



Emanuel School

Privacy Notice for Parents

What this policy is for	1
Responsibility for Data Protection.....	2
Why the school needs to process personal data.....	2
Types of personal data processed by the school.....	3
How the school collects data	4
Who has access to personal data and who the school shares it with.....	4
How long the school keeps personal data	5
Keeping in touch and supporting the school	5
Your rights.....	6
Pupil requests.....	7
Consent.....	7
Whose rights.....	8
Data accuracy and security.....	8
This policy.....	9
Complaints.....	9

Introduction

Emanuel School takes its responsibilities for using personal information about individuals seriously. The school's primary reason for collecting, using and sharing personal information is to provide educational services to the children enrolled in the school.

Personal information is any information that identifies an individual and is related to them. Examples include contact details, next of kin and financial information. Information about religion or ethnic group, exam results, medical information, CCTV, photographs and video recordings are also considered personal information.

What this policy is for

This policy is intended to provide information to parents and pupils 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 policy as "parents").

Those who work at the school including staff, volunteers, governors and service providers, should refer the Privacy Notice for Staff and past pupils or members of the alumni community to the Privacy Notice for Alumni.

This information is provided in accordance with the rights of individuals under data protection law to understand how their data is used. Staff, parents and pupils are all encouraged to read this privacy notice and understand the school's obligations to its entire community.



Emanuel School

This privacy 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. This privacy notice 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;
- the school's policy on taking, storing and using images of children;
- the school's CCTV policy;
- the school's retention of records policy;
- the school's safeguarding, pastoral, or health and safety policies; and
- the school's IT security policies.

Responsibility for Data Protection

The person responsible for data protection and privacy at the school is the Director of Finance and Administration. He will deal with all your requests and enquiries concerning the school's uses of your personal data (see section on Your Rights below) and endeavour to ensure that all personal data is processed in compliance with this policy and data protection law. He 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.

Why the school needs to process personal data

In order to carry out its ordinary duties to pupils and parents, the school need to process a wide range of personal data about individuals (including current and prospective pupils or parents) as part of its daily operation.

Some of this activity the school will need to carry out in order to fulfil its legal rights, duties or obligations – including those under a contract with parents of its pupils.

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 provide education services, including musical education, physical training or spiritual development, career services, educational trips and extra-curricular activities to pupils, and monitoring pupils' progress and educational needs;
- To safeguard pupils' welfare and provide appropriate pastoral care;
- 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;



Emanuel School

- Maintaining relationships with alumni and the school community, including direct marketing or fundraising activity;
- For the purposes of donor due diligence, and to confirm the identity of prospective donors and their background and relevant interests;
- For the purposes of management planning and forecasting, research and statistical analysis, including that imposed or provided for by law (such as diversity or gender pay gap analysis and taxation records);
- To enable relevant authorities to monitor the school's performance and to intervene or assist with incidents as appropriate;
- To monitor (as appropriate) use of the school's IT and communications systems in accordance with the school's IT security policy;
- 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 policy on taking, storing and using images of children;
- 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 purposes; and
- Where otherwise reasonably necessary for the school's purposes, including to obtain appropriate professional advice and insurance for the school.

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

- To safeguard pupils' welfare 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 provide educational services in the context of any special educational needs of a pupil;
- To provide spiritual education in the context of any religious beliefs;
- 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.



Types of personal data processed by the school

This will include by way of example:

- names, addresses, telephone numbers, e-mail addresses and other contact details;
- car details (about those who use the school's car parking facilities);
- bank details and other financial information, e.g. about parents who pay fees to the school;
- parents and former pupils' career information
- past, present and prospective pupils' academic, disciplinary, admissions and attendance records (including information about any special needs), and examination scripts and marks;
- where appropriate, information about individuals' health and welfare, and contact details for their next of kin;
- 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; and
- images of pupils (and occasionally other individuals) engaging in school activities, and images captured by the school's CCTV system (in accordance with the school's policy on taking, storing and using images of children);

How the school collects your data

Generally, the school receives personal data from the individual directly (including, in the case of pupils, from their parents). This may be via a form, or simply in the ordinary course of interaction or communication (such as email or written assessments).

However 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 publicly available resources.

Who has access to personal data and who the school shares it with

Occasionally, the school will need to share personal information relating to its community with third parties, such as professional advisers (lawyers, insurers and accountants) or relevant authorities (DfE, Independent Schools Inspectorate, Independent Schools Council, the Charities Commission, HMRC, police or the local authority).

Personal information will be shared with 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). Pupils should refer to the JCQ Information for candidates – Privacy Notice, General and Vocational Qualifications for further information.

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



Emanuel School

assurances that personal data will be kept securely and only in accordance with the school's specific directions. For overseas trips outside of the EU or countries with 'adequate jurisdiction', additional safeguards will be provided to ensure that an appropriate level of protection is in place.

For the most part, personal data collected by the school will remain within the school, and will be processed by appropriate individuals only in accordance with access protocols (i.e. on a 'need to know' basis). Particularly strict rules of access apply in the context of:

- medical records held and accessed only by the school nurse, or otherwise in accordance with express consent; and
- pastoral or safeguarding files.

However, a certain amount of any SEN pupil's relevant information; or pastoral information relating to a pupil will need to be provided to staff more widely in the context of providing the necessary care and education that the pupil requires.

Staff, pupils and parents are reminded that the school is under duties imposed by law and statutory guidance (including *Keeping Children Safe in Education*) to record or report incidents and concerns that arise or are reported to it, in some cases regardless of whether they are proven, if they meet a certain threshold of seriousness in their nature or regularity. This may include file notes on pupil or safeguarding files, and in some cases referrals to relevant authorities such as the LADO or police. For further information about this, please view the school's Safeguarding and Child Protection Policy.

Finally, in accordance with data protection law, some of the school's processing activity is carried out on its behalf by third parties, such as IT systems, web developers or cloud storage providers. This is always subject to contractual assurances that personal data will be kept securely and only in accordance with the school's specific directions.

How long the school keeps personal data

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 this 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 director of finance and administration 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 (called a 'suppression record').

Keeping in touch and supporting the school

The school and any relevant other organisation 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 alumni and parent events of interest, including by sending updates and newsletters, by email and by post. Unless the relevant individual objects, the school will also:



Emanuel School

- Share personal data about parents, as appropriate, with organisations set up to help establish and maintain relationships with the school community, such as the Emanuel Parents Association;
- 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;
- Collect information from publicly available sources about parents' and former pupils' occupation and activities, in order to maximise the school's fundraising potential.

Emanuel School's foundation, growth and success have been supported by philanthropy, and philanthropy continues to make an enormous impact at our school. To ensure that the school's communications are relevant to you and your interests and to assess your likely ability to make, and interest in making, donations to the school, it may use additional information such as geographical information and measures of affluence where available from external sources to assist.

The school wants to make sure it uses its resources as effectively as possible to help the school engage with its community of alumni and friends appropriately. In order to achieve this the school may undertake wealth screening of the alumni database. Wealth screening enables the school to better target conversations about fundraising and therefore generate funds cost-effectively. To achieve this the school may share your data with trusted third-party suppliers.

In order to provide you with the best experience and understand how the school could engage with you in the future, it undertakes analysis on the personal data it holds on you. This analysis helps the school to gain a better understanding of your interests, of how you engage with the school, and to understand broader demographic and geographic trends.

The school may also undertake research on your personal information to help make informed decisions. This may include research on demographic, philanthropic, business and financial information from publicly available sources, including social media. The school may also combine the data you provide with data obtained from other sources.

Should you wish to limit or object to any such use, or would like further information about them, please contact the director of finance and administration or the development manager in writing (either by email to data.protection@emanuel.org.uk; or by post to the school address). 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).

Your rights

Individuals have various rights under data protection law to access and understand personal data about them held by the school, and in some cases ask for it to be erased or amended or have it transferred to others, or for the school to stop processing it, but subject to certain exemptions and limitations.

Any individual wishing to access or amend their personal data, or wishing it to be transferred to another person or organisation, or who has some other objection to how their personal data is being used should put their request in writing to the director of finance and administration.

The school will endeavour to respond to any such written requests as soon as is reasonably practicable and in any event within statutory time-limits, which is one month in the case of requests for access to information. If the request is manifestly excessive or similar to



Emanuel School

previous requests, the school may ask you to reconsider or require a proportionate fee, but only where data protection law allows it.

You should be aware that the right of access is limited to your own personal data and certain data is exempt from the right of access. This will include information which identifies other individuals, (and parents need to be aware 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 given by the school itself for the purposes of the education, training or employment of any individual.

Pupil requests

Pupils can make subject access requests for their own personal data, provided that, in the reasonable opinion of the school, they have sufficient maturity to understand the request they are making (see section *Whose Rights* below). Indeed, while a person with parental responsibility will generally be entitled to make a subject access request on behalf of younger pupils, the information in question is always considered to be the child's at law.

A pupil of any age may ask a parent or other representative to make a subject access request on his/her behalf. Moreover for older pupils, parents may need to evidence their child's authority for the specific request. Pupils aged 13 and above are generally assumed to have this level of maturity, although this will depend on both the child and the personal data requested, including any relevant circumstances at home. Children younger than 13 may be sufficiently mature to have a say in this decision.

All information requests from, or on behalf of, pupils - whether made under subject access or simply as an incidental request - will therefore be considered on a case by case basis.

It should 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 subject access or simply as an incidental request – will therefore be considered on a case by case basis.

Consent

Where the school is relying on consent as a means to process personal 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.



Emanuel School

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, or because a purchase of goods, services or membership of an organisation such as the parents' association has been requested).

Whose rights

The rights under data protection law belong to the individual to whom the data relates. However, the school will often rely on parental authority or notice for the necessary ways it processes personal data relating to pupils – for example under the parent contract, or via a form. Parents and pupils should be aware that this is not necessarily the same as the school relying on strict consent.

Where consent is required, it may in some cases be necessary or appropriate, given the nature of the processing in question, and the pupil's age and understanding, to rely on the pupil's consent.

Parents should be aware that in such situations they may not be consulted, depending on the interests of the child, the parents' rights at law or under their contract, and all the circumstances.

In general, the school will assume that pupils' consent is not required for ordinary disclosure of their personal data to their parents, e.g. for the purposes of keeping parents informed about the pupil's activities, progress and behaviour, and in the interests of the pupil's welfare, 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 IT: acceptable use policy and the school rules. Staff are under professional duties to do the same covered under the relevant staff policy.

Data accuracy and security

The school will endeavour to ensure that all personal data held in relation to an individual is as up to date and accurate as possible. Individuals must please notify the pupil's form tutor or the director of finance and administration (dataprotection@emanuel.org.uk) of any significant changes to important information such as contact details held about them.

An individual has the right to request that any out-of-date, irrelevant or inaccurate information about them is erased or corrected (subject to certain exemptions and limitations under data protection law): please see above for details of why the school may need to process your data, or who you may contact if you disagree.

The school will take appropriate technical and organisational steps to ensure the security of personal data about individuals, including policies around use of technology and devices, and access to school systems. All staff and governors will be made aware of this policy and their duties under data protection law and receive relevant training.



This Policy

The school will update this Privacy Notice from time to time. Any substantial changes that affect your rights will be provided to you directly as far as is reasonably possible.

Queries and Complaints

If an individual believes that the school has not complied with this policy or acted otherwise than in accordance with data protection law, they should utilise the school complaints procedure and should also notify the director of finance and administration (dataprotection@emanuel.org.uk). Anyone can also make a referral to or lodge a complaint with the Information Commissioner's Office (ICO), although the ICO recommends that steps are taken to resolve the matter with the school before involving the regulator.

Related Documents

- The General Data Protection Regulations (2016)
- The Privacy and Electronic Communications Regulations (2011)
- Privacy Notices (Staff and Alumni)
- Data Protection Policy
- CCTV Policy
- Policy on taking, storing and using images of children
- Safeguarding and Child Protection Policy
- Complaints Procedure