

## Privacy Notice for Older Pupils

### How we use your information

#### Introduction

This notice is to help you understand **how** and **why** we collect your personal information and **what** we do with that information. It also explains the decisions that you can make about your own information.

If you have any questions about this notice please talk to your form tutor.

#### What is "personal information"?

Personal information is information that the Stephen Perse Foundation (the **Foundation**) holds about you and which identifies you.

This includes information such as your name, date of birth and address as well as things like exam results, medical details, unique pupil number and behaviour records. We will also hold information such as your religion so that we know whether there are certain foods that you cannot eat. We may also hold information about your ethnic background to compile statistics on diversity within the Foundation, but only if you choose to provide us with that information. CCTV, photos and video recordings of you are also personal information.

#### Our legal bases for using your information

This section contains information about the legal bases that we are relying on when handling your information.

The two tables below contain a general description of the different legal bases but we have also used a colour code system so that you can see which bases we are relying on for each of the purposes described at paragraphs 1 to 40 below.

#### Legitimate interests ("L")

This means that the Foundation is using your information when this is necessary for the Foundation's legitimate interests or someone else's legitimate interests. We won't rely on this basis when your interests and fundamental rights override our legitimate interests. Specifically, the Foundation has a legitimate interest in:

- Providing you with an education and making sure that you are behaving properly;
- Complying with our agreement with your parents for you to be at the Foundation;
- Looking after you, your classmates and our staff (e.g. your teachers);

- Keeping the school buildings safe;
- Making sure that the Foundation is well managed and that we protect the Foundation's reputation;
- Telling people about the Foundation and what we do here e.g. we may use photographs of you in our prospectus, on our website or in our social media;
- Ensuring that all relevant legal obligations of the Foundation are complied with (for example in relation to inspections);
- Using your information in connection with legal disputes; and
- Improving the Foundation e.g. if we want to raise money to build new buildings or to make sure that we are providing you and your classmates with a good schooling experience.

In addition your personal information may be processed for the legitimate interests of others. For example, we may use information about you when investigating a complaint made by one of your fellow pupils.

#### Legal obligation ("LO")

The Foundation might need to use your information in order to comply with a legal obligation, for example, to report a concern about your wellbeing to Children's Services. We will 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 ("VI")

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

#### Performance of a task carried out in the public interest (or carrying out public tasks) ("PI")

This applies where what we are doing is for the benefit of people generally. The following are examples of where this applies:

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

The Foundation 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 ("SPI")

The Foundation is 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, the Foundation will use information about your health to look after you. We may

also use other types of special category personal data about you to provide you with an education, to look after you and your classmates or when the Foundation is inspected.

#### Employment and social protection and social security law ("ESP")

There will be times when the Foundation needs to use your information because we are an employer (e.g. we employ your teachers). Also the Foundation will use your information to comply with social protection law (e.g. to look after you) and social security laws. Social protection law is concerned with preventing, managing, and overcoming situations that adversely affect people's wellbeing.

#### Vital interests ("VI")

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

#### Legal claims ("LC")

We are allowed to use your information if this is necessary in relation to legal claims. For example, this allows us to share information with our legal advisors and insurers. This applies whenever sharing special category data is necessary in relation to legal claims.

#### Medical purposes ("MP")

This includes medical treatment and the management of healthcare services.

## **How and why does the Foundation collect and use your personal information?**

We set out below different ways in which we use personal information and where this personal information comes from. The letters highlighted in different colours below refer to the legal bases we are relying on. Please see the section above for an explanation.

1. The Foundation's primary reason for using your personal information is to provide you with an education - LI, PI, SPI.
2. The Foundation will also use your personal information to safeguard and promote your welfare and the welfare of others (for example, so that we can look after you if you are hurt) - LI, PI, SPI, ESP, MP.

Admissions forms give us lots of personal information about you such as your name, contact details, disabilities, any particular difficulties you have with work, hobbies and interests, medical information (such as information about an allergy) and family circumstances. We get information from you, your parents, your teachers and other pupils. Your old school also gives us information about how well you did and any difficulties you had so that we can teach and care for you.

Sometimes we get information from your doctors and other professionals where we need this to look after you.

3. We will use information about you during the admissions process e.g. when marking your entrance exams and learning more about you from your parents before you join the Foundation. We may let your old school know if you have been offered a place at the Foundation - LI, PI, SPI.

4. We need to tell the appropriate teachers if you are allergic to something or have a health issue, and any third party providing catering services to the Foundation if your allergy is food-related. We may also need to provide information to all members of staff working at the Foundation about what to do in an emergency if your allergies or health issues are life threatening - LI, PI, SPI.
5. We will need to tell your teachers if you have special educational needs or need extra help with some tasks. We will also ask you to complete assessments, sometimes with specialist assessment organisations, so that we can find out more about the way you learn, whether you do need extra help and, if so, how we can help you - LI, PI, SPI.
6. We will need to record, monitor and share with your teachers any low level concerns we have about your welfare, wellbeing or behaviour - LI, PI, SPI.
7. We will need to share information about you (e.g. about your health and wellbeing) with the Foundation Healthcare Practitioner and/or College Nurse - LI, PI, SPI, ESP, MP.
8. If we have information that you suffer from an allergy we will use this information so that we can look after you - LI, PI, SPI, MP.
9. If we have information that you suffer from a disability we will use information about that disability to provide support - LI, PI, SPI, ESP and in certain circumstances, MP.
10. Where appropriate, the Foundation will have information about your religious beliefs and practices. For example, if you do not eat certain foods - LI, PI, SPI.
11. We use CCTV to make sure the Foundation sites and personal belongings are safe. We also use CCTV so we can check who has entered or left the Foundation sites if we need to. CCTV is not used in private areas such as toilets or changing rooms - LI, PI, SPI.
12. We record your attendance and if you have time away from the Foundation we record the reason(s) why - LI, PI, SPI.
13. We will need to report some of your information to the government (e.g. the Department for Education). We will need to tell the local authority that you attend the Foundation, if you leave the Foundation or let them know if we have any concerns about your welfare - LI, LO, PI, SPI, ESP.
14. We are legally required to provide the Department for Education with certain information about you and your classmates. Some of this information will be stored on the National Pupil Database. Organisations can request information from the National Pupil Database which includes information about you. But they are only allowed to do this for limited purposes and they must be very careful about how they use your information. More information can be found here - <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information> - LO, SPI.

15. We may need to share information about you with the Health and Safety Executive (a government organisation) if there is a health and safety issue at the Foundation - LI, LO, PI, SPI.
16. The Foundation is a charity which means that we may need to share your information with the Charity Commission which checks how we are behaving as a charity - LI, LO, PI, SPI.
17. We will need information about any court orders or criminal matters which relate to you. This is so that we can safeguard your welfare and wellbeing and the other pupils at the Foundation - LI, PI, SPI.
18. If you are from another country we have to make sure that you have the right to study in the UK. Sometimes the government will ask us to provide information as part of our reporting requirements. In addition to this we have a duty to provide information about you to UK Visas and Immigration who are part of the government - LI, LO, PI, SPI.
19. Depending on where you will go when you leave us, we will provide your information to other schools, colleges and universities, UCAS or potential employers. For example, we will share information about your exam results and provide references - LI, PI, SPI.
20. We may pass on information to your next school which they need to look after you, for example, information about any concerns we have had about your welfare - LI, LO, PI, SPI, ESP.
21. When you take public examinations (e.g. GCSEs) we will need to share information about you with examination boards. For example, to register you for exams or if you require extra time in your exams. The examination boards will share information with third parties, such as UCAS and the Learning Records Services, as required - LI, PI, SPI.
22. We will share information about you with the Learning Records Service (which is part of the government) who will then give us your unique learning number. We may receive details about you (e.g. your qualifications) from the Learning Records Service - LI, PI, SPI.
23. The Foundation is sometimes inspected to make sure that we are continuing to be a good school. We will have to make your information available to the inspectors to help them to carry out their job - LI, LO, PI, SPI.
24. If someone makes a complaint about how the Foundation has behaved, we may need to use your information to deal with this appropriately. For example, if your parents complain that we have not looked after you properly - LI, PI, SPI.
25. The Foundation may share information about you with the local authority for the purpose of the preparation, implementation and / or review of your Statement of Special Educational Needs or Education Health and Care Plan - LI, PI, LO.
26. We may need to share information about you with the police or our legal advisers if something goes wrong or to help with an enquiry. For example, if one of your classmates is injured at school or if there is a burglary - LI, LO, PI, SPI, LC.

27. We use consultants, experts and other advisors to assist the Foundation in fulfilling its obligations and to help run the Foundation properly. We will share your information with them if this is relevant to their work - LI, PI, SPI.
28. If you have misbehaved in a serious way, we may need to share information with the police and we may need to use information about the action taken by the police - LI, LO, PI, SPI, ESP.
29. We may share some information with our insurance company to make sure that we have the insurance cover that we need - LI, PI, SPI, LC.
30. Parents who are based outside of the UK will sometimes appoint someone to act on their behalf during the admissions process (an overseas agent). If this applies to you, your parents may provide information to the overseas agent so that he or she can pass this on to the Foundation. We will sometimes share information with the overseas agent, for example, we may send them the letter telling your parents that we are offering you a place so that they can pass this on to your parents - LI.
31. We will share your academic and (where fair) your behaviour records with your parents or education guardian so they can support your schooling - LI, PI, SPI.
32. We will monitor your use of email, the internet and mobile electronic devices e.g. iPads. This monitoring is sometimes carried out using computer software. In certain circumstances we will look at the content of your communications (e.g. emails and Hangouts chats). We monitor and look at your use of technology (e.g. your use of your iPad) to check that you and your classmates are not misbehaving, at risk of harm or for other good reasons. If you would like more information about this you can read the Technology Acceptable Use Policy or speak to your form tutor - LI, PI, SPI.
33. We may use photographs or videos of you for the Foundation's website and social media sites or prospectus to show prospective pupils what we do here and to advertise the Foundation. We may continue to use these photographs and videos after you have left the Foundation - LI.
34. Sometimes we use photographs and videos for teaching purposes, for example, to record a drama lesson - LI.

If you have concerns about us using photographs or videos of you please speak to your form tutor.

35. We publish our public exam results, sports fixtures and other news on our website and put articles and photographs in the local news and on social media to tell people about what we have been doing - LI.
36. We will keep your student record after you leave. This will include your contact details so that we can keep in touch with you – for example, so that we can contact you if we need to (such as asking you to collect work that you have produced) or to find out how you are getting on. However, we will not send you alumni news or information about alumni events unless you ask us to. If you would like to stay in touch with the Foundation after you leave,

you can give your details to the Alumni Office. Further information about the Alumni Office can be found [here](#) - **LO, LI**.

37. The Foundation must make sure that our computer network is working well and is secure. This may involve information about you, for example, our anti-virus software might scan files containing information about you - **LI**.
38. From time to time, we may use a third party to provide activities such as an external sports coach or musical instrument teacher. We may share your information with them, for example, to tell them what sports you are good at or so that you can learn to play a musical instrument - **LI, PI**.
39. We can keep information about you 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 Foundation - **LI**.
40. We will give you access to online educational materials such as textbooks and assessments and analyse the results of those assessments in order to help you get the most out of your education at the Foundation - **LI**.

We will only share your 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 sometimes use contractors to handle personal information on our behalf. The following are examples:

- a. IT consultants who might access information about you when checking the security of our IT network;
- b. we use third party "cloud computing" services to store some information rather than the information being stored on hard drives located on the Foundation site; and
- c. we work with travel companies and other organisations to organise school trips both within the UK and abroad.

We use third party technology providers to operate certain functions across the Foundation such as our School Information Management System (SIMS), safeguarding reporting system (MyConcern), trips and visits planning and management system (Evolve), events management, WisePay, SchoolPost and our sports website.

We encourage you to take part in programmes, activities and competitions run by other organisations such as the Duke of Edinburgh Award scheme, the Engineering Development Trust and the Royal Society of Chemistry. We also encourage you to use online resources for further education and careers advice such as UniFrog and FutureWise. Using these resources will involve sharing your personal information but we will never share your information in this way without your knowledge or agreement.

If you have any questions about any of the above, please speak to your form tutor.

### **Criminal offence information**

In exceptional circumstances, we may use information about criminal convictions or offences. We will only do this where the law allows us to. This will usually be where such processing is necessary to carry out our obligations, to exercise our rights or to look after our pupils.

## **More than one basis**

As you will see from the information above, in some cases we will rely on more than one basis for a particular use of your information – for example, we may rely on contract, legitimate interests and public interest bases when using information to provide you with an education. In addition, the basis that we will rely on for a particular purpose may vary depending on the circumstances or we may move from one of the legal bases listed above to another as circumstances change. For example, if we become really worried about your wellbeing, we may start to rely on "legal obligation" to share personal information with the local authority in addition to the other legal bases (such as legitimate interests and public interests) which are noted for looking after you.

## **Consent**

We may ask for your consent to use your information in certain ways as an alternative to relying on any of the bases in the table above. For example, we may ask for your consent before taking or using some photographs and videos if the photograph or video is more intrusive and we cannot rely on legitimate interests. At the Cambridge Centre for Sixth-form Studies we use a lunch payment system which operates by way of a fingerprint (i.e. using biometric data) and we will ask for your consent before you can use this system. If we ask for your consent to use your personal information you can take back this consent at any time.

Any use of your information before you withdraw your consent remains valid. Please speak to your form tutor if you would like to withdraw any consent that you have given.

## **Sending information to other countries**

We may send your information to countries which do not have the same level of protection for personal information as there is in the UK, for example, when we store your information on cloud computer storage based overseas or communicate with you when you are overseas (for example, during school holidays if you live in a different country).

The European Commission has produced a list of countries which have adequate data protection rules. The list can be found here:

[https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries_en).

If the country that we are sending your 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, although we will endeavour to ensure that it is kept secure and handled according to data protection laws.

We will provide you with details about the safeguards which we have in place outside of this privacy notice. If you have any questions about the safeguards that are in place please contact the Foundation's Data Manager.

## **For how long do we keep your information?**

We keep your information for as long as we need to in order to educate and look after you. We will keep some information after you have left the Foundation, for example, so that we can find out what happened if you make a complaint.

In exceptional circumstances we may keep your 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.

## What decisions can you make about your information?

Since 25 May 2018 you have been able to make various decisions about your information. Some of these were new rights whilst others were built on your previous rights. Your rights are as follows:

- **Rectification:** if information the Foundation holds about you is incorrect, you can ask us to correct it.
- **Access:** you can also ask what information we hold about you and be provided with a copy. This is commonly known as making a subject access request. We will also give you extra information, such as why we use this information about you, where it came from and what types of people we have sent it to.
- **Deletion:** you can ask us to delete the information that we hold about you in certain circumstances. For example, where we no longer need the information.
- **Portability:** you can request the transfer of your information to you or to a third party in a format that can be read by computer in certain circumstances.
- **Restriction:** our use of information about you may be restricted to simply storing it 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.
- **Object:** you may object to us using your information where:
  - we are using it for direct marketing purposes (e.g. to send you the Foundation schools newsletters);
  - the legal basis on which we are relying is either legitimate interests or performance of a task carried out in the public interest. Please see the section "Our legal bases for using your information" above;
  - we are using it for historical or scientific research purposes or archiving purposes. For example, we may keep photographs of your class for historical reasons.

Your form tutor or the Data Manager can give you more information about your data protection rights.

Any individual wishing to access, erase, restrict processing, obtain, object or amend their personal data, should put their request in writing to the Data Manager.

The Foundation 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 Foundation 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 Foundation may ask you to reconsider or charge a proportionate fee, but only where Data Protection Law allows it.

You should be aware that certain types of data are exempt from the right of access. This may include information which identifies other individuals, or information which is subject to legal professional privilege. The Foundation is also not required to disclose any pupil examination scripts (though examiners' comments may fail to be disclosed), nor any confidential reference given by the Foundation for the purposes of the education, training or employment of any individual.

## **Pupil requests**

Pupils can make subject access requests for their own personal data, provided that, in the reasonable opinion of the Foundation, they have sufficient maturity to understand the request they are making. Indeed, while a person with parental responsibility will generally be entitled to make a subject access request on behalf of younger pupils, the information in question is always considered to be the child's at law.

A pupil of any age may ask a parent or other representative to make a subject access request on their behalf. Moreover (if of sufficient age) their consent or authority may need to be sought by the parent making such a request. Pupils from Year 9 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 pupils may however be sufficiently mature to have a say in this decision.

All information requests from, or on behalf of, pupils – whether made under subject access or simply as an incidental request – will therefore be considered on a case by case basis.

## **Data accuracy and security**

The Foundation will endeavour to ensure that all personal data held in relation to an individual is as up to date and accurate as possible. You or your parents should notify the relevant School Office of any significant changes to important information, such as contact details, held about you.

You have the right to request that any out-of-date, irrelevant or inaccurate or information about you is erased or corrected (subject to certain exemptions and limitations under Data Protection Law): please see above for details of why the Foundation may need to process your data, and of who you may contact if you disagree.

The Foundation will take appropriate technical and organisational steps to ensure the security of personal data about individuals, including policies concerning the use of technology and devices, and access to school systems. All staff and governors will be made aware of this policy and their duties under Data Protection Law and receive relevant training, if necessary.

## **This Policy**

The Foundation 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 reasonably practicable.

## **Further information and guidance**

This notice is to explain how we look after your personal information. Your form tutor can answer any questions you might have.

Please speak to your form tutor if:

- you would like to exercise any of your rights listed above; or
- you would like us to update the information we hold about you; or
- you would prefer that certain information is kept confidential.

The Foundation's Data Manager is in charge of the Foundation's data protection compliance. You can ask your form tutor to speak to the Data Manager or speak to the Data Manager yourself. Alternatively, you can ask your parents to speak to us on your behalf if you prefer.

If you consider that we have not acted properly when using your personal information you should use the Foundation's Complaints Procedures and also inform the Data Manager. You can also contact the Information Commissioner's Office ("ICO") - [ico.org.uk](https://ico.org.uk) - although the ICO recommends that steps are taken to resolve the matter with us before involving them.

August 2019