



# Ackworth School

## PRIVACY NOTICE

**Applicable to all parties (past and present) with some connection to Ackworth School and its associated trusts and companies**

### PURPOSE

*“Do you maintain strict integrity in your business transactions and in your relations with individuals and organisations?” Religious Society of Friends (Quakers) Advices and Queries 36.*

As a Quaker School, we seek to be clear and transparent and maintain strict integrity in the work that we do, including our recording and use of personal data. All who share their data with us should be reassured that we will treat it with respect, ensuring its accuracy, security and use only for the (legitimate and clearly specified) purposes for which it is needed or provided. This is also a requirement of the 2018 General Data Protection Regulation (GDPR).

The purpose of this policy is ensure that all parties who have any connection with Ackworth School and others whose data we process understand what this means in practice. Anyone who works for, or acts on behalf of, the School (including staff, volunteers, Members of School Committee and service providers) should also be aware of and comply with this Privacy Notice.

### SCOPE

In this Privacy Notice, whenever you see the words ‘we’, ‘us’, ‘our’, ‘the School’, they apply to all members of the Ackworth School Community. The Ackworth School Community includes Ackworth School, Ackworth School Estates Limited, The Wennington Bursary Trust, The Ackworth and Freshfields Trust, The Ackworth 1950 Trust, the Ackworth Old Scholars Association (now part of Ackworth School but still referred to as AOSA) and the Parent Staff Association (referred to as the PSA).



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The Privacy Notice covers **all personal data** used or processed by Ackworth School, notably that of its suppliers, current and prospective staff; its current, past and prospective pupils; and their parents, carers or guardians (referred to in this policy as "parents"), volunteers working on the School's behalf, and any third parties processing data on the School's behalf. 'Personal data' means any information relating to an identifiable person who can be directly or indirectly identified through the data.

## WHAT THIS PRIVACY NOTICE IS FOR

Data Protection Law gives individuals rights to understand how their data is used. Staff, parents and pupils are all encouraged to read this Privacy Notice and understand the School's obligations to its entire community.

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 or 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, and health and safety policies, including how concerns or incidents are recorded; and
- the School's IT policies, including its Computer Acceptable Use Policy.

## RESPONSIBILITY FOR DATA PROTECTION

- The School has appointed the Bursar as the Privacy and Compliance Officer who will deal with all requests and enquiries concerning the School's uses of personal data (see section on Your Rights below) and endeavour to ensure that all personal data is processed in compliance with this policy and Data Protection Law.



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## WHY THE SCHOOL NEEDS TO PROCESS PERSONAL DATA

In order to carry out its ordinary duties, 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 **contractual and legal obligations** – including those under a contract with its service providers, 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 pupils, past, present and prospective (and to confirm the identity of prospective pupils and their parents):

- To plan, manage and monitor the education service provision, including musical education, physical training or spiritual development, career services, and extra-curricular activities ;
- To monitor pupils' progress and educational needs;
- 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 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 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 Computer Acceptable Use Policy;
- To enable relevant authorities to monitor the School's performance and to intervene or assist with incidents as appropriate;



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- To maintain relationships with alumni and the School community, including direct marketing or fundraising activity;
- To confirm the identity and background of anyone wishing to make a donation;
- 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 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;
- 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.

For the purposes of volunteers and staff, be those past, present or prospective:

- To take up references prior to engagement including Disclosure and Barring Service (DBS) applications;
- To make appropriate contractual payments;
- To comply with Her Majesty's Revenue and Customs regulations and those of pension providers;
- To comply with Health and Safety law;
- To comply with local authority instructions;
- To meet contractual obligations.

We will not however share personal information about our workforce with anyone without receiving the explicit consent to do so unless the law and /or our policies allow us to do so.

In addition, the School will on occasion need to process **special category personal data** (concerning health, ethnicity, religion, or sexual life) 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 could include:



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- To safeguard pupils' welfare and provide appropriate pastoral (and where necessary, medical) care, and to take appropriate action in the event of an emergency, incident or accident, including by disclosing details of an individual's medical condition or other relevant information where it is in the individual's interests to do so: for example for medical advice, for social protection, safeguarding, and cooperation with police or social services, for insurance purposes or to caterers or organisers of School trips who need to be made aware of dietary or medical needs;
- To provide educational services in the context of any special educational needs of a pupil;
- To provide spiritual education in the context of any religious beliefs;
- In connection with employment of its staff, for example DBS checks, welfare, union membership or pension plans;
- As part of any School or external complaints, disciplinary or investigation process that involves such data, for example if there are Special Educational Needs (SEN), health or safeguarding elements; or
- For legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with its legal obligations and duties of care.

Where the School is relying on **consent** as a means to process personal data, any person may withdraw this consent at any time. Examples where we do rely on consent are: e.g. 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).



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## 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, contractors and staff who need paying etc;
- past, present and prospective pupils' academic, disciplinary, admissions and attendance records (including information about any special needs), and examination scripts and marks;
- data in personnel files, including qualifications, employment history, performance appraisal and safeguarding;
- where appropriate, information about individuals' health and welfare;
- 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.

## HOW THE SCHOOL COLLECTS DATA

Most information is collected from the individual directly (and 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).

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.



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## 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 should notify the School of any significant changes to important information, such as contact details, held about them.

The School constantly monitors what appropriate technical and organisational steps it must take 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 are made aware of this policy and their duties under Data Protection Law and receive relevant training.

## WHO HAS ACCESS TO PERSONAL DATA AND WITH WHOM THE SCHOOL SHARES IT

Occasionally, the School will need to share personal information relating to its community with third parties, such as:

- professional advisers (e.g. lawyers, insurers, PR advisers and accountants);
- government authorities (e.g. HMRC, DfE, police or the local authority);
- appropriate regulatory bodies e.g. [Teachers Regulation Agency \(TRA\)](#), the [Independent Schools Inspectorate](#), the Charity Commission or the Information Commissioner and;
- Academic authorities e.g. Awarding Bodies (Examination Boards), those who provide education services (e.g. CEM Centre);
- Trustees of bursary trust funds.

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

- medical records held and accessed only by the School doctor and appropriate medical staff under his/her supervision, or otherwise in accordance with express consent; and
- pastoral or safeguarding files.



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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 that the pupil requires.

Under duties imposed by law and statutory guidance (including 'Keeping Children Safe in Education') the School is required 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 personnel or safeguarding files, and in some cases referrals to relevant authorities such as the Local Authority Designated Officer (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 cloud storage providers. This is always subject to contractual assurances that personal data will be kept securely and only in accordance with the School's specific directions.

## HOW LONG WE KEEP PERSONAL DATA

The School has a data protection and retention policy that sets out the duration and rationale for data retention. This is an internal document but the principles are that:

- 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, including contractual obligations;
- data is retained in line with statutory duties and government guidance relating to Schools, including for safeguarding;
- the retention of data will take on board the disclosure requirements for potential future litigation;
- data retention, confidentiality and privacy will be fully in line with the GDPR.



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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 need to be kept much longer, in accordance with specific legal requirements. In particular, the Independent Inquiry into Child Sexual Abuse (IICSA) stipulates that, until further notice, all staff files should be retained for 50 years after leaving.

A limited and reasonable amount of information will be retained for archiving purposes, 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").

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 Bursar on [Bursar@ackworthSchool.com](mailto:Bursar@ackworthSchool.com). However, please bear in mind that the School will often have lawful and necessary reasons to retain personal data even following such request.

## **KEEPING IN TOUCH AND SUPPORTING THE SCHOOL**

The School and/or any relevant other organisation will use the contact details of parents, alumni and other members of the School community to keep them updated about the activities of the School, or alumni and parent events of interest, including by sending updates and newsletters, by email and by post. Unless the relevant individual objects, the School will also:

- 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 Ackworth School Parent Staff Association (PSA) and Ackworth Old Scholars Association (AOSA)
- Contact parents and/or alumni (including via the organisations above) by post, telephone and email in order to promote and raise funds for the School and, where appropriate, other worthy causes;



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Should you wish to limit or object to any such use, or would like further information about them, please contact the Bursar in writing. You always have the right to withdraw consent, where given, or otherwise object to direct marketing or fundraising. However, the School is nonetheless likely to retain some of your details (not least to ensure that no more communications are sent to that particular address, email or telephone number).

## YOUR RIGHTS

Individuals have various rights (set out below) under Data Protection Law to access and understand personal data about them held by the School, and in some cases ask for it to be erased or amended or have it transferred to others, or for the School to stop processing it – but subject to certain exemptions and limitations.

You have the following rights under the GDPR:

- To be informed about how your personal information is collected, used, shared and retained;
- To access and understand your personal data that we hold;
- To correct any inaccuracies in your personal data;
- In some cases to ask for it to be erased or amended or have it transferred to others, or for the School to stop processing it – but subject to certain exemptions and limitations.
- Where the information is held on the basis of consent, to restrict, suppress or have personal data erased;
- Your right to ‘data portability’ - to obtain and reuse your personal data for your own purposes across different services.

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 Bursar. 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 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).



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Note that the right of data access applies only to your own personal data, and does not include:

- Information which identifies other individuals. (Parents need to be aware this may include their own children, in certain limited situations – please see further below.)
- 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).
- Pupil examination scripts (or other information consisting solely of pupil test answers), or examination or other test marks ahead of any ordinary publication).
- Confidential references given by the School itself for the purposes of the education, training or employment of any individual.

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. Pupils *at Ackworth Senior School 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 children e.g. those in first and second forms of senior School* may however be sufficiently mature to have a say in this decision, depending on the child and the circumstances.

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



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

Pupils are required to respect the personal data and privacy of others, and to comply with the School's IT Computer Acceptable Use Policy and the School rules. Staff are under professional duties to do the same covered under the relevant staff policies.

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 that 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.

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.



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## SUMMARY OF 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 in “Why the School Needs to Process Personal Data”).

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. 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.

## 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.



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## FURTHER INFORMATION

Any comments or queries on this policy should be directed to the Bursar using the following contact details [Bursar@AckworthSchool.com](mailto:Bursar@AckworthSchool.com). The School Bursar acts as Privacy and Compliance Officer responsible for:

- following up requests, including on rights of access and amendment;
- responding to enquiries concerning the School's uses of personal data; and
- taking the lead on ensuring that all personal data is processed in compliance with this policy and the GDPR.

Further information on the GDPR is also available on the website of the Information Commissioners' Office (ICO): <https://ico.org.uk>.

## CONCERNS OR COMPLAINTS

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