



From the Headmaster
M.E. Punt, M.A., M.Sc.

Chigwell, Essex, IG7 6QF

General Tel: 020 8501 5700

Direct Tel: 020 8501 5708

Fax: 020 8500 6232

E-mail: mpunt@chigwell-school.org

www.chigwell-school.org

Staff champion	JKR
Last reviewed by staff	June 2018
Next review date by staff	June 2020

Pupil Data Protection Policy

1 Statement of the School’s Duties

In order to carry out its ordinary duties to staff, pupils and parents, the School may process a wide range of personal data about individuals (including current, past and prospective staff, pupils or parents) as part of its daily operation. The School will need to carry out certain activities in order to fulfil its legal rights, duties or obligations –including those under a contract with its staff, or parents of its pupils. Other uses of personal data will be made in accordance with the School’s legitimate interests, or the legitimate interests of another, provided that these are not outweighed by the impact on individuals, and provided it does not involve special or sensitive types of data. In this Policy any reference to pupils includes current, past or prospective pupils.

This Policy should be read in conjunction with the School’s Privacy Notice, a copy of which is posted on the School’s website.

2 Responsibility for Data Protection

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

3 The Principles

The School shall, so far as is reasonably practicable, comply with the Data Protection Principles (“the Principles”) contained in Data Protection Law to ensure all data is:-

- Fairly and lawfully processed;
- Processed for a lawful purpose;
- Adequate, relevant and not excessive;
- Accurate and up to date;
- Not kept for longer than necessary;
- Processed in accordance with the data subject’s rights;
- Secure;
- Not transferred to other countries without adequate protection.

4 Personal Data

Personal data covers both facts and opinions about an individual. The School may process a wide range of personal data of pupils, their parents or guardians as part of its operation. This personal data may include, but is not limited to, names and addresses, bank details, academic, disciplinary, admissions and attendance records, references, examination scripts and marks.

5 Processing of Personal Data

Consent may be required for the processing of personal data unless the processing is necessary for the School to undertake its obligations to pupils and their parents or guardians. Any information which falls

under the definition of personal data, and is not otherwise exempt, will remain confidential and will only be disclosed to third parties with the consent of the appropriate individual or under the terms of this Policy.

6 Sensitive Personal Data

The School may, from time to time, be required to process sensitive personal data regarding a pupil, their parents or guardians. Sensitive personal data includes medical information and data relating to religion, race, or criminal records and proceedings. Where sensitive personal data is processed by the School, the explicit consent of the appropriate individual will generally be required in writing.

7 Access to Personal Data

Occasionally, the School will need to share personal information relating to its community with third parties, such as professional advisers (lawyers and accountants) or relevant authorities (HMRC, police or the local authority).

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, the School does intend to disclose such data as is necessary to third parties for the following purposes:

- To give a confidential reference relating to a pupil to any educational institution which it is proposed that the pupil may attend.
- To give information relating to outstanding fees or payment history to any educational institution which it is proposed that the pupil may attend.
- To publish the results of public examinations or other achievements of pupils of the School.
- To disclose details of a pupil's medical condition where it is in the pupil's interests to do so, for example for medical advice, insurance purposes or to organisers of school trips.

Where the School receives a disclosure request from a third party, it will take reasonable steps to verify the identity of that third party before making any disclosure.

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.

8 Your rights

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

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 is manifestly excessive or similar to previous requests, the School may ask you to reconsider or charge a proportionate fee, but only where Data Protection Law allows it.

You should be aware that certain data is exempt from the right of access. This may include information which identifies other individuals, or information which is subject to legal professional privilege.

The School is also not required to disclose any pupil examination scripts (though examiners' comments may fall to be disclosed), nor any confidential reference given by the School for the purposes of the education, training or employment of any individual.

9 Whose rights

The rights under Data Protection Law belong to the individual to whom the data relates. However, the School will often rely on parental consent to process personal data relating to pupils (if consent is required) unless, given the nature of the processing in question, and the pupil's age and understanding, it is more appropriate to rely on the pupil's consent.

Parents should be aware that in such situations they may not be consulted, depending on the interests of the child, the parents' rights at law or under their contract, and all the circumstances. In general, the School will assume that pupils' consent is not required for ordinary disclosure of their personal data to their parents, e.g. for the purposes of keeping parents informed about the pupil's activities, progress and behaviour, and in the interests of the pupil's welfare, unless, in the School's opinion, there is a good reason to do otherwise.

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

Pupils are required to respect the personal data and privacy of others, and to comply with the School's acceptable use policy and the School rules. Staff are under professional duties to do the same covered under the relevant staff policy.

10 Use of Personal Information by The School

The School may obtain and use photographs or images (including video recordings) of the Pupil for:

- use in the School's promotional and fundraising material such as the prospectus, the website or social media;
- press and media purposes;
- educational purposes as part of the curriculum or extra-curricular activities;
- use in connection with events and communications with alumni of the School.

The School may seek specific consent from the Parents before using a photograph or video recording where the School considers that the use is more privacy intrusive. Where the Pupil is of sufficient maturity (usually when aged 13 years or older) we may seek the Pupil's specific prior consent in addition to or instead of the Parents' consent. We would not disclose the home address of the Pupil without the Parents' consent.

11 Security

The School will take reasonable steps to ensure that members of staff will only have access to personal data relating to pupils, their parents or guardians where it is necessary for them to do so. All staff will be made aware of this policy and their duties under Data Protection Law. The School will ensure that all personal information is held securely and is not accessible to unauthorised persons.

12 Enforcement

If an individual believes that the School has not complied with this Policy or acted otherwise than in accordance with Data Protection Law, they should utilise the School Complaints Procedure and should also notify the Bursar. The School 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.

For and on behalf of the Governors
J.K. Rea