



## QUEEN'S GATE SCHOOL

### 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 General Data Protection Regulations 2016 (as applicable) the UK General Data Protection Regulations, the Data Protection Act 2018 and any other applicable data protection legislation ("Data Protection Law").

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

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

#### **COVID-19 RELATED PROCESSING**

Should COVID-19 return to pandemic levels, we may need to collect, share and otherwise process personal data (including special categories of personal data – see below) in accordance with Government guidance. This may be for reasons not specifically set out in this Privacy Notice but it will always be for the purposes of protecting public and individual health by seeking to limit the spread of COVID-19.

#### 2. WHAT THIS PRIVACY NOTICE IS FOR

This Privacy Notice provides information about how we collect, store, use, share and/or otherwise process personal data about individuals, including current, past and prospective pupils and their parents, carers or guardians; current, past and prospective staff, 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. However, we have a separate Data Protection Policy and Privacy Notice applicable to our staff.

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 storage and retention of records and documents policy;
- our data protection policy;
- our safeguarding, pastoral, or health and safety policies, including as to how concerns or incidents are recorded;
- our IT policies, including Acceptable Use and other related policies; and
- any other policies or notices applicable to staff, concerning the handling of personal data.

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

### **3. RESPONSIBILITY FOR DATA PROTECTION**

We have appointed the Bursar as our Privacy Officer who is responsible for data protection. He will deal with all of your requests and enquiries concerning our uses of your personal data (please see “Your Rights” section below), and will endeavour to ensure that all personal data is processed in accordance with this Privacy Notice and Data Protection Law. He can be contacted on [privacy@queensgate.org.uk](mailto:privacy@queensgate.org.uk).

#### **4. 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 process a wide range of personal data about data subjects as part of our daily operation.

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 or the legitimate interests of another, for example, in connection with:-

- The selection and admission of pupils and to confirm the identity of prospective pupils and parents and to retain a record if appropriate, for the purposes of future applications or openings;
- The provision of educational services to pupils (whether in person or remotely), including musical education, physical training, spiritual development and extra-curricular activities. This will involve the administration of our curriculum and time-table; monitoring and tracking pupils' progress and educational needs; reporting on pupils' progress internally and to parents; enabling pupils to take part in national or other assessments; administration of pupils' entries to public examinations, reporting on and publishing results or other achievements of pupils; 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;
- Any court orders, criminal proceedings or convictions which relate to you and/or to your child, to ensure that we safeguard your child and the School community;
- Keeping pupils safe (for example, information on emergency contacts, next of kin, food allergies);
- 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;

- Carrying out donor due diligence and to confirm the identity of prospective donors and their background;
- 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, including direct marketing or fundraising activities;
- Management planning and forecasting, research and statistical analysis, including that imposed or provided for by law (such as tax);
- Enabling relevant authorities to monitor the School's performance and to intervene or assist with incidents as appropriate;
- Giving and receiving 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;
- Enabling pupils to take part in national or other assessment, and to publish the results of public examinations or other achievements of our pupils;
- Staff administration including the recruitment of staff/engagement of contractors (including compliance with Disclosure and Barring Service (DBS) procedures and online searches carried out on short-listed candidates in accordance with KCSIE); administration of payroll, pensions and sick leave; review and appraisal of staff performance; conduct of any grievance, capability or disciplinary procedures; 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;
- Monitoring (as appropriate) use of our IT and communications systems in accordance with the School's IT policies;
- Making 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. This may continue after your child has left the School;

- Security purposes, including CCTV in accordance with our CCTV policy;
- Carrying out or cooperating with any School or external complaints, disciplinary or investigation process;
- Regulatory record-keeping and compliance purposes in respect of immigration requirements, as an employer and student visa sponsor; and
- Where otherwise reasonably necessary for the School's purposes, including to obtain appropriate professional advice and insurance for the School.

## **5. 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;
- dates of birth, identification documents and contact details of next of kin;
- bank details and other financial information, e.g. about parents (or others) who pay fees to the School, bursary assessment or for fundraising and any anti money laundering information that we are required to collect by law. We do not store any credit card details;
- 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;
- nationality and other immigration status information (e.g. the right to work or study in the UK), including full copies of passports;
- where appropriate, information about individuals' physical and mental health and welfare;
- information about any special needs and about any family circumstances that might affect pupils' welfare;

- 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 and the School's CCTV policy).

As a School, we need to process **special categories of personal data** (e.g. concerning health, ethnicity and religion or criminal records information (such as when carrying out DBS checks)). We do so in accordance with rights and duties imposed on us by law (including with respect to safeguarding and employment) or from time to time, with explicit consent where required. Our reasons for doing this include:-

- To safeguard pupils' welfare and provide appropriate pastoral (and where necessary, medical) care, and to take appropriate action in the event of an emergency, incident or accident, including by disclosing details of an individual's medical condition or other relevant information where it is in the individual's interests to do so: for example for medical advice, for social protection, safeguarding, and cooperation with police or social services, for insurance purposes or to caterers or organisers of School trips who need to be made aware of dietary or medical needs;
- To comply with public health requirements in respect of COVID-19 (or similar) testing, if required, including managing on-site testing and/or processing the results of these tests taken by pupils or other members of the School community, and sharing this information with relevant authorities where applicable;
- To provide educational services in the context of any special educational needs of a pupil;
- As part of any School or external complaints, disciplinary or investigation process that involves such data, for example if there are SEN, health or safeguarding elements;
- For legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with our legal obligations and duties of care; and
- For the establishment, exercise or defence of legal claims.

## **6. 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, discussions with staff or written assessments).

However, in some cases, personal data will be supplied by third parties (for example referees, previous schools or employers, the DBS or other professionals or authorities working with that individual); or collected from publicly available resources.

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

**Processing by third parties:** 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). However, some functions are outsourced including IT, payroll, web developers, iSAMS and cloud storage providers. 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 School's specific directions.

**Data sharing:** Occasionally, we will need to share personal data (including special categories of personal data) relating to the data subjects with third parties such as:-

- the School's PTA;
- appropriate contractors;
- professional advisers (e.g. lawyers, insurers, PR advisers and accountants);
- examination Boards;
- stage 3 Complaints Panel, which will include (an) independent panel member(s);
- third parties and their advisers in the event of a possible or an actual sale, merger or other restructuring of the School;
- government Authorities or Regulatory bodies (e.g. HMRC, DfE, CAFCASS, Police, Home Office, Department of Work and Pensions, DBS, NCTL, ISI, ICO, Charity Commission, a relevant public health/NHS body and/or local authority);
- organisers of trips;
- other educational institutions (past or prospective);
- organisers of external competitions;
- the Queen's Gate Society; and. others, where required by law or where reasonably necessary for the operation of the School.

We do not otherwise share or sell personal data to other organisations for their own purposes.

**Access to special categories of personal data:** Particularly strict rules of access apply in the context of special categories of personal data, most notably:-

- medical records;
- counselling records; and
- pastoral or safeguarding files.

Medical records – the School needs to process such information to comply with statutory duties and to keep pupils and others safe, but the School 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. Express consent will be sought where appropriate.

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

The School uses iSAMS, a secure management information system which aggregates safeguarding, academic, pastoral and SEN information. Data is added to secure individual files with restricted access to different levels of staff.

**Transfer of personal data overseas:** 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 may send your personal data to other countries, including countries outside the EEA, for example, in connection with obtaining or providing references, organising overseas School trips or communicating with you when you are overseas. Your data may also be stored on computer servers based outside the EEA via cloud services such as those provided by Google or Microsoft Office 365. Wherever possible, 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 as if the data were held in a country directly under the remit of the General Data Protection Regulations 2016.

**Safeguarding data:** Staff, pupils and parents are reminded that the School is under duties imposed by law and statutory guidance (including [Keeping Children Safe in Education](#) – “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 file notes on personnel or safeguarding files, low level concerns records kept about adults, and in some cases, referrals to relevant authorities such as the Local Authority Designated Officer (LADO) or police. KCSIE also requires that, whenever a child leaves the School to join another school or college, her child protection file is promptly provided to the new organisation. The School will retain a copy in accordance with its retention policy for material related to safeguarding matters. For further information about this, please view the School’s [Safeguarding Policy](#).

## **8. 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. A copy is available on request. Typically, the legal recommendation for how long to keep ordinary staff and pupil personnel files is for seven years following departure from the School. However, incident reports and safeguarding files will need to be kept for much longer, in accordance with specific legal requirements.

If you have any specific queries about how our Retention of Records Policy is applied, or wish to request that personal data that you no longer believe to be relevant is considered for erasure, please email the Bursar 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 that 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").

## **9. 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 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 PTA.
- 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 the Bursar 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).

## 10. YOUR RIGHTS

You have various rights under Data Protection Law to access and understand the personal data we hold and process about you, as follows:-

- to obtain access to, and copies of, the personal data that we hold about you;
- to require us to correct the personal data we hold about you if it is incorrect;
- to require us (in certain circumstances) to erase your personal data;
- to request that we restrict our data processing activities (and, where our processing is based on your consent, you may withdraw that consent, without affecting the lawfulness of our processing based on consent before its withdrawal);
- to receive from us the personal data we hold about you which you have provided to us, in a reasonable format specified by you, including for the purpose of you transmitting that personal data to another data controller;
- to object, on grounds relating to your particular situation, to any of our particular processing activities where you feel this has a disproportionate impact on your rights.

If you wish to exercise any of these rights, please email the Bursar at [privacy@queensgate.org.uk](mailto:privacy@queensgate.org.uk). However, we will not necessarily delete or amend views, opinions, notes or records purely on the request of a data subject who disputes the account, although we may keep a record of all parties' viewpoints.

Please note that the above rights are not absolute, and we may be entitled to refuse requests where exemptions and/or limitations apply.

**Right of Access:** A request to access your personal data is known as a "subject access request".

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 generally one month, but actually fulfilling more complex or multiple requests, for example, those involving third party information, may take longer).

We will be better able to respond quickly to smaller, targeted requests for information and to those made during term time. If the request for information is manifestly excessive or similar to previous requests, the School may ask you to reconsider, or require a reasonable fee for the administrative costs of complying with the request, or in certain circumstances, refuse the request (all only where Data Protection Law allows it and in accordance with regulatory guidance).

**Requests that cannot be fulfilled:** 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, documents prepared in connection with a legal action or where a duty of confidence is owed by a legal adviser).

We are 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). We are also not required to 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.

These exemptions necessarily also apply in the context of Centre or Teacher-Assessed Grades, where required in the absence of formal examinations due to pandemic or other conditions.

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

**Requests by or on behalf of Pupils:** Pupils can make subject access requests for their own personal data, provided that, in the reasonable opinion of the School, they have sufficient maturity to understand the request they are making (see “Whose Rights?” below). 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. Requests which are not considered to be in the child’s best interests may be refused.

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.

*Parental requests etc:* It should be clearly understood that the rules on subject access are not the sole basis on which information requests are handled. Parents may not have a statutory right to information, but they and others will often have a legitimate interest or expectation in receiving certain information about pupils without their consent. The School may consider there are lawful grounds for sharing with or without reference to that pupil.

Parents will in general receive educational and pastoral updates about their children, in accordance with the Parent Contract. Where parents are separated, 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, court orders or pastoral issues. All information requests from, on behalf of, or concerning pupils – whether made under subject access or simply as an incidental request – will therefore be considered on a case by case basis.

**Consent:** Where the School is relying on consent as a means to process personal data, any person may withdraw their consent at any time (subject to similar age considerations as above) or otherwise object to receiving generic or fundraising communications. 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).

**Whose Rights?** The rights under Data Protection Law belong to the individual to whom the data relates. However, we will often rely on parental authority or notice to process personal data relating to pupils – for example, under the parent contract, or via a form – if consent is required. Parents and pupils should be aware that this is not necessarily the same as relying on strict consent as detailed above.

Where consent is required, it may in some cases be necessary or appropriate – given the nature of the processing in question, and the pupil's age and understanding – to seek the pupil's consent either alongside or in place of, parental consent. Parents should be aware that in such situations they may not be consulted, depending on the interests of the child, the parents' rights at law or under their contract, and all the circumstances.

In general, 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 the Junior or the Senior School Office as appropriate, of any significant changes to important information, such as contact details, held about you.

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). See section above under "Your Rights".

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 notice and their duties under Data Protection Law and receive relevant training.

#### **12. THIS NOTICE**

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 Policy on Taking, Storing and Using Images of Children, our CCTV Policy, our Retention of Records Policy, our Safeguarding Policy, our Health and Safety Policies, our Data Protection Policy and our IT Policies, including Acceptable Use and other related 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.

### 13. **QUERIES AND COMPLAINTS**

Any comments or queries on this Privacy Notice should be directed to the Bursar, at [privacy@queensgate.org.uk](mailto:privacy@queensgate.org.uk).

If you believe that we have not complied with this Privacy Notice or have acted otherwise than in accordance with Data Protection Law, you should utilise the [School Complaints Procedure](#) and should also notify the Bursar 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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