

KINGDOM EDUCATION LIMITED

**The King's School
Highfield Preschool**

General Privacy Notice



Approved by: Senior Leadership Team

Date: 13th July 2020, October 2022

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Reviewed by: E Taylor, Bursar

Next review due: 1st May 2024



GENERAL PRIVACY NOTICE - APPLICABLE TO ALL MEMBERS OF THE SCHOOL COMMUNITY (PAST, CURRENT AND PROSPECTIVE)

WHO WE ARE

We are The King's School, which includes Highfield Preschool, the Primary and Secondary Schools, as owned and operated by Kingdom Education Limited (company number 1901401 / Charity number 291913) a company registered in England and Wales. Our registered office is at Elmfield, Ambrose Lane, Harpenden, Herts AL5 4DU.

Kingdom Education Limited is the Data Controller for the purposes of the **UK General Data Protection Regulation** and the **Data Protection Act 2018**. Kingdom Education Limited has delegated this responsibility to The King's School.

INTRODUCTION

This **Privacy Notice** is intended to provide information about how the school will use (or "process") personal data about individuals including: its past, current and prospective staff (being paid or unpaid teaching or non-teaching staff, trustees, volunteers, Peripatetic teachers and service providers), past, current and prospective pupils and their parents, carers or guardians - referred to in this policy as "parents". Collectively, we refer to all these individuals as the "school community".

We are committed to ensuring that any personal data we hold about members of the school community is protected in accordance with data protection laws and is used in line with your expectations.

This **Privacy Notice** is to help the school community understand how and why we collect personal data about you. It also explains the decisions that you can make about your own information.

This information is provided because Data Protection Law gives individuals rights to understand how their data is used. Staff, parents and pupils are all encouraged to read this **Privacy Notice** and understand the school's obligations to its entire community. However, the school has a separate Data Protection Policy and Privacy Notice applicable to its employees and other staff.

This **Privacy Notice** applies alongside any other information the school 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 the school's other relevant terms and conditions and policies, including:

- any contract between the school and its staff, or the parents of pupils;
- any policies or notices applicable to staff concerning the handling of personal data;
- the school's policy on taking, storing and using images of children;
- the school's retention of records policy;
- the school's safeguarding, pastoral, or health and safety policies, including as to how concerns or incidents are recorded; and
- the school's IT policies, including its Acceptable Use policy, Social Media policy, eSafety policy, Remote Working policy and Bring Your Own Device policy.

Anyone who works for, or acts on behalf of, the school (including staff, volunteers, governors and service providers) will be subject to suitable training and/or policies commensurate with their role.

RESPONSIBILITY FOR DATA PROTECTION

The School has appointed the Bursar, Mrs Eleanor Taylor, as the Data Protection Officer (DPO) for the School. At our school, Mrs Taylor is the person historically responsible for managing how we look after personal data and deciding how it is shared. The [role](#) is not entirely required for the school by the ICO but has been in place for many years.



For any questions she can be contacted at: bursar@thekingsschool.com

GENERAL DATA PROTECTION REGULATION (GDPR)

The UK Data Protection Act 2018 and UK GDPR (formerly, [EU General Data Protection Regulation \(GDPR\)](#)) came into effect on 25th May 2018 and includes the rules on giving privacy information to those whose data is held by an organisation (data subjects). These are more detailed and specific than in the contents place an emphasis on making privacy notices understandable and accessible. The King's School as the designated Data controller is expected to take 'appropriate measures' to ensure that this is the case.

The school interprets this as using very clear language to outline each of the responsibilities for each of the data subject groups.

The GDPR say that the information provided to data subjects about how the school processes their personal data must be:

- concise, transparent, intelligible and easily accessible;
- written in clear and plain language, particularly if addressed to a child; and
- free of charge.

This Privacy Notice will be provided to you at the time your data is being obtained, if it is being obtained directly.

Data will be processed for the purposes of responding to requests for information about joining the school and the school will therefore have a **“legitimate interest”** for processing basic personal data and sensitive personal data. We see the provision of personal data as necessary to properly admit members of the school community to the school and to administer, and for the school to fulfil its obligations under the contract once you become a member of the school community. The data the school holds will be the minimum it requires to form and maintain the contract between you and the school.

TYPES OF PERSONAL DATA PROCESSED BY THE SCHOOL

Personal data is information that identifies any member of the School's community as an individual.

This includes your contact details, next of kin and financial information. We may also hold information such as your church or ethnic group. Photos and video recordings are also personal data.

Personal data that we may collect, use, store and share (when appropriate) about parents and pupils include, but is not restricted to:

- Contact details - names, addresses, telephone numbers, e-mail addresses and other contact details - contact preferences, date of birth, identification documents, and next of kin
- car details (about those who use our car parking facilities);
- Financial information, including bank details and other financial information, e.g. about parents (or others) who pay fees to the school, and any anti-money laundering information we are required to collect by law;
- 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 (eg right to work / study), including copies of passport information;



- 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 organizations working with pupils;
- Results of internal assessments and externally set tests
- Pupil and curricular records
- Exclusion information
- Details of any medical conditions, including physical and mental health
- Attendance information
- Safeguarding information
- Details of any support received, including care packages, plans and support providers
- Photographs and images of pupils (and occasionally other individuals) engaging in school activities, and
- Special Characteristics, such as ethnic background, special educational needs or eligibility for free school meals, your church or ethnic group, photos and video recordings.

We may have information about any family circumstances which might affect your child's welfare or happiness.

We ask if any of your child's immediate family members have special educational needs because in some cases these can be hereditary. The School can then use this information to assist your child.

We may need information about any Court Orders or criminal petitions which relate to you.

We may also keep details of your address when your child leaves the School so we can keep in touch with your child and send Alumni information or other information about the school and find out how your child is progressing.

HOW AND WHY DOES THE SCHOOL COLLECT PERSONAL DATA?

In order to carry out its ordinary duties to the school community, the school needs to process a wide range of personal data about individuals (including current, past and prospective staff, pupils or parents) as part of its daily operation.

Some of this activity the school will need to carry out in order to fulfil its legal rights, duties or obligations to the school community.

Generally, the school receives 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 another school, or other professionals or authorities working with that individual);

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.



The school expects that the following uses will fall within that category of its community's "legitimate interests":

- For the purposes of pupil selection (and to confirm the identity of prospective pupils and their parents) and retain a record if appropriate for the purposes of future applications or openings;
- To provide education services, including musical education, physical training or spiritual development, career services, and extra-curricular activities to pupils, and monitoring pupils' progress and educational needs including where such services are provided remotely (either temporarily or permanently);
- Maintaining relationships with alumni and the school community, including direct marketing or fundraising activity;
- For the purposes of donor due diligence, and to confirm the identity of prospective donors and their background;
- For the purposes of management planning and forecasting, research and statistical analysis, including that imposed or provided for by law (such as tax or diversity);
- To enable relevant authorities to monitor the school's performance and to intervene or assist with incidents as appropriate;
- 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;
- To enable pupils to take part in national or other assessments, and to publish the results of public examinations or other achievements of pupils of the school;
- To safeguard pupils' welfare and provide appropriate pastoral care;
- To monitor (as appropriate) use of the school's IT and communications systems in accordance with the school's IT: acceptable use policy;
- To make use of photographic images of pupils in school publications, on the school website and (where appropriate) on the school's social media channels in accordance with the school's policy on taking, storing and using images of children;
- For security purposes;
- For regulatory record keeping / compliance purposes in respect of immigration requirements, as an employer and/or visa sponsor;
- 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.
- 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 provide educational services in the context of any special educational needs of a pupil;
- To provide spiritual education in the context of the school's Christian ethos;
- In connection with employment of its staff, for example DBS checks, welfare, or pension plans;
- 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; or
- For legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with its legal obligations and duties of care.

With parents, we obtain information about you from admissions forms and from your child's previous school. We may also get information from professionals such as doctors and from local authorities.

Information is also received by the School directly from you. For example, your application form or you might email us with information about your marital status or provide us with documents such as Court Orders.

We use this data to:

- Support pupil learning
- Monitor and report on pupil progress
- Provide appropriate pastoral care
- Protect pupil welfare
- Assess the quality of our services
- Administer admissions waiting lists
- Carry out research
- Comply with the law regarding data sharing

For special categories of personal data, we will also meet one of the special category conditions for processing which are set out in the [GDPR and Data Protection Act 2018](#) and UK GDPR.

If we offer online services to pupils, such as classroom apps, and we intend to rely on consent as a basis for processing, we will get parental consent where necessary.

Whenever we first collect personal data directly from individuals, we will provide them with the relevant information required by data protection law.

We collect this information to safeguard and promote the welfare of your child, promote the objects and interests of the School, facilitate the efficient operation of the School and ensure that all relevant legal obligations of the School are complied with.

FINANCIAL INFORMATION

We will process financial information about parents in relation to the payment of fees. In some cases, we get information about parents from third parties such as credit reference agencies or from the child's previous school(s).

We may hold information about bankruptcy petitions and statutory demands.

ACCESS TO, AND SHARING OF, SENSITIVE DATA



The school will on occasion need to process special category personal data (concerning health, ethnicity, or sexual life) or criminal records information (such as when carrying out DBS checks) in accordance with rights or duties imposed on it by law, including as regards safeguarding and employment, or from time to time by explicit consent where required. Particularly strict rules of access apply in the context of “special category” data, most notably:

- medical records; and
- pastoral or safeguarding files.

Medical data – 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.

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 or ‘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 (which may include references to pupils or family members), and in some cases referrals to relevant authorities such as the LADO, Children’s Services, CAMHS or the police.

KCSIE also requires that, whenever a child leaves the school to join another school or college, his or her child protection file is promptly provided to the new organisation, along with any other information which the school’s Designated Safeguarding Lead considers material to the ongoing care needs of any pupil. Where appropriate, the School will consult with parents as to how these needs are best served, but ultimately the decision as to what information is necessary to share with the new school or college is a safeguarding question that must be reserved to the school. The school will retain a copy of the child protection file in accordance with its retention policy for material related to safeguarding matters.

For further information about this, please view the school’s Child Protection and Safeguarding and Data Retention Policies.

SHARING PERSONAL DATA WITH THIRD PARTIES

In accordance with our legal obligations, we may share information with local authorities, the Independent Schools Inspectorate / Ofsted and the Department for Education, for example, where we have any safeguarding concerns.

Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about pupils with:

- Our local authority – to meet our legal obligations to share certain information with it, such as safeguarding concerns and exclusions
- The Department for Education
- The pupil’s family and representatives
- Educators and examining bodies
- Our regulators Ofsted or Independent Schools Inspectorate



- Placing authorities
- Suppliers and service providers – to enable them to provide the service we have contracted them for
- Financial organisations
- Central and local government
- Our auditors
- Survey and research organisations for example the ISA, Independent Schools Association
- Health authorities and or Health care service provider
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Photographer
- IT Contractor(s)
- IT software provider(s)
- Sports Services providers
- Off-site organisations and school trips (off-site and on-site)
- Social Services (when necessary to do so)
- Exam Boards
- Charities and voluntary organisations
- Police forces, courts, tribunals
- Professional bodies

It is not necessary for data to be shared with other countries. The exception to this will be international trips that the school organises, should this be envisaged for your child, you will be contacted for your consent; the consent will be limited in time and content if it be required.

We will also share personal data with law enforcement and government bodies where we are legally required to do so, including for:

- The prevention or detection of crime and/or fraud
- The apprehension or prosecution of offenders
- The assessment or collection of tax owed to HMRC
- In connection with legal proceedings
- Where the disclosure is required to satisfy our safeguarding obligations
- Research and statistical purposes, as long as personal data is sufficiently anonymised, or consent has been provided

We may share some information with our insurance company, for example, where there is a serious incident at the School.



If you have unpaid fees while your child is at the School, we may share information about this with other schools or educational establishments to which you intend to send your child.

Again, if your child leaves us to attend another school, we may need to provide that school with information about you. For example, details of family circumstances for safeguarding reasons.

A certain amount of any SEN 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.

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.

WHAT DO WE DO WITH YOUR PERSONAL INFORMATION?

Like other organisations we need to keep your information safe, up to date, only use it for what we said we would, destroy it when we no longer need it and most importantly - treat the information we get fairly.

We only retain your information for as long as we need to. The retention period depends on the type of information. In exceptional circumstances we may keep your information for a longer time than usual or share it more widely than we would normally.

KEEPING IN TOUCH AND SUPPORTING THE SCHOOL

The school will use the contact details of parents, alumni and other members of the school community to keep them 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 the relevant individual objects, the school 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 parent/staff association and old members/alumni association;
- Contact parents and/or alumni (including via the organisations above) by post and email in order to promote and raise funds for the school and, where appropriate, other worthy causes;
- Should you wish to limit or object to any such use, or would like further information about them, please contact the DPO in writing. 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).

WHAT DECISIONS CAN YOU MAKE ABOUT YOUR INFORMATION?

If information is incorrect, you can ask us to correct it. If you would like us to change or update the information, we hold about you, please speak to the Receptionist or the Bursar. We can also tell you what information we hold about you.

If you would prefer that certain information is kept confidential then please speak to the Headteacher or Bursar.

RETENTION PERIOD

The school will retain personal data securely and only in line with how long it is necessary to keep for a legitimate and lawful reason. Typically, the legal recommendation for how long to keep ordinary staff and pupil personnel files is up to 7 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.

Typically, the legal recommendation for how long to keep ordinary staff files is up to 7 years following departure from the school. The retention period for pupil data will normally be until the pupil reaches the age of 25 and/or be modified by any other legal obligation the school finds itself under. However, incident reports and safeguarding files will need to be kept much longer, in accordance with specific legal requirements. While there is no investigation into the school's historic activities, IICSA retention requirements continue to obtain.

If you have any specific queries about how our data retention policy is applied, or wish to request that personal data that you no longer believe to be relevant is considered for erasure, please contact the DPO, The School Bursar, Mrs Eleanor Taylor at bursar@thekingsschool.com.

However, please bear in mind that the school 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").

RIGHTS AVAILABLE TO YOU

You have the right to withdraw your consent to data processing at any time, however this will only apply to certain groups of data for which you have given particular consent.

You have the following rights:

- 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.

REQUESTING ACCESS TO YOUR PERSONAL DATA

Under both DPA and GDPR legislation, all members of the school community have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's educational record, contact:

The DPO, The School Bursar at bursar@thekingsschool.com

We will not give information about our pupils to anyone without your consent unless the law and our policies allow us to do so.

You also have the right to:



- object to processing of personal data that is likely to cause, or is causing, damage or distress;
- prevent processing for the purpose of direct marketing;
- object to decisions being taken by automated means;
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations.

Individuals have a right to make a **'subject access request'** to gain access to personal information that the school holds about them. This includes:

- Confirmation that their personal data is being processed
- Access to a copy of the data
- The purposes of the data processing
- The categories of personal data concerned
- Who the data has been, or will be, shared with
- How long the data will be stored for, or if this isn't possible, the criteria used to determine this period
- The source of the data, if not the individual
- Whether any automated decision-making is being applied to their data, and what the significance and consequences of this might be for the individual

Subject access requests must be submitted in writing, either by letter, email or fax to the DPO. They should include:

- Name of individual
- Correspondence address
- Contact number and email address
- Details of the information requested

If staff receive a subject access request, they must immediately forward it to the DPO.

Requests that cannot be fulfilled - You should be aware that GDPR rights (including the right of access) are limited to your own personal data, and certain data is exempt. 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, or where a duty of confidence is owed by a legal adviser).

The school is 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). The school is 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 apply also in the context of teacher-assessed grades, where required in the absence of formal public examinations (due to pandemic conditions).



Children And Subject Access Requests - Personal data about a child belongs to that child, and not the child's parents or carers. For a parent or carer to make a subject access request with respect to their child, the child must either be unable to understand their rights and the implications of a subject access request or have given their consent through their parents or carers.

Children below the age of 12 are generally not regarded to be mature enough to understand their rights and the implications of a subject access request. **At The King's School, for the purpose of subject access requests, 'children aged 12 and under' will be determined to be our pupils in Year 1 through to Year 8.** Therefore, most subject access requests from parents or carers of pupils in Year 0 through to Year 8 at our school may be granted. This is not a rule and a pupil's ability to understand their rights will always be judged on a case-by-case basis.

Children aged 13 and above are generally regarded to be mature enough to understand their rights and the implications of a subject access request. **At The King's School, for the purpose of subject access requests, 'children aged 13 and above' will be determined to be our pupils in Years 9 through to Year 11.** For subject access requests from parents or carers of pupils in Years 9 to 11 at our school, parents and carers are required to discuss their child's rights and the implications of a subject access request with their child before the request is presented by the parents or carers to the school otherwise, the request may not be granted. This is **a procedure not a rule**, and a pupil's ability to understand their rights will always be judged on a case-by-case basis.

When responding to requests, we:

- May ask the individual to provide identification
- May contact the individual via phone to confirm the request was made
- Will respond without delay and within 1 month of receipt of the request
- Will provide the information free of charge
- May tell the individual we will comply within 3 months of receipt of the request, where a request is complex or numerous. We will inform the individual of this within 1 month, and explain why the extension is necessary.

We will not disclose information if it:

- Might cause serious harm to the physical or mental health of the pupil or another individual
- Would reveal that the child is at risk of abuse, where the disclosure of that information would not be in the child's best interests
- Is contained in adoption or parental order records
- Is given to a court in proceedings concerning the child

If the request is unfounded or excessive, we may refuse to act on it, or charge a reasonable fee which takes into account administrative costs.

A request will be deemed to be unfounded or excessive if it is repetitive, or asks for further copies of the same information.

HOW CAN I MAKE A COMPLAINT?

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance by highlighting this first to Mrs. Taylor, Bursar and/or Mr. Case, Headteacher.



To make a complaint, please contact our data protection officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

[Contact us](#)

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our [Data Protection Officer](#):

Eleanor Taylor 01582 767566

A template letter, should you need it is at the appended to this notice.

We will obtain the data the school requires for you, should we need data from other sources we will contact you within a month.



APPENDIX

[Your full address]
[Phone number]

[The date]

[Name of School]
[Address of School]

[Reference number (if provided within the initial response)]

Dear [Sir or Madam / name of the person you have been in contact with]

Re: Information rights concern

[Your full name and address and any other details such as account number to help identify you]

I am concerned that you have not handled my personal information properly.

[Give details of your concern, explaining clearly and simply what has happened and, where appropriate, the effect it has had on you.]

I understand that before reporting my concern to the Information Commissioner's Office (ICO) I should give you the chance to deal with it.

If, when I receive your response, I would still like to report my concern to the ICO, I will give them a copy of it to consider.

You can find guidance on your obligations under information rights legislation on the ICO's website (www.ico.org.uk) as well as information on their regulatory powers and the action they can take.

Please send a full response within 28 calendar days. If you cannot respond within that timescale, please tell me when you will be able to respond.

If there is anything you would like to discuss, please contact me on the following number [telephone number].

Yours faithfully
[Signature]



END OF GENERAL PRIVACY NOTICE

May 2022