SHERBORNE
SCHOOLS GROUP

General Privacy Notice

Approving body: Estates & Infrastructure Committee
Owner: Chief Operating Officer
Author: Operations Bursar (SG)

Executive Summary

This privacy notice is intended to provide information about how the Group will use (or process) personal data about individuals including: parents[1] and pupils, past (alumnae), present and prospective. There is a separate notice pertaining to staff (volunteers and individuals employed by the Group).

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

For the purposes of this policy the term 'pupil/s' refers to those children and young people who currently study at a School within the Sherborne Schools Group. 'Children' refers to individuals in the wider community who are under 18 years old.

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[1] Within this document, 'parent' includes parents, guardians and carers.

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Who we are

We are the Sherborne Schools Group ('SSG' or 'the Group'), a company registered in England and Wales. Our company registration number is 04002575, our charity registration number is 1081228 and our registered office is at Sherborne Boys School, Abbey Road, Sherborne, Dorset DT9 3LF (ICO ref: Z7474372). The Group includes Sherborne Boys, Sherborne Girls, Sherborne Prep, Hanford Prep and their trading subsidiaries.

What this privacy notice is for

This Privacy Notice is intended to provide information about how the Group will collect, use and hold (or "process") personal data about individuals including: current, past and prospective pupils; and their parents, carers or guardians (referred to in this policy as "parents").

This makes the Group a Data Controller of your personal information and this information is provided because data protection law gives individuals rights to understand how their data is processed, and this Privacy Notice sets out how we will use that information and what your rights are in respect of the data we hold about you. Please note that the Group has a separate Data Protection Policy and Privacy Notice applicable to its employees and other staff[2].

This Privacy Notice applies alongside any other information the Group 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 Group's other relevant terms and conditions and policies, including:

- any contract between a SSG School and the parents of pupils at that School;
- the Group's policy on Taking, Storing and Using Images of Children;
- the Group's policy on the use of CCTV where applicable;
- the Group's policy on the retention of records;
- the Group's Safeguarding and Child Protection, Pastoral, or Health & Safety policies, including those relating to how concerns or incidents are recorded; and
- the Group's IT policies, including those relating to acceptable use, social media, E-Safety/Online Safety, WiFi and network security, remote working, and use of personal devices.

Responsibility for data protection

The Group has a designated Data Protection Lead who will deal with your requests and enquiries concerning the School and Group's processing of your personal data (see section on "Your Rights" below). The Data Protection Lead endeavours to ensure that all personal data is processed in compliance with this policy and data protection law. You can contact the Data Protection Lead via: dataprotection@sherborneschools.group.

Why the Group needs to process personal data

In order to carry out their ordinary duties to staff, pupils and parents, Schools within the Group need to process a wide range of personal data about their community as part of their daily operations. This may include sharing data between the Schools within the Group, particularly where supporting functions are shared between more than one School or where joint activities (academic or co-curricular) are taking place.

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

Other uses of personal data will be made in accordance with the Group'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.

[2] This includes Contractors, Volunteers and Governors.

The Group expects that the following uses will fall within that category of our "legitimate interests:"

- For the purposes of pupil selection, to confirm the identity of prospective pupils and their parents, and retain a record (if appropriate) for the purposes of future applications or openings;
- To carry out credit, identity and source of funds checks, whether with previous schools and/or third party sources or service providers, including for the purposes of verifying that parents are not subject to (or within the purview of) sanctions;
- To provide education services (including musical education, physical training or spiritual development, career services, and extra-curricular activities) to pupils, and to monitor pupils' progress and educational needs, including where such services are provided remotely (either temporarily or permanently) ;
- To give and receive information and references about past, prospective 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' health and welfare and provide appropriate pastoral care (including following the requirements and recommendations of the government's guidance on Keeping Children Safe in Education (or "KCSIE");
- To monitor (as appropriate) use of the School's IT and communications systems in accordance with the Group's Acceptable Use Policies;
- To make use of photographic images or video footage of pupils in Group publications, on the Group websites and (where appropriate) on the Group's social media channels in accordance with the Group's policies on taking, storing and using images of children;
- For security purposes, including CCTV where appropriate in accordance with the Group's CCTV policies;
- To report to and liaise with parents about their child's progress, welfare and development including by way of regular reports and parents' evenings;
- To organise and manage meetings, events and social engagements for pupils and parents;
- To maintain relationships with alumni and the School community, including by 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 tax, diversity or gender pay gap analysis);
- To enable relevant authorities to monitor the School's performance and to intervene or assist with incidents as appropriate;
- For the prevention and detection of crime, and in order to assist with investigations (including criminal investigations) carried out by the police and other competent authorities;
- For regulatory record keeping / compliance purposes in respect of immigration requirements, as an employer and/or visa sponsor;
- To carry out or cooperate with any Group or external complaints, disciplinary or investigation process;
- To promote Schools within the Group to prospective parents and pupils; and

- Where otherwise reasonably necessary for the Group's purposes, including to obtain appropriate professional advice and insurance for the Group.

In addition, the Group will on occasion need to process special category personal data (concerning health, ethnicity, religion, or sexuality) or criminal records information (such as when carrying out DBS checks) in accordance with rights or duties imposed on us by law, including as regards safeguarding, 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 health / medical condition or other relevant information where it is in the individual's interests to do so:
    - for example for emergency medical care,
    - to arrange the assessment and diagnosis of a pupil's health and medical conditions and special educational needs,
    - 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 comply with public health requirements;
- To provide educational services in the context of making reasonable adjustments for a pupil's disability and/or any special educational needs of a pupil;
- To provide spiritual education in the context of any religious beliefs;
- To run any of our systems, such as for security and other forms of pupil identification (lockers, lunch etc.);
- As part of any internal 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, health and safety and immigration / visa sponsorship compliance) and to comply with its legal obligations and duties of care.

Types of personal data processed by the Group

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 SSG Schools, and any source of funds and/or anti-money laundering information we are required to collect by law;
- past, present and prospective pupils' academic, disciplinary, admissions, safeguarding and attendance records, and examination scripts and marks;
- nationality and other immigration status information (e.g. right to enter, live and work or study in the United Kingdom), including copies of passport information;
- information about pupils' health and medical conditions, special educational needs and family circumstances / living arrangements at home;
- contact details for next of kin;
- references given or received by the Group about pupils, and relevant information provided by previous educational establishments and/or other professionals or organisations working with pupils;
- correspondence with and concerning pupils and parents (past and present); and

- images and video footage of pupils (and occasionally other individuals) engaging in School activities, and images captured by School CCTV systems where relevant (in accordance with the Group's policy on taking, storing and using images of children).

How the Group collects data

Generally, Schools within the Group receive 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, or third party service providers who credit and identity check parents and their source of funds); or collected from publicly available resources.

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

Processing by third parties

For the most part, personal data collected by the Group will remain within the Group, and will be processed by appropriate individuals only in accordance with access protocols (i.e. on a 'need to know' basis). However, some functions are outsourced including e.g. accounting, IT, cloud storage / records management, monitoring, mailing. In accordance with data protection law, this type of external data processing is always subject to contractual assurances that personal data will be kept securely and used only in accordance with the Group's specific directions. Where any doubt might exist, then a Data Protection Impact Assessment (DPIA) will be undertaken. Should any personal data collected by the Group be processed outside the UK, the Group will ensure that appropriate safeguards are in place in accordance with UK data protection law.

Data sharing

Occasionally, the Group – including its governing board – will need to share personal information relating to its community of pupils and parents with third parties, such as:

- appropriate contractors, such as visiting music teachers or co-curricular providers;
- professional advisers (e.g. lawyers, insurers, PR advisers and accountants);
- examination boards;
- government authorities (e.g. HMRC, DfE, CAFCASS, Police, Home Office, a relevant public health / NHS body and / or local authority) and/or appropriate regulatory bodies e.g. the Teaching Regulation Agency, the Independent Schools Inspectorate, the Charity Commission.
- Stage 3 complaints panels, which may include independent panel members such as when a complaint is raised (and in accordance with the SSG Complaints Procedure, this requires the involvement of independent panel members);
- third parties and their advisers in the event of a possible or actual sale, merger or other restructuring of the Group; and
- Where a parent body/ "Friends" Association exists, then the relevant School may share parent contact details with the body/association. The body/ association is a separate Data Controller and the Group is not responsible for its processing of personal data.

Access to, and sharing of, sensitive data

Particularly strict rules of access apply in the context of "special category" data, most notably:

- health and medical / special needs records; and
- pastoral or safeguarding files.

Medical / health data

The Group needs to process such information to comply with statutory duties and to keep pupils and others safe, but the Group will ensure only authorised staff can access information on a need-to-know basis. This may include wider dissemination if needed for School trips or for catering purposes but always on a need-to-know basis. Express consent will be sought where appropriate. However, a certain amount of any relevant information will need to be provided to staff more widely in the context of providing the necessary care and education that the pupil requires.

Safeguarding data

The Group is under duties imposed by law and statutory guidance (including Keeping Children Safe in Education or 'KCSiE') 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 notes on personnel or safeguarding files, low-level concerns records kept about adults (which may include references to pupils or family members), and in some cases referrals to relevant authorities such as the LADO, Children's Services, CAMHS or the police.

KCSiE also requires that, whenever a child leaves any school to join another school or college (while at a the age of compulsory school attendance), their child protection file is promptly provided to the new organisation, along with any other information which the School's Designated Safeguarding Lead considers material to the ongoing care needs of any pupil. Where appropriate, the School will consult with parents as to how these needs are best served, but ultimately the decision as to what information is necessary to share with the new school or college is a safeguarding question that must be determined by the School. The Group will retain a copy of the child protection file in accordance with its retention policy for material related to safeguarding matters.

For further information about this, please view the Group's Safeguarding and Child Protection policies.

How long we keep personal data

The Group 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 ordinary parent and pupil files is up to 7 years following departure from the relevant 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 our retention 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 relevant Data Protection Lead (see Responsibilities for Data Protection). However, please bear in mind that the Group will often have lawful and necessary reasons to hold on to some personal data even following such a request.

A limited and reasonable amount of information will be kept for archiving purposes, for example; and even where 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 Group

Schools within the Group 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 Group will 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, such as the alumni associations;
- Contact parents and/or alumni (including via the organisations above) by post and email in order to promote and raise funds for the relevant School;
- In addition to analysing data shared with us by a data subject, use publicly available information and recommendations from staff and supporters to identify individuals who we believe may have the interest and financial capacity to make a major gift. We may undertake this research ourselves or use the services of a third-party partner.

Should you wish to limit or object to any such use, or would like further information about them, please contact the relevant Data Protection Lead in writing (see Responsibilities for Data Protection). However, the Group 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 (both pupils and parents) have various rights under data protection law to access and understand their own personal data held and processed by the Group, and in some cases ask for it to be erased or amended, or to have it transferred elsewhere, or for the Group to stop processing it – but subject to certain exemptions and limitations.

The Group 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 up to two months longer).

Rights of access, etc.

The Group 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 Group may ask the individual to reconsider, or require a reasonable fee for the administrative costs of complying with the request, or in certain cases refuse the request (but only where data protection law allows it, and in accordance with relevant regulatory guidance).

If a data subject considers that the personal data held by the Group is inaccurate, they should contact the Data Protection Lead. However, the Group will not necessarily delete or amend views, opinions, notes or records purely on the request of an individual who disputes the account, although a record may be kept of all parties' viewpoints.

Requests that cannot be fulfilled

You should be aware that UK 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). This will also include information which is subject to legal privilege (for example legal advice given to or sought by the Group, or documents prepared in connection with a legal action, or where a duty of confidence is owed by a legal adviser).

The Group is also not required to:

- disclose any pupil examination scripts (or other information consisting solely of pupil test answers, potentially including in mock exam scripts or other types of exams / tests used to assess performance – although markers' comments may still be disclosable if they constitute pupil personal data); or
- 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 Group 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 appropriate pastoral lead within the Group (e.g. the pupil's Housemaster/ Housemistress, Form Teacher or Pastoral Tutor), 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 their 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[3]. 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.

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. Slightly younger 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 Group may consider there are lawful grounds for sharing with or without reference to that pupil.

[3] For the purpose of this policy, the term 'child' includes any pupil enrolled at a School within the Group, including those Sixth Form pupils who are 18 years or older.

Parents will in general receive educational and pastoral updates about their children, in accordance with the Parent Contract. Where parents are separated, the Group 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 Group 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). An example where we do rely on consent is for certain types of uses of images and multimedia content such as video footage (see the Taking, Storing and Using Images of Children Policy for more detail). Please be aware however that the Group 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 Group will often rely on parental authority or notice for the necessary ways it processes personal data relating to pupils – for example, under the relevant Terms & Conditions (sometimes known as the Parent Contract), or via a form. Parents and pupils should be aware that this is not necessarily the same as the Group 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 might 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 Group 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 Group'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 Group may be under an obligation to maintain confidentiality unless, in the Group's opinion, there is a good reason to do otherwise; for example where the Group believes disclosure will be in the best interests of the pupil or other pupils, or if required by law. This decision ultimately rests with the relevant Head.

Pupils are required to respect the personal data and privacy of others, and to comply with the relevant School's Policy relating to the acceptable use of IT and the School rules.

Data accuracy and security

The Group 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 notify the Data Protection Lead (see Responsibilities for Data Protection above) 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 Group may need to process your data, of who you may contact if you disagree.

The Group 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.

This policy

The Group 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 about this Privacy Notice should be directed to the Data Protection Lead using the contact details listed above under "Responsibilities for Data Protection".

If you believe that the Group has not complied with this Privacy Notice or acted otherwise than in accordance with data protection law, you should email the Data Protection Lead with details of your complaint. The Group will acknowledge your complaint within 30 days of receipt and will investigate and inform you of the outcome of your complaint without undue delay (keeping you informed of progress as necessary).

If you are not satisfied with the outcome of your complaint, or if you feel the Group has not handled it appropriately, you have the right to complain to the Information Commissioner's Office (ICO): https://ico.org.uk/make-a-complaint/data-protection-complaints/.

Appendix 1: Summary of Changes in Issue 1.3

- Specific reference to data processed outside the UK added.