



## **ALPHA PREPARATORY SCHOOL PRIVACY NOTICE**

### **WHO WE ARE**

We are Alpha Preparatory School Ltd (Company Number 00455482), incorporating Alphabets Nursery, and, for the purposes of this Privacy Notice, we are the Data Controller under Data Protection Law. This Privacy Notice is intended to cover all of the data processing activities of Alpha Preparatory School Ltd ("the School").

### **WHAT THIS POLICY IS FOR**

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

This information is provided in accordance with the rights of individuals under data protection law to understand how their data is used. Individuals are 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 its staff and the parents of pupils
- the School's policy on taking, storing and using images of children;
- 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, E-Safety policy, Remote Working policy
- The school's CCTV policy

Anyone who works for, or acts on behalf of, the School (including staff, volunteers, governors and service providers) is also made aware of and asked to comply with the school's data protection policy and Data Protection Law in relation to any personal data relating to parents, pupils, staff or governors.

## **CONTACT**

If you would like to discuss anything within this privacy notice or have a concern about the way we are collecting or using your personal data, we request that you raise your concern with the Headmaster, Mr Padraic Fahy, in the first instance.

We have appointed a data protection officer (DPO) to oversee compliance with data protection and this privacy notice. If you have any questions about how we handle your personal information which cannot be resolved by the Headmaster, then you can contact the DPO on the details below:

Data Protection Officer: Judicium Consulting Limited

Address: 72 Cannon Street, London, EC4N 6AE

Email: [dataservices@judicium.com](mailto:dataservices@judicium.com)

Web: [www.judiciiumeducation.co.uk](http://www.judiciiumeducation.co.uk)

Lead Contact: Craig Stilwell

You have the right to make a complaint at any time to 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.

## **WHY THE SCHOOL NEEDS TO PROCESS PERSONAL DATA**

In order to carry out its ordinary duties to staff, pupils and parents, the school may 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 (for example, ethnic background, religious beliefs, health).

The school expects that the following uses may fall within that category of its (or its community's) "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, and extra-curricular activities to pupils, and monitoring pupils' progress and educational needs;
- Maintaining relationships with the school community and fundraising activity;

- For the purposes of management planning and forecasting, research and statistical analysis, including that imposed or provided for by law
- 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, 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 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 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 and co-operate with any school or external complaints, disciplinary or investigation process
- Where otherwise reasonably necessary for the school's purposes, including to obtain appropriate professional advice and insurance for the school.

In addition, the school may need to process special category personal data (concerning health, ethnicity, religion) 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 may 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 where it is in the individual's interests to do so: for example, for medical advice, social services, insurance purposes or to organisers of school trips;
- 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;
- 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 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;
- personnel files, including in connection with academics, employment or safeguarding
- pupil pastoral and child protection information;
- 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;
- correspondence with and concerning staff, pupils and parents past and present
- 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);
- details of complaints made to the school

## **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 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 (such as lawyers and accountants);
- relevant authorities (such as HMRC, police or the local authority) or
- regulators (such as Independent Schools Inspectorate and the DfE)

*Privacy Notice (Reviewed February 2023)*

For more information about data collection requirements placed on us by the Department for Education, please go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

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 by appropriate staff under or otherwise in accordance with express consent]; and
- pastoral or safeguarding files.

However, a certain amount of any relevant health, welfare or SEND information 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 personnel 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 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 educational support providers. This is always subject to contractual assurances that personal data will be kept securely and in accordance with Data Protection Law.

## **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. Typically, the legal recommendation for how long to keep ordinary staff and pupil personnel 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 Headmaster. However, please bear in mind that the school may have lawful and necessary reasons to hold on to some data.

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 SCHOOL**

The school will use the contact details of parents and other members of the school community 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. Unless the relevant individual objects, the school may also:

- Share personal data about parents, as appropriate, with organisations set up to help establish and maintain relationships with the school community, such as the parent/staff association.
- Contact parents (including via the organisations above) by post and email in order to promote and raise funds for the school and, where appropriate, other worthy causes;
- Should you wish to limit or object to any such use, or would like further information about them, please contact the School in writing. You always have the right to withdraw consent, where given, or otherwise object to direct marketing or fundraising. However, the school may need nonetheless 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 for the school to stop processing it, but subject to certain exemptions and limitations. Your rights are as follows:

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

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 used, should put their request in writing to the Headmaster.

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. The school will be better able to respond quickly to smaller, targeted requests for information. If the request is manifestly excessive or similar to previous requests, the school may ask you to reconsider or charge a proportionate fee, but only where data protection law allows it.

You should be aware that certain data is exempt from the right of access. This may include information which identifies other individuals, or information which is subject to legal professional privilege or certain child protection information. The school is also not required to disclose any pupil examination scripts (though examiners' comments may fall to be

disclosed), nor any confidential reference given by the school for the purposes of the education, training 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 legitimate interest identified in this Privacy Notice. All such requests will be considered on their own merits.

## **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 (if of sufficient age) their consent or authority may need to be sought by the parent making such a request. Older prep school children, generally speaking Year 6, 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.

## **PARENTAL REQUESTS**

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. 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.

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). 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. a parent contract, or

because a purchase of goods, services or membership of an organisation such as a 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 consent to process personal data relating to pupils (if consent is required) unless, given the nature of the processing in question, and the pupil's age and understanding, it is more appropriate 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 policies 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 School 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): please see above for details of why the school may need to process your data, or whom 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 every two years. Any substantial changes that affect your rights will be provided to you directly as far as is reasonably practicable.