause them any physical, material or non-material damage (e.g. emotional distress), including through:
 - Loss of control over their data
 - Discrimination
 - Identify theft or fraud
 - Financial loss
 - Unauthorised reversal of pseudonymisation (for example, key-coding)
 - Damage to reputation
 - Loss of confidentiality
 - Any other significant economic or social disadvantage to the individual(s) concernedIf it's likely that there will be a risk to people's rights and freedoms, the Headteacher must notify the ICO.
- The Headteacher will document the decision (either way), in case it is challenged at a later date by the ICO or an individual affected by the breach. Documented decisions are stored on the school R:Drive.
- Where the ICO must be notified, the Headteacher will do this via the ['report a breach' page of the ICO website](#) within 72 hours. As required, the DPO will set out:
 - A description of the nature of the personal data breach including, where possible:
 - The categories and approximate number of individuals concerned
 - The categories and approximate number of personal data records concerned
 - The name and contact details of the Headteacher
 - A description of the likely consequences of the personal data breach
 - A description of the measures that have been, or will be taken, to deal with the breach and mitigate any possible adverse effects on the individual(s) concerned
- If all the above details are not yet known, the Headteacher will report as much as they can within 72 hours. The report will explain that there is a delay, the reasons why and when the Headteacher expects to have further information. The Headteacher will submit the remaining information as soon as possible

- The Headteacher will also assess the risk to individuals, again based on the severity and likelihood of potential or actual impact. If the risk is high, the Headteacher will promptly inform, in writing, all individuals whose personal data has been breached. This notification will set out:
 - The name and contact details of the Head Teacher
 - A description of the likely consequences of the personal data breach
 - A description of the measures that have been, or will be, taken to deal with the data breach and mitigate any possible adverse effects on the individual(s) concerned
- The Headteacher will notify any relevant third parties who can help mitigate the loss to individuals – for example, the police, insurers, banks or credit card companies
- The Headteacher will document each breach, irrespective of whether it is reported to the ICO. For each breach, this record will include the:
 - Facts and cause
 - Effects
 - Action taken to contain it and ensure it does not happen again (such as establishing more robust processes or providing further training for individuals)
- Records of all breaches will be stored on the school R:drive.
- The Headteacher will meet to review what happened and how it can be stopped from happening again. This meeting will happen as soon as reasonably possible.

Actions to minimise the impact of data breaches

Annemount School will take the actions set out below to mitigate the impact of different types of data breach, focusing especially on breaches involving particularly risky or sensitive information.

Annemount School will review the effectiveness of these actions and amend them as necessary after any data breach.

Sensitive information being disclosed via email (including safeguarding records)

- If special category data (sensitive information) is accidentally made available via email to unauthorised individuals, the sender must attempt to recall the email as soon as they become aware of the error
- Members of staff who receive personal data sent in error must alert the sender and the Headteacher as soon as they become aware of the error
- If the sender is unavailable or cannot recall the email for any reason, the Headteacher will ask the ICT department to recall it
- In any cases where the recall is unsuccessful, the Headteacher will contact the relevant unauthorised individuals who received the email, explain that the information was sent in error, and request that those individuals delete the information and do not share, publish, save or replicate it in any way
- The Headteacher will ensure Annemount School receives a written response from all the individuals who received the data, confirming that they have complied with this request
- The Headteacher will carry out an internet search to check that the information has not been made public; if it has; Annemount School will contact the publisher/Annemount School website owner or administrator to request that the information is removed from their Annemount School website and deleted