



Privacy Notice for Pupils and Their Parents

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1. Introduction

1.1 Tormead School is an independent day school for girls aged 4 to 18. Located in Guildford, the school currently has approximately 780 pupils. Tormead is a limited company (registration number 00485947) and is a registered charity with the Charity Commission (registration number 312057). The school's registered address is Tormead School, Cranley Road, Guildford, Surrey GU1 2JD; contact telephone number 01483 575101.

1.2 Tormead is a Data Controller for the purposes of 'Data Protection Law' and this Privacy Notice is applicable to all pupils at school – past, present and prospective. For the purposes of this Privacy Notice, 'Data Protection Law' comprises the following:

- The Data Protection Act 2018 and related legislation
- The General Data Protection Regulation
- The Privacy and Electronic Communications Regulations 2011
- The Protection of Freedoms Act 2012

2. Who This Policy Applies To

2.1 This notice applies to all prospective, current and past pupils. We also have a privacy notice written in child-friendly language, to aid pupils' understanding of their rights in relation to their data. A copy of this can be accessed [here](#)

3. About This Policy

3.1 This policy is intended to provide information about how the school collects, uses (or "processes") and shares personal data about our pupils, and their rights and your rights as a parent/guardian in relation to the personal data we hold.

3.2 This information is provided because Data Protection Law gives individuals rights to understand how their data is used. Pupils and their parents/guardians are encouraged to read this Privacy Notice and understand their rights and obligations.

3.3 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 parents or pupils; such as the terms and conditions of the Parent Contract,
- the school's Photography Policy;
- the school's CCTV Policy;
- the school's Biometric Policy;
- the school's Data Protection Policy, Records Management Policy and the pupils' friendly Privacy Notice.
- the school's safeguarding, pastoral, or health and safety policies, including as to how concerns or incidents are recorded; and

- the school's E-Safety and Acceptable Use of IT Policy and other policies.

3.4 Please note that any contract you may have with the school will be relevant to how the school processes your data, in accordance with any relevant rights or obligations under that contract. However, this Pupil Privacy Notice is the primary document by which we notify you about the use of your personal data by the school.

3.5 This Privacy Notice also applies alongside any other information the school may provide about particular uses of personal data, for example when collecting data via an online or paper form.

4. Why the School Needs to Process Personal Data

4.1 Our primary reason for using your child's personal information is to provide them with an education.

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

4.3 Some of this activity the school will need to carry out in order to fulfil its legal rights, duties or obligations – including those under a contract with parents of its pupils.

4.4 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.

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

- For the purposes of pupil selection (and to confirm the identity of prospective pupils and their parents);
- 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;
- 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 and relevant interests;
- For the purposes of research and statistical analysis, including that imposed or provided for by law;
- 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 Acceptable Use IT 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 Photography Policy;
- For security and safety purposes, including biometrics and CCTV in accordance with the school's Biometrics Policy and the school's CCTV Policy;
- To carry out or cooperate with any school or external complaints or investigation process; and
- Where otherwise reasonably necessary for the school's purposes, including to obtain appropriate professional advice and insurance for the school.

4.6 In addition, the school will on occasion need to process **special category personal data** (concerning health, ethnicity, religion, biometrics or sexual orientation) in accordance with rights or duties imposed on it by law, including as regards safeguarding, or from time to time by explicit consent where required. These reasons will 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 provide educational services in the context of any special educational needs of a pupil;
- To run any of its systems that operate on biometric data; at present, the use of biometric data is limited to the attendance monitoring system for the Sixth Form
- As part of any school or external complaints or investigation process that involves such data, for example if there are SEND, 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.

5. Types of Personal Data Processed by the School

5.1 This will include by way of example:

- names, addresses, telephone numbers, e-mail addresses and other contact details;
- biometric information, to monitor Sixth Form attendance, which will be collected and used by the school in accordance with the school's biometrics policy;
- bank details and other financial information, e.g. about parents who pay fees to the school;
- past, present and prospective pupils' academic, disciplinary, admissions and attendance records (including information about any special needs), and examination scripts and marks;

- where appropriate, information about pupils' health and welfare, and contact details for their parents/guardians;
- 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 pupils and parents past and present; and
- images of pupils engaging in school activities, and images captured by the school's CCTV system (in accordance with the school's Photography Policy and the school's CCTV Policy)

6. How the School Collects Data

6.1 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 verbally, by email or written assessments).

6.2 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); or collected from publicly available resources.

7. Who Has Access to Personal Data and Who the School Shares It With

7.1 Processing by third parties

7.1.1 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 (e.g. accounting, IT, cloud storage / records management, monitoring, mailing). 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

7.2 Data Sharing

7.2.1 Occasionally, the school will need to share personal information relating to its community with third parties, such as:

- professional advisers (e.g. lawyers, insurers, PR advisers and accountants);
- service providers (e.g. IT consultants and IT software and systems providers, visiting music teachers);
- government authorities (e.g. HMRC, DfE, police, NHS, Home Office or the local authority);
- appropriate regulatory bodies – for example, the Independent Schools Inspectorate, the Teaching Regulation Agency, the Charity Commission or the Information Commissioner);
- stage 3 complaints panels, which will include independent panel members; and

- examination boards;
- The alumnae platform (currently ConnecTormead hosted by ToucanTech) in order to verify legitimate users of the system.
- 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).
- Particularly strict rules of access apply in the context of:
 - medical records; and
 - pastoral or safeguarding files.

7.2.2 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. Access to, and Sharing of Sensitive Data

8.1 Particularly strict rules of access apply in the context of "special category" data, most notably:

- medical records; and
- pastoral or safeguarding files.

8.2 Medical data

8.2.1 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.

8.2.2 However, a certain amount of any SEND 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.

8.3 Safeguarding data

8.3.1 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.

8.3.2 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 Safeguarding Policy.

9. How Long We Keep Personal Data

9.1 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 pupil files is 25 years after their date of birth. However, incident reports and safeguarding files will need to be kept much longer, in accordance with specific legal requirements.

9.2 If you have any specific queries about how our 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 school's Privacy and Compliance (PCO). 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.

9.3 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").

9.4 Please refer to the Data Protection Policy and the Records Management Policy are available on our website.

10. Keeping in Touch and Supporting the School

10.1 The school uses 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 TPA
- Contact parents and/or alumni by post and email in order to promote and raise funds for the school;
- Should you wish to limit or object to any such use, or would like further information about them, please contact the Privacy and Compliance Officer 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).

11. Your Rights

11.1 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.

11.2 Please note that the above rights are not absolute, and we may be entitled to refuse requests where exceptions apply. The school will endeavour to respond to any such 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, e.g. those involving third party information, may take 1-2 months longer).

11.3 Individuals (both pupils and parents) have various rights under Data Protection Law to access and understand their own personal data held and processed by the school, and in some cases ask for it to be erased or amended, or to have it transferred elsewhere, or for the school to stop processing it – but subject to certain exemptions and limitations.

A) Rights of access, etc.

- (i) The school will be better able to respond quickly to smaller, targeted requests for information 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 cases refuse the request (but only where Data Protection Law allows it, and in accordance with relevant regulatory guidance).
- (ii) If you consider that the personal data we hold on you is inaccurate, please let us know. However, the school will not necessarily delete or amend views, opinions, notes or records purely on the request of an individual who disputes the account, although we may keep a record of all parties' viewpoints.

B) Requests that cannot be fulfilled

- (i) 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).
- (ii) The school is also not required to disclose any pupil examination scripts (or other information consisting solely of pupil test answers, potentially including 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. Please see the Data Protection (Exams) Policy and other exams related policies.
- (iii) 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 proportionate legitimate interest identified in this Privacy Notice. Generally, if the school still considers the processing of the personal data to be reasonably necessary, it is entitled to continue. All such requests will be considered on their own merits.

C) Requests by or on behalf of pupils

- (i) 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 section **Whose Rights?** below)]. A pupil of any age may ask a parent or other representative to make a subject access request on his/her behalf.
- (ii) 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 not considered in the child's best interests may sometimes be refused.

- (iii) Pupils at Senior School 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. Older Prep School children may however be sufficiently mature to have a say in this decision, depending on the child and the circumstances.

D) Parental requests, etc.

- (i) 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.
- (ii) Parents will in general receive educational and pastoral updates about their children. Where parents are separated, the school 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.
- (iii) 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.

E) Consent

- (i) Where the school is relying on consent as a means to process personal data, any person may withdraw this consent at any time (subject to similar age considerations as above). Examples where we do rely on consent are the use of Biometrics in the Sixth Form 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.
- (ii) 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, services or membership of an organisation such as an alumni or parents' association has been requested).

F) Whose rights?

- (i) The rights under Data Protection Law belong to the individual to whom the data relates. However, the school will often rely on parental authority or notice for the necessary ways it

processes personal data relating to pupils – for example, under the parent contract, or via a form. Parents and pupils should be aware that this is not necessarily the same as the school relying on strict consent (see section on Consent above).

- (ii) 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.
- (iii) 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. That is unless, in the school's opinion, there is a good reason to do otherwise.
- (iv) 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.
- (v) Pupils are required to respect the personal data and privacy of others, and to comply with the Pupils E-Safety and Acceptable Use of IT Policy.

12. Data Accuracy and Security

12.1 The school will endeavour to ensure that all personal data held in relation to an individual is as up to date and accurate as possible. Individuals must please notify the Privacy and Compliance Officer (PCO) of any significant changes to important information, such as contact details, held about them.

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

12.3 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 policy and their duties under Data Protection Law and receive relevant training.

13. Policy Updates

13.1 The school 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.

14. Queries and Complaints

14.1 Any comments or queries on this policy should be directed to the Privacy and Compliance Officer at data@tormeadschool.org

14.2 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 / grievance] procedure and should also notify the Privacy and Compliance Officer (PCO). 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 the school before involving the regulator.

Date of Last Review: May 2023

By Resolution of the Governing Body:

MR MATTHEW HOWSE
Chair of Governors

MR BOYD
Head

22nd May 2023