

# Queen's Gate

## PRIVACY NOTICE

### 1. INTRODUCTION

Queen's Gate School is a registered charity known officially as Queen's Gate School Trust Limited. Our registered charity number is 312724. This Privacy Notice covers Queen's Gate School, the Queen's Gate Foundation and the Queen's Gate Society. We take our responsibilities as a data controller seriously and are committed to using the personal data we hold in accordance with the law.

"Personal data" means any information from which a natural person can be identified.

This Privacy Notice provides detailed information about how we process personal data. Please read it carefully and if you have any queries regarding your personal data or its use, please contact our Bursar, Mr Cubitt, who is the School's Privacy Officer. His contact details are [privacy@queensgate.org.uk](mailto:privacy@queensgate.org.uk).

### 2. WHAT THIS PRIVACY NOTICE IS FOR

This Privacy Notice provides information about how we collect, store, use and/or otherwise process personal data about current, past and prospective pupils and their parents, carers or guardians; staff, current, past and prospective; contractors and suppliers; friends and supporters; donors; volunteers and others connected to or visiting our School (collectively referred to as "data subjects" in this Privacy Notice).

This information is provided because Data Protection Law gives individuals rights to understand how their data is processed. Staff, parents, pupils and all those connected to our School are all encouraged to read this Privacy Notice and understand our obligations to our entire community.

This Privacy Notice applies alongside any other information that we 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 our other relevant terms and conditions and policies, including:

- any contract between the School and staff or the parents of pupils;
- our policy on taking, storing and using images of children;
- our CCTV policy;
- our retention of records policy;

- our safeguarding, pastoral, or health and safety policies, including as to how concerns or incidents are recorded; and
- our IT policies, including Acceptable Use and other related policies.

If you wish to see any of these policies, please email Mr Cubitt on [privacy@queensgate.org.uk](mailto:privacy@queensgate.org.uk)

### 3. **WHY WE NEED TO PROCESS PERSONAL DATA**

We process the personal data of data subjects in order that we can operate as an independent School for girls aged 4-18.

We need to carry out this processing in order to fulfil our legal rights, duties or obligations – including those under a contract with our staff or parents of our pupils.

We also process personal data in accordance with the School's legitimate interests for example, in connection with:-

- The selection and admission of pupils;
- The provision of educational services, including the administration of our curriculum and time-table; monitoring and tracking pupils' progress and educational needs; reporting on pupils' progress internally and to parents; administration of pupils' entries to public examinations, reporting on and publishing results; providing references for pupils for other Schools, Colleges and Universities and employers (even after the pupil has left);
- The provision of educational support and related services to pupils (and parents) including the maintenance of discipline and standards in accordance with our Codes of Behaviour: provision of careers and library services; administration of sports fixtures and teams; School trips; provision of our IT and communications systems, including MyQG and QGBuzz, including monitoring of these in accordance with our IT policies;
- The safeguarding of pupils' welfare and provision of appropriate pastoral care and welfare;
- Compliance with legislation and regulations, including information for the Independent Schools' Inspectorate, UK Visas and Immigration, the Charity Commission, submission of annual census information to the Independent Schools' Council and the Department for Education;
- Maintaining relationships with Old Girls and the School community, by communicating with the body of current and former pupils and/or their parents and guardians and organising events;
- For the purposes of management planning and forecasting, research and statistical analysis, including that imposed or provided for by law (such as tax).
- 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;
- Staff administration including the recruitment of staff/engagement of contractors (including compliance with Disclosure and Barring Service (DBS) procedures);

administration of payroll, pensions and sick leave; review and appraisal of staff performance; conduct of any grievance, capability or disciplinary procedures; and the maintenance of appropriate records for current and former staff; and providing references;

- Operational management including the compilation of pupil records, the administration of invoices, fees and accounts;
- To monitor (as appropriate) use of our IT and communications systems in accordance with the School's IT policies;
- To make use of photographic images of pupils in School publications, on our website and (where appropriate) on our social media channels in accordance with our policy on taking, storing and using images of children;
- For security purposes, including CCTV in accordance with our 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.

#### **4. TYPES OF PERSONAL DATA PROCESSED BY THE SCHOOL**

The personal data that we process about data subjects takes different forms – it may be factual information, expressions of opinions, images or other recorded information which identifies or relates to a living individual. Examples of such personal data are:

- names, addresses, telephone numbers, email addresses and other contact details;
- bank details and other financial information, e.g. about parents who pay fees to the School, bursary assessment or for fundraising;
- 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 (in accordance with the School's policy on taking, storing and using images of children);

As a School, we need to process special categories of personal data (eg concerning health, ethnicity and religion or criminal records information (such as when carrying out DBS checks). We do so in accordance with applicable law (including with respect to safeguarding or employment) or by explicit consent.

## 5. HOW THE SCHOOL COLLECTS DATA

Generally, we 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 referees, previous schools or employers, the Disclosure and Barring Service or other professionals or authorities working with that individual); or collected from publicly available resources.

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

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 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.

We take appropriate technical and organisational steps to ensure the security of personal data about individuals, including policies around the use of technology and devices, and access to School systems. We do not transfer personal data outside the EEA unless we are satisfied that the personal data will be afforded an equivalent level of protection.

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 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.

Occasionally, the School will need to share personal data (including special categories of personal data) relating to the data subjects with third parties, such as professional advisers (e.g. accountants, lawyers, insurers, examination boards and PR advisers); relevant authorities (e.g. HMRC, DfE, police or the local authority, DBS, NTCL, UK Visas and Immigration, Department for Work and Pensions, ISI, the Charity Commission and the ICO).

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, website, ISAMs or cloud storage providers. This is always subject to contractual assurances that personal data will be kept securely and only in accordance with our specific directions.

We share personal data about Old Girls with the Queen's Gate Society. We do not otherwise share or sell personal data to other organisations for their own purposes.

## **7. HOW LONG WE KEEP PERSONAL DATA**

We will retain personal data securely and only in line with how long it is necessary to keep for a legitimate and lawful reason. We have a Retention of Records Policy which gives guidelines on how long different types of data are kept. Typically, the legal recommendation for how long to keep ordinary staff and pupil personnel files is up to seven 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 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 email Mr Cubitt at [privacy@queensgate.org.uk](mailto:privacy@queensgate.org.uk) . However, please bear in mind that we 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 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").

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

We will use the contact details of parents, alumni and other members of the School community to keep you 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 you object, we will 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 PTA. We will contact parents and/or alumni (including via the PTA) by post and email in order to promote and raise funds for the School and, where appropriate, other worthy causes. We do not use third-party profiling companies, but we analyse publicly available data about potential donors (for example, LinkedIn, Companies House) so that we can make appropriate requests to maximise the School's fundraising potential.

Should you wish to limit or object to any such use, or would like further information, please email Mr Cubitt at [privacy@queensgate.org.uk](mailto:privacy@queensgate.org.uk) . 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).

## 9. **YOUR RIGHTS**

You have various rights under Data Protection Law to access and understand the personal data we hold about you, 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. A request to access your personal data is known as a “subject access request”.

You always have the right to withdraw consent, where given, or otherwise object to receiving generic or fundraising communications. Please be aware, however, that the School may 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 exist under some form of contract or agreement with the individual (for example a parent contract or employment contract or because a purchase of goods or services or membership of an organisation such as an alumni or parents' association has been requested).

If you wish to access or amend your personal data, or wish it to be transferred to another person or organisation, or if you have some other objection to how your personal data is used, you should put your request in writing to Mr Cubitt at [privacy@queensgate.org.uk](mailto:privacy@queensgate.org.uk) .

We 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 subject access requests).

We 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).

You should be aware that the right of access is limited to your own personal data, and certain data is exempt from the right of access. 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).

We are also not required to disclose any pupil examination scripts (or other information consisting solely of pupil test answers), provide examination or other test marks ahead of any ordinary publication, nor share any confidential reference given by the School itself 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.

## 10. **PUPIL DATA**

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. A pupil of any age may ask a parent or other representative to make a subject access request on 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.

Pupils in our 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* may however be sufficiently mature to have a say in this decision, depending on the child and the circumstances.

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, we 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.

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 and 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 or services or membership of an organisation such as an alumni or parents' association has been requested).

The rights under Data Protection Law belong to the individual to whom the data relates. However, we will often rely on parental consent to process personal data relating to pupils – for example, under the parent contract, or via a form – if consent is required.

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, we 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 our 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, we may be under an obligation to maintain confidentiality unless, in our opinion, there is a good reason to do otherwise; for example where we believe 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 policies and the School Code of Conduct. Staff are under professional duties to do the same covered under the relevant staff policy.

## **11. DATA ACCURACY AND SECURITY**

We will endeavour to ensure that all personal data held in relation to an individual is as up to date and accurate as possible. Please notify [privacy@queensgate.org.uk](mailto:privacy@queensgate.org.uk) of any significant changes to important information, such as contact details, held about you.

## **12. THIS POLICY**

This Privacy Notice should be read in conjunction with our other policies and terms and conditions which make reference to personal data, including our Parent Contract, our Safeguarding Policy, Health and Safety Policies, Data Protection Policy and IT Acceptable Use Policies.

We 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.

Any comments or queries on this policy should be directed to Mr Cubitt, at [privacy@queensgate.org.uk](mailto:privacy@queensgate.org.uk).

If you believe that we have not complied with this policy or acted otherwise than in accordance with Data Protection Law, you should utilise the School Complaints Procedure and should also notify Mr Cubitt at [privacy@queensgate.org.uk](mailto:privacy@queensgate.org.uk). 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 us before involving them.

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