



# How we use your Childs's information

## Privacy Notice for Parents of Students Year 6 and below

### Introduction

Saint Nicolas School ("the School") is a data controller for the purposes of data protection legislation. This means that it is in charge of personal data it hold about you. This notice is to help you understand **how** and **why** we collect your child's personal information and **what** we do with that information. It also explains the decisions that you can make about your child's information.

We are giving you this notice because you are able to exercise your child's data protection rights on their behalf. When your child is older (usually when they reach the age of 12) they will be considered mature enough to exercise their own data protection rights.

If you have any questions about this notice please talk to the Bursar and Data Protection Lead at [y.mardel@saintnicholasschool.net](mailto:y.mardel@saintnicholasschool.net). The postal address of the School is:

Saint Nicolas School  
Hillingdon House  
Old Harlow  
Essex  
CM17 0NJ

### What is "personal information"?

Personal information is information that the School holds about your child and which identifies your child.

This includes information such as their date of birth and address as well as things like exam results, medical details and behaviour records. The School may also record your child's religion or ethnic group. Photos and video recordings of your child are also personal information.

### How and why does the School collect and use personal information?

We set out below examples of the different ways in which we use personal information and where this personal information comes from. Our primary reason for using your child's information is to provide your child with an education.

The admissions forms which you complete give us personal information about your child. We get information from your child, their teachers and other pupils. In all areas of the school your child's old school also gives us information about them as we need this to teach and care for them.

Sometimes we get information from your child's doctor and other professionals where we need this to look after your child. We collect this information to help the School run properly, safely and to let others know what we do here. Here are some examples:

- We need to tell all appropriate members of staff if your child is allergic to something or has a health issue.
- We might tell your child's teachers if he or she has educational learning needs or requires extra help with some tasks.
- We may need to share information about your child's health and wellbeing with the School Medical Centre or counsellor.
- We record your child's attendance and if they have time away from the School we record the reason(s) why.
- We may need to report some of your child's information to the government (e.g. the Department for Education). For example, we may need to tell the local authority that your child attends the School or let them know if we have any concerns about your child's welfare.
- When we are inspected by the Independent Schools Inspectorate we may have to share your child's information with you to assist them with their inspection.
- If the School receives a complaint or grievance which involves your child we may need to use their information to deal with this appropriately. For example, if you make a complaint or if another parent complains about an issue which involves your child.
- We may need information about any court orders or criminal petitions which relate to your child. This is so that we can safeguard your child's welfare and wellbeing and the other pupils at the School.
- If your child is from another country we have to make sure that they have the right to study in the UK. We might have to provide their information to UK Visas and Immigration.
- Depending on where your child will go when they leave us we may need to provide their information to other schools and Schools. For example, we may share information about your child's exam results and provide references. We may need to pass on information which they need to look after your child.
- If your child takes public examinations we will need to share information about them with examination boards. For example, if your child requires extra time in exams.
- We may need to share information with the police or our legal advisers if something goes wrong or to help with an inquiry. For example, if one of your child's classmates is injured at the School or if there is a burglary.
- Occasionally we may use consultants, experts and other advisors to assist the School in fulfilling its obligations and to help run the School properly. We might need to share your child's information with them if this is relevant to their work.
- If your child has misbehaved in a serious way, and the police have become involved, we may need to use information about the action taken by the police.
- We may share some information with our insurance company to make sure that we have the insurance cover that we need.
- We may share your child's academic and (where fair) their behaviour records with you or their education guardian so you can support their schooling.

- We will only share your child's information with other people and organisations when we have a good reason to do so. In exceptional circumstances, we may need to share it more widely than we would normally.
- We will monitor your child's use of email, the internet and mobile electronic devices e.g. iPads. This is to check that your child is not misbehaving when using this technology or putting themselves at risk of harm. If you would like more information about this you can read the acceptable use of IT policy.
- We may use photographs or videos of your child for the School's website and social media sites or prospectus to show prospective pupils what we do here and to advertise the School. We may continue to use these photographs and videos after your child has left the School.
- Sometimes we use photographs and videos for teaching purposes, for example, to record a drama lesson.
- If you have any concerns about us using photographs or videos of your child please speak to staff in your child's school office.
- We publish our public exam results, sports fixtures and other news on the website and put articles and photographs in the local news to tell people about what we have been doing.
- We may keep details of your child's address when they leave so we can send them Alumni News and find out how they are getting on. We may also pass their details onto the alumni organisation. Further information on the alumni association can be found on the School website.
- We sometimes use contractors to handle personal information on our behalf. The following are examples:
  - IT consultants who might access information about your child when checking the security of our IT network; and
  - we use third party "cloud computing" services to store some information rather than the information being stored on hard drives located on the School site.

If you have any concerns about the above, please speak to the Bursar.

### **Our legal grounds for using your information**

This section contains information about the legal basis that we are relying on when handling your child's information as described above.

#### **Legitimate interests**

This means that we are using your child's information when this is necessary for the School's legitimate interests except where the processing is unfair to your child. The School relies on legitimate interests for many of the ways in which it uses your child's information.

Specifically, the School has a legitimate interest in:

- Providing your child (and other children) with an education.
- Safeguarding and promoting your child's welfare and the welfare of other children.
- Promoting the objects and interests of the School. This includes fundraising e.g. if we want to raise money to build new buildings and using photographs of your child in promotional material such as on our website and in the prospectus.

- Facilitating the efficient operation of the School.
- Helping the School comply with its obligations (for example, when it is inspected).

In addition, your child's personal information may be processed for the legitimate interests of others. For example, we may use information about your child when investigating a complaint made by another pupil.

If you object to us using your child's information where we are relying on our legitimate interests as explained above please speak to the Bursar.

#### Legal obligation

Where we need to use your child's information in order to comply with a legal obligation, for example to report a concern about your wellbeing to Children's Services. We may also have to disclose your information to third parties such as the courts, the local authority or the police where legally obliged to do so.

#### Vital interests

In limited circumstances we may use your child's information to protect your child's vital interests or the vital interests of someone else (e.g. if your child or they are seriously hurt).

#### Performance of a task carried out in the public interest

The following are examples of when we use your information to perform tasks in the public interest:

- providing you with an education;
- safeguarding and promoting your welfare and the welfare of other children;
- facilitating the efficient operation of the School; and
- ensuring that we comply with all of our legal obligations.

If you object to us using your information when we are relying on this ground please speak to the Bursar.

The School must also comply with an additional condition where it processes special categories of personal information. These special categories include: personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, genetic information, biometric information, health information, and information about sex life or orientation.

#### Substantial public interest

We are allowed to use special categories of personal information where doing so is necessary in the substantial public interest. This is similar to "public interest" in the table above, for example we may use special categories of information about your child to provide them with an education, to look after your child and their classmates or when the School is inspected.

#### Employment and social protection law

There may be times when the School needs to use your child's information because we are an employer. Also the School may use your child's information to comply with social protection law (e.g. to look after your child).

#### Vital interests:

In limited circumstances we may use your child's information to protect your child's vital interests or the vital interests of someone else (e.g. if your child or they are seriously hurt).

**Legal claims:**

The processing is necessary for the establishment, exercise or defence of legal claims. This allows us to share information with our legal advisors and insurers.

**Medical purposes**

This includes medical treatment and the management of healthcare services.

We may ask for your consent to use your child's information in certain ways. If we ask for your consent to use your child's personal information you can take back this consent at any time. Any use of your child's information before you withdraw your consent remains valid. Please speak to the Bursar if you would like to withdraw any consent given.

In some cases we will rely on more than one of the grounds above for a particular use of your child's information. For example, we may rely on legitimate interests and public interest grounds when using your child's information for safeguarding purposes.

**Sending information to other countries**

We may send your child's information to countries which do not have the same level of protection for personal information as there is in the UK. For example, we may:

- store your child's information on cloud computer storage based overseas; or
- communicate with you about your child by email when you are overseas (for example, when you are on holiday).

The European Commission has produced a list of countries which have adequate data protection rules. The list can be found here: [http://ec.europa.eu/justice/data-protection/international-transfers/adequacy/index\\_en.htm](http://ec.europa.eu/justice/data-protection/international-transfers/adequacy/index_en.htm)

If the country that we are sending your child's information to is not on the list, or is not a country within the EEA (which means the European Union, Liechtenstein, Norway and Iceland), then it might not have the same level of protection for personal information as there is in the UK.

If you have any questions about the safeguards that are in place please contact the Bursar.

**For how long do we keep your child's information?**

We keep your child's information for as long as we need to in order to educate and look after them. We will keep certain information after your child has left the School, for example, so that we can find out what happened if you make a complaint.

In exceptional circumstances, we may keep your child's information for a longer time than usual, but we would only do so if we had a good reason and only if we are allowed to do so under data protection law.

We can keep information about your child for a very long time or even indefinitely if we need this for historical, research or statistical purposes. For example, if we consider the information might be useful if someone wanted to write a book about the School.

This table shows for how long we keep different types of information about your child.

Type of information	Normal retention period or the criteria used to determine the retention period
Accidental and medical treatment records:	Date of birth plus 25 years.
Attendance records:	6 years from last entry and then 25 years from date of birth.
Exam results:	7 years from student leaving.
Student files e.g. reports, performance:	25 years from date of birth.
Safeguarding issues:	If a referral has been made/social care has been involved or child has been subject of a multi-agency plan - indefinitely. If low level concerns, with no multi-agency action this may be 25 years from date of birth OR indefinitely.
Educational Learning Needs records:	Date of birth plus up to 35 years.
UK Visa records:	25 years from date of birth.
Complaints:	25 years and then reviewed.

### What decisions can you make about your child's information?

From May 2018 you will be able to make various decisions about your child's information. Some of these are new rights whilst others build on your child's existing rights. Your child's rights are as follows:

- if information is incorrect you can ask us to correct it;
- you can also ask what information we hold about your child and be provided with a copy. We will also give you extra information, such as why we use this information about your child, where it came from and what types of people we have sent it to;
- you can ask us to delete the information that we hold about your child in certain circumstances. For example, where we no longer need the information;
- you can ask us to send you, or another organisation, certain types of information about your child;
- our use of information about your child may be restricted in some cases. For example, if you tell us that the information is inaccurate we can only use it for limited purposes while we check its accuracy.

The Bursar can give you more information about your child's data protection rights.

### Further information and guidance

This notice is to explain how we look after your child's personal information. The Bursar can answer any questions, which you might have.

Please speak to us if:

- you object to us using your child's information for marketing purposes e.g. to send your child information about school events. We will stop using your child's information for marketing purposes if you tell us not to; or
- you would like us to update the information we hold about your child; or

- you would prefer that certain information is kept confidential.

If you consider that we have not acted properly when using your child's personal information you can contact the Information Commissioner's Office: [ico.org.uk](https://ico.org.uk).

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