

Holme Grange School
Including the Early Years Foundation Stage
(Little Grange and Reception Classes)



PUPIL PARENT PRIVACY NOTICE

Date:	Amendment:	Reviewed by:
May 2024	Next review	
August 2022	Review	Darren Gosling
January 2021	Review	Darren Gosling
November 2019	Review	Brandon Ashton/ Darren Gosling
May 2018	Review	Brandon Ashton

INTRODUCTION

The EU General Data Protection Regulation (GDPR), which became UK law with effect from 25 May 2018, includes rules on giving privacy information to those whose data is held by an organisation.

Holme Grange School, as the Data Controller, has interpreted this as using very clear language to outline its responsibilities in providing information to data subjects about how the school processes their personal data.

This Privacy Notice deals with the privacy responsibilities of the School as they apply to parents or prospective parents (or guardians) of pupils at the school, or applying to join the school.

References:

- A. The General Data Protection Regulation 2016/679 (from 25 May 2018)
- B. The Data Protection Act 2018
- C. The Protection of Freedoms Act 2012 (biometrics and CCTV)
- D. Education (Independent Educational Provision in England) (Provision of Information) Regulations 2010.
- E. Keeping Children Safe in Education (KCSIE) 2019.

WHO WE ARE

Holme Grange School is a company limited by guarantee Registered in England (Company Number 00900240) and Registered Charity (Number 309105) whose registered office is Holme Grange Limited, Holme Grange School, Heathlands Road, Wokingham, Berkshire, RG40 3AL.

WHAT THIS PRIVACY NOTICE IS FOR

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

This information is provided because Data Protection Law gives individuals rights to understand how their data is used. Parents and pupils are all encouraged to read this Privacy Notice and understand the school's obligations to its entire community.

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, including as to how concerns or incidents are recorded; and
- the school's IT policies, including its Acceptable Use policy and eSafety policy;

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

RESPONSIBILITY FOR DATA PROTECTION

The School has appointed Mr Darren Gosling, HR and Compliance Officer as Data Protection Lead for the school who 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 notice and Data Protection Law.

The HR and Compliance Officer can be contacted via email hr@holmegrange.org or by telephone: 0118 978 1566 or in writing to: HR and Compliance Manager, Holme Grange School, Heathlands Road, Wokingham, Berkshire, RG40 3AL.

WHY THE SCHOOL NEEDS TO PROCESS PERSONAL DATA

In order to carry out its ordinary duties to staff, pupils and parents, the school needs to process a wide range of personal data about individuals (including current, past and prospective staff, 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 its staff, or 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 (or its community's) "**legitimate interests**":

- For the purposes of pupil assessment and selection (and to confirm the identity of prospective pupils and their parents)
- To provide education services, including meeting special educational needs (SEN), providing musical education, physical training or spiritual development, career

services, and extra-curricular activities to pupils, and monitoring pupils' progress and educational needs;

- 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 analysis);
- To enable relevant authorities to monitor the school's performance and to intervene or assist with incidents as appropriate;
- To give and receive information and references about past and current 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 care;
- To monitor (as appropriate) use of the school's IT and communications systems in accordance with the school's IT: acceptable use 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 unless parents have not have given permission for the school to do so;
- For security purposes, including CCTV in accordance with the school's CCTV policy;
- To carry out or cooperate with any school or external complaints, disciplinary or investigation process; and
- Where otherwise reasonably necessary for the school's purposes, including to obtain appropriate professional advice and insurance for the school.

In addition, the school will on occasion need to process **special category personal data** (concerning health, ethnicity, religion, or Special Educational Needs (SEN)) or criminal records information (such as when carrying out DBS checks) 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;
- As part of any school or external complaints, disciplinary or investigation process that involves such data, for example if there are SEND, 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.

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 our car parking facilities);
- bank details and other financial information, e.g. about parents (or others) who pay fees to the school, and any anti money laundering information we are required to collect by law;
- past, present and prospective pupils' academic, disciplinary, admissions and attendance records (including information about any special needs), and examination scripts and marks;
- personnel files, including in connection with academics, employment or safeguarding;
- 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 relevant 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;

The school does not collect or process biometric data.

HOW THE SCHOOL COLLECTS 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 will 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 (e.g. lawyers, debt recovery suppliers, insurers, PR advisers and

accountants;

- government authorities (e.g. HMRC, DfE, police or the local authority); and
- appropriate regulatory bodies, (e.g the Independent Schools Inspectorate, the Charity Commission, the Health & Safety Executive or the Information Commissioner; and
- School Auditors
- School Catering Contractor
- School Photographers
- Media Printers for school publications
- Web Developers for the School website
- The School Management Information System providers
- Curriculum support information systems
- Other schools to which parents intend to send their child/children

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; and
- pastoral or safeguarding files

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

It is not necessary for data to be shared with other countries; the exception to this will be international trips that the School organises. In this case, parents will be contacted for their consent which will be limited in time and content pertinent to the particular trip.

Where the School shares personal data with a third party this is always subject to contractual assurances that personal data will be kept securely and only in accordance with the School's specific directions.

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 is likely to include file notes on pupil or safeguarding files, and in some cases referrals to relevant authorities such as the Local Authority Designated Officer or police.

KCSIE also requires that, whenever a child leaves the school to join another school or college, his or her child protection file is promptly provided to the new organisation. The

school will retain a copy in accordance with its retention policy for material related to safeguarding matters.

For further information about this, please view the School's Safeguarding Policy.

Other pastoral matters which do not meet the statutory threshold may be recorded in the school's electronic Management Information System, Engage.

HOW LONG WE KEEP 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. 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 the School's retention policy is applied, or wish to request that personal data that they no longer believe to be relevant is considered for erasure, please contact the Compliance Manager. However, please bear in mind that the School will often have lawful and necessary reasons to hold on to some personal data even following such request.

A limited and reasonable amount of information will be kept for archiving purposes, for example; and even where you have requested that the School no longer keep in touch with you, the School will need to keep a record of the fact in order to fulfil such wishes (called a "suppression record").

A copy of the School's Data Retention Policy is available on request from the HR and Compliance Manager.

KEEPING IN TOUCH AND SUPPORTING THE SCHOOL

The School may use contact details of parents and past pupils to keep them updated about the activities of the school, or events of interest, including by sending updates and newsletters, by email and by post. The School will request consent from all parents and pupils leaving the school on order to:

- Share personal data about parents and/or alumni, as appropriate
- 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;
- Individuals always have the right to withdraw consent at any time.

YOUR RIGHTS

Individuals (both pupils and parents) have various rights under Data Protection Law to access and understand their own personal data held and processed by the school, and in some cases ask for it to be erased or amended, or to have it transferred elsewhere, or for the school to stop processing it – but subject to certain exemptions and limitations :

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 generally one month, but actually fulfilling more complex or multiple requests, e.g. those involving third party information, may take 1-2 months longer).

Due to the insecurities of electronic mail (email) requests will not be accepted in this form. Requests for personal data should be written in the format shown in **Appendix A**, whilst any 'Right to Erase' requests should be made using **Appendix B**.

All requests regarding the treatment of personal data must be originally signed by either the parent or pupil (see page 9 for clarification – requests by or on behalf of pupils).

Those collecting any personal data requested will be asked to provide photographic identification at the point of collection if their identity is not already known to the school.

- Rights of access, etc.

The school will be better able to respond quickly to smaller, targeted requests for information made during term time. If the request for information is manifestly excessive or similar to previous requests, the school may ask you to reconsider, or require a proportionate fee (but only where Data Protection Law allows it).

If you consider that the personal data we hold on you is inaccurate, please let us know. However, the school will not necessarily delete or amend views, opinions, notes or records purely on the request of an individual who disputes the account, although we may keep a record of all parties' viewpoints.

- Requests that cannot be fulfilled

You should be aware that GDPR rights (including the right of access) are limited to your own personal data, and certain data is exempt. This will include information which identifies other individuals (and parents need to be aware this may include their own children, in certain limited situations – please see further below), 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 – although markers' comments may still be disclosable if they constitute pupil personal data); provide examination or other test marks ahead of their ordinary publication date; nor share any confidential reference held by the school that was (or will be) given for the purposes of the education, training, appointment or employment of any individual.

You may have heard of the "right to be forgotten". However, we will sometimes have compelling reasons to refuse specific requests to amend, delete or stop processing your (or your child's) personal data: for example, a legal requirement, or where it falls within a proportionate legitimate interest identified in this Privacy Notice. Generally, if the school still

considers the processing of the personal data to be reasonably necessary, it is entitled to continue. All such requests will be considered on their own merits.

- Requests by or on behalf of pupils

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). A pupil of any age may ask a parent or other representative to make a subject access request on his/her behalf.

Indeed, while a person with parental responsibility will generally be entitled to make a subject access request on behalf of younger pupils, the law still considers the information in question to be the child's. For older pupils, the parent making the request may need to evidence their child's authority for the specific request. Requests not considered in the child's best interests may sometimes be refused.

Eaton Grange pupils (age 12 and above) are generally assumed to have this level of maturity, although this will depend on both the child and the personal data requested, including any relevant circumstances at home. Slightly younger (Prep school pupils) may however be sufficiently mature to have a say in this decision, depending on the child and the circumstances.

- Parental requests, etc.

It should be clearly understood that the rules on 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 that pupil.

Parents will in general receive educational and pastoral updates about their children, in accordance with the Parent Contract. Where parents are separated, the school will in most cases 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, court orders, or pastoral issues.

All information requests from, on behalf of, or concerning pupils – whether made under 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). Examples where we do rely on consent are: certain types of uses of images, certain types of fundraising activity. Please be aware however that the school may not be relying on consent but have another lawful reason to process the personal data in question even without your consent.

That reason will usually have been asserted under this Privacy Notice, or may otherwise exist under some form of contract or agreement with the individual (e.g. an employment or parent contract, or because a purchase of goods, services or membership of an organisation such as an alumni or 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 (see section on Consent above).

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

In general, the school will assume that pupils' consent is not required for ordinary disclosure of their personal data to their parents, 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. That is unless, in the school's opinion, there is a good reason to do otherwise.

However, where a pupil seeks to raise concerns confidentially with a member of staff and expressly withholds their agreement to their personal data being disclosed to their parents, the school may be under an obligation to maintain confidentiality unless, in the school's opinion, there is a good reason to do otherwise; for example where the school believes disclosure will be in the best interests of the pupil or other pupils, or if required by law.

Pupils are required to respect the personal data and privacy of others, and to comply with the school's **'Acceptable Use, Comms and Technology Policy and Procedures'** and the school rules. Staff are under professional duties to do the same covered under the same 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 School Secretary 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 or information about them is erased or corrected (subject to certain exemptions and limitations under Data Protection Law).

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 practicable.

QUERIES AND COMPLAINTS

Any comments or queries on this policy should be directed to the HR and Compliance Manager. 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 HR and Compliance Manager.

You 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.

Appendix A

Subject Access Request template

[Name and address of the organisation]

[Your name and full postal address]

[Your contact number]

[Your email address]

[The date]

Dear Sir or Madam

Subject access request

[Include your full name and other relevant details to help identify you].

Please supply the personal data you hold about me, which I am entitled to receive under the Data Protection Act 2018 (GDPR).

If you need any more information, please let me know as soon as possible.

[If relevant, state whether you would prefer to receive the data in a particular electronic format, or printed out].

It may be helpful for you to know that data protection law requires you to respond to a request for personal data within one calendar month.

If you do not normally deal with these requests, please pass this letter to your data protection officer or relevant staff member.

If you need advice on dealing with this request, the Information Commissioner's Office can assist you. Its website is ico.org.uk, or it can be contacted on 0303 123 1113.

Yours faithfully,

[Signature]

REQUEST FOR ERASURE OF PERSONAL DATA

This form is to enable the school to process your request to erase personal data relating to you (or your child) that is held by us. Please be aware that such requests can be refused where the school continues to have a lawful purpose for retaining or processing personal data, or if the request is excessive, or not founded in one of the grounds below.

This is why the school requires you to complete this form before it can process your request. Targeted requests for specific types of data at specific times are likely to be easier to comply with, less likely to be excessive, and more easily tied to one of the specific grounds below.

If however you wish for the school to consider multiple categories of data for erasure, or on behalf of multiple persons, we would recommend you use more than one of these forms.

Nature of personal data to be erased

Please identify the nature of the personal data that you believe we currently hold that you wish to be erased:

Please identify the date or date range of the personal data that you wish to be erased, and provide any further useful information on its whereabouts to help us identify and locate it:

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Reasons for erasure

Please select at least ONE of the following grounds on which your data should be erased:

<p>You believe the personal data is no longer necessary in relation to the purposes for which it was either collected, or for which it is otherwise being processed.</p>	
<p><i>If so, please explain why you believe it is no longer necessary.</i></p>	
<p>Where the school has been relying on your (or the data subject’s) consent to process the data, you (or the data subject) withdraw(s) such consent, and you believe there is no other legal ground for the processing of this data.</p>	
<p><i>If so, please explain when and how you believe consent was obtained.</i></p>	
<p>Where the school has been relying on its “legitimate interests” to process the personal data (<i>please see the school’s privacy notice for more details</i>), you have an objection to the processing of your data on this ground.</p>	
<p><i>If so, please give any supporting reasons as to why you believe your rights, freedoms and interests (or those of the data subject) outweigh the school’s in this instance.</i></p>	
<p>The data processed is for direct marketing purposes or fundraising, and you wish not to be contacted for these purposes (<i>please bear in mind we may need to keep a note of your preference not to be contacted</i>).</p>	
<p>You believe that the personal data is not being processed lawfully, or must be erased for compliance with a legal obligation.</p>	
<p><i>If so, please explain why you believe this to be the case.</i></p>	

Please be aware that you will have no right to erasure of your data where: none of the above grounds apply; *or* processing of such data can be justified on grounds of freedom of

expression or other reasons in the public interest (including in the area of public health and safety, and archival purposes); *or* where we need to retain it for compliance with our legal obligations, or for our preparation of actual or possible legal proceedings. We will nevertheless consider all reasonable requests on their own terms and assist where we can.

We aim to respond to most requests within one month. More complex or multiple requests may take two or three times longer, especially if received in school holidays. If the request is excessive or repetitious the school may be entitled to refuse it or charge a reasonable fee.

If you are making the request on behalf of a child, please indicate their name below and – if the child is 12 years old or above – please attach a written authority stating your relationship:

Signed (and PRINT NAME):

Relationship to school (please state):