



ST BENEDICT'S SCHOOL
a minimis incipe

Data Protection Policy

Authorised by: The Board of Governors of St Benedict's School

Date: July 2017

Signature:

Review Date: July 2018

Circulation: Governors/all staff/volunteers automatically
Parents on request/School Website

Status: Current

Contents

	PAGE
1 General Statement of the School’s Duties	3
2 Data Protection Controller	3
3 The Principles	3
4 Personal Data	3
5 Processing of Personal Data.....	4
6 School Personal Data	4
7 Rights of Access.....	4
8 Whose Rights	5
9 Exemptions.....	5
10 Disclosure of Information	5
11 Use of Personal Information by the School	6
12 Accuracy.....	6
13 Security	7
14 Enforcement	7
15. Keeping in Touch and Supporting the School	7

1 General Statement of the School's Duties

The School (ICO Registration Number: Z5539435) is required to process relevant personal data regarding pupils and their parents and guardians as part of its operation and shall take all reasonable steps to do so in accordance with this Policy. Processing may include obtaining, recording, holding, disclosing, destroying or otherwise using data. In this Policy any reference to pupils includes current past or prospective pupils. We process personal information to enable us to provide education and training conducted outside the State system, welfare and educational support services, to administer school property and library services, to maintain our own accounts and records, for administration in connection with boarding and the organisation of alumni associations and events, for fundraising purposes and to support and manage our staff. Our processing also includes the use of CCTV to maintain the security of the premises and for preventing and investigating crime.

2 Data Protection Controller

The School has appointed the Finance Director as Data Protection Controller (DPC) who will endeavour to ensure that all personal data is processed in compliance with this Policy and the Principles of the Data Protection Act 1998.

3 The Principles

The School shall so far as is reasonably practicable comply with the Data Protection Principles ("the Principles") contained in the Data Protection Act 1988 to ensure all data is:

- Fairly and lawfully processed;
- Processed for a lawful purpose;
- Adequate, relevant and not excessive;
- Accurate and 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.

4 Personal Data

Personal data covers both facts and opinions about an individual. The School may process a wide range of personal data about individuals including current, past and prospective pupils and their parents as part of its operation, including by way of example:

- Names, addresses, telephone numbers, e-mail addresses and other contact details;
- Bank details and other financial information, e.g. about parents who pay fees to the School;
- 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 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; and
- Images of pupils (and occasionally other individuals) engaging in school activities, and images captured by the school's CCTV system.

Generally, the School receives personal data from the individual directly (or, in the case of pupils, from parents). 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.

5 Processing of Personal Data

Consent may be required for the processing of personal data unless the processing is necessary for the School to undertake its obligations to pupils and their parents or guardians. Any information which falls under the definition of personal data, and is not otherwise exempt, will remain confidential and will only be disclosed to third parties with the consent of the appropriate individual or under the terms of this Policy.

6 School Personal Data

The School may, from time to time, be required to process sensitive personal data regarding a pupil, their parents or guardians. Sensitive personal data includes information about an individual's physical or mental health, race or ethnic origin, political or religious beliefs, sex life, trade union membership or criminal records and proceedings. Sensitive personal data is entitled to special protection under the Act, and will only be processed by the School with the explicit consent of the appropriate individual, or as otherwise permitted by the Act.

Where sensitive personal data is processed by the School, the explicit consent of the appropriate individual will generally be required in writing.

7 Rights of Access

Individuals have a right of access to information held by the School. Any individual wishing to access their personal data should put their request in writing to the DPC. The School will endeavour to respond to any such written requests as soon as is reasonably practicable and in any event, within 40 days for access to records and 21 days to provide a reply to an access to information request.

Please note that the School may charge an administration fee of up to £10.00 for providing this information.

You should be aware that certain data is exempt from the right of access under the Data Protection Act. This may include information which identifies other individuals, information which the School reasonably believes is likely to cause damage or distress, or information which is subject to legal professional privilege. The School is also not required to disclose any pupil examination scripts.

The School will also treat as confidential any reference given by the School for the purpose of the education, training or employment, or prospective education, training or employment of any pupil. The School acknowledges that an individual may have the right to access a reference relating to them received by the School. However such a reference will only be disclosed if such disclosure will not identify the source of the reference or where,

notwithstanding this, the referee has given their consent or If disclosure is reasonable in all the circumstances.

8 Whose Rights

The rights under the Data Protection Act are the individual's to whom the data relates. The School will however in most cases rely on parental consent to process data relating to pupils unless, given the nature of the processing in question, and the pupil's age and understanding, it is unreasonable in all the circumstances to rely on the parent's consent. Parents should be aware that in such situations they may not be consulted.

The School will only grant the pupil direct access to their personal data if in the School's reasonable belief the pupil understands the nature of the request.

Pupils agree that the School may disclose their personal data to their parents or guardian.

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 or guardian, the School will maintain confidentiality unless it has reasonable grounds to believe that the pupil does not fully understand the consequences of withholding their consent, or where the School believes disclosure will be in the best interests of the pupil or other pupils.

9 Exemptions

Certain data is exempted from the provisions of the Data Protection Act which includes the following:

- The prevention or detection of crime;
- The assessment of any tax or duty;
- Where the processing is necessary to exercise a right or obligation conferred or imposed by law upon the School.

The above are examples only of some of the exemptions under the Act. Any further information on exemptions should be sought from the DPC.

10 Disclosure of Information

The School may receive requests from third parties to disclose personal data it holds about pupils, their parents or guardians. The School confirms that it will not generally disclose information unless the individual has given their consent or one of the specific exemptions under the Data Protection Act applies. However the School does intend to 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.
- 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 of the School.
- To disclose details of a pupil's medical condition where it is in the pupil's interests to do so, for example for medical advice, insurance purposes or to organisers of school trips.

Where the School receives a disclosure request from a third party it will take reasonable

steps to verify the identity of that third party before making any disclosure.

11 Use of Personal Information by the School

The School will, from time to time, make use of personal data relating to pupils, their parents or guardians in the following ways. Should you wish to limit or object to any such use please notify the DPC in writing.

- For the purposes of pupil selection and to confirm the identity of prospective pupils and their parents;
- To provide education services (including SEN), career services, and extra-curricular activities to pupils; monitoring pupils' progress and educational needs; and maintaining relationships with alumni and the School community;
- For the purposes of management planning and forecasting, research and statistical analysis, and to enable the relevant authorities to monitor the School's performance;
- 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;
- To safeguard pupils' welfare and provide appropriate pastoral (and where necessary, medical) care, and to take appropriate action in the event of an emergency or accident, including by disclosing details of an individual's medical condition where it is in the individual's interests to do so, for example for medical advice, insurance purposes or to organisers of school trips;
- To monitor (as appropriate) use of the School's IT and communications systems in accordance with the School's IT Acceptable Use Policy;
- For security purposes, and for regulatory and legal purposes (for example Child Protection and Health & Safety) and to comply with its legal obligations;
- Where otherwise reasonably necessary for the School's purposes, including to obtain appropriate professional advice and insurance for the school.
- To make use of photographic images of pupils in School publications and on the School website. However the School will not publish photographs of individual pupils with their names on the School website without the express agreement of the appropriate individual.
- For fundraising, marketing or promotional purposes and to maintain relationships with pupils of the School, including transferring information to any association society or club set up for the purpose of establishing or maintaining contact with pupils or for fundraising, marketing or promotional purposes

12 Accuracy

The School will endeavour to ensure that all personal data held in relation to an individual is accurate.

Individuals must notify the DPC of any changes to information held about them. An individual has the right to request that inaccurate information about them is erased or corrected.

13 Security

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 necessary for them to do so. All staff will be made aware of this policy and their duties under the Data Protection Act. The School will ensure that all personal information is held securely and is not accessible to unauthorised persons.

14 Enforcement

If an individual believes that the School has not complied with this Policy or acted otherwise than in accordance with the Data Protection Act, they should utilise the School complaints procedure and should also notify the DPC.

15. Keeping in Touch and Supporting the School

The School will use the contact details it has been given of parents, alumni and other members of the School community to keep them updated about the activities of the School, including by sending updates and newsletters by email and by post, and by making contact by telephone.

Unless the relevant individual objects and informs the School of this in writing, the School may also:

- Share personal data about parents and/or alumni, as appropriate, with organisations set up to help establish and maintain relationships with the School community.
- Contact parents and/or alumni (including via the organisations above) by post and e-mail and telephone in order to promote and raise funds for the School;
- Collect information from publicly available sources about parents' and former pupils' occupation and activities, in order to maximise the school's fundraising potential.
- Should you wish to limit or object to any such use, or would like further information about them, please contact the DPO in writing.

16. Queries and Complaints

Any comments or queries on this Policy should be directed to the DPC in writing using the following contact details:

The Bursar
St Benedict's School
54 Eaton Rise
Ealing
London
W5 2ES

If an individual believes that the School has not complied with this Policy or acted otherwise than in accordance with the Act, they should also notify the DPC.