

BEECH HOUSE SCHOOL

DATA PROTECTION AND
FAIR PROCESSING NOTICE

1. ABOUT THIS POLICY

1.1 The School needs to process personal data about its current, prospective and former pupils and their parents, its current, prospective and former staff, its suppliers/contractors, its current and prospective supporters and other individuals connected to the School, as part of its everyday operations. The School will process such personal data in accordance with the Data Protection Act 2018 (“the DPA”).

1.2 The School is the data controller of this personal data under the DPA and has notified its use of personal data with the Information Commissioner’s Office (ICO) under registration number Z4775787. The School is committed to compliance with the DPA and takes seriously the responsibility of handling personal information.

1.3 This Policy sets out the basis on which the School processes personal data. Please read the Policy carefully to understand the School's practices regarding personal data and how it will be treated.

2. DATA PROTECTION ADMINISTRATOR

2.1 The School has appointed the Principal as its Data Protection Administrator.

2.2 The Data Protection Administrator is responsible for:

- the School’s notification as a data controller with the ICO;
- endeavouring to ensure that personal data is processed by the School in compliance with this Policy and all applicable data protection laws, including the data protection principles contained in the DPA (“the Data Protection Principles”);
- arranging appropriate training for members of the School’s staff who are responsible for processing personal data;
- being available to assist individuals about whom personal data is processed by the School (“data subjects”) on issues relating to data protection practices and the DPA; and
- the enforcement, monitoring and review of this Policy

3. THE DATA PROTECTION PRINCIPLES

The Data Protection Principles require the School to ensure all personal data is:

- fairly and lawfully processed;
- processed for one or more lawful purposes;
- adequate, relevant and not excessive;
- accurate and, where necessary, kept up to date;
- not kept for longer than necessary;
- processed in accordance with the data subject’s rights;

- protected by appropriate security measures; and
- not transferred to countries outside the EEA without adequate protection.

4. PERSONAL DATA PROCESSED BY THE SCHOOL

4.1 Personal data processed by the School can take different forms – it may be factual information (such as names, ages and home addresses), expressions of opinion about a data subject, images of or including data subjects or other recorded information which identifies or relates to a living individual.

4.2 Personal data processed by the School includes a data subject's contact details and: (for staff and contractors) additional information required for their employment or appointment including images, audio and video recordings, disciplinary and other education related records, information about special educational needs and disabilities, admission data, references, examination scripts and marks, images, audio and video recordings and employment details, family circumstances and financial information.

4.3 Sensitive personal data about an individual processed by the School includes data concerning their sexual life, racial or ethnic origin, religious beliefs, criminal records and proceedings, trade union membership and relevant medical information (including details of a data subject's physical or mental health). Sensitive personal data is processed only where necessary for the provision of education and educational support and ancillary services to a pupil or for a person's employment.

4.4 The School collects the personal data it processes directly from the data subject (or in the case of a pupil, their parents or guardians) and from third parties (for example, referees, previous schools, NCTL and the Disclosure and Barring Service).

5. PURPOSES FOR WHICH PERSONAL DATA MAY BE PROCESSED

Personal data (including sensitive personal data, where appropriate) is processed by the School in accordance with the Data Protection Act for the following purposes:

- **The provision of education** including the registration of prospective pupils and administration of the admissions process; administration of the school curriculum and timetable; administration of pupils' entries to public examinations, reporting upon and publishing the results; providing references for pupils (including after a pupil has left); and preparation of information for inspections by the Independent Schools Inspectorate.

- **The provision of educational support and ancillary services** including the provision of pastoral care, welfare, health care services and maintenance of discipline; provision of careers and library services; administration of sports fixtures and teams, school trips; the implementation of the School's Acceptable Use Agreement relating to the School's IT System.

- **The general administration of the School** including the compilation of pupil records; the administration of invoices, fees and accounts; the management of the School's property; the management of security and safety arrangements (including the use of CCTV in accordance with Appendix 2); the administration and implementation of the School's rules and policies for pupils and staff; and other reasonable purposes related to the School's operations.
- **The protection and promotion of the School's legitimate interests and objectives** including the publication of its own websites, its internal communication system and virtual learning environment, the prospectus, *Fixtures* and other publications; fund-raising for the School's charitable purposes; the maintenance of a historic archive; and communicating with the body of current and former pupils and/or their parents or guardians.
- **The administration of its staff, agents and suppliers** including the recruitment of staff/ engagement of contractors (including compliance with DBS procedures); administration of payroll, pensions and sick leave; review and appraisal of staff performance; conduct of any grievance, capability or disciplinary procedures; implementation of the School's Acceptable Use Policies relating to the School's IT Systems and the maintenance of appropriate human resources records for current and former staff; and providing references.
- **The fulfilment of the School's contractual and other legal obligations**

6. MEANS OF PROCESSING AND TRANSFERS OF PERSONAL DATA

6.1 The School will only process personal data for the purpose(s) for which it was originally acquired or which have subsequently been notified to the data subject(s) and will not process it for any other purpose without the data subject's permission, unless it is permitted to do so under the DPA. The School may communicate with data subjects for the purposes set out above by post, email and SMS.

6.2 Personal data shall only be disclosed to those members of the School's staff, agents and suppliers who need to access the personal data to process it for the purpose(s) for which it was acquired. The School adopts appropriate security measures to ensure that personal data is kept secure and not processed without proper authority, as summarised in Appendix 1. The School observes legislative requirements and current best practice to ensure personal data is kept for no longer than necessary.

6.3 The School will not transfer personal data outside of the EEA unless it is satisfied that the data subject's rights under the DPA will be adequately protected.

6.4 When processing personal data for the purposes set out above the School may communicate by post, email and SMS and may make use of third party software services.

7. THIRD PARTIES WITH WHOM THE SCHOOL MAY NEED TO SHARE PERSONAL DATA

From time to time the School may pass personal data (including sensitive personal data where appropriate) to third parties, including local authorities, other public bodies (eg the DBS, NCTL, UK Border Agency, HM Revenue and Customs, Department for Education and Department for Work and Pensions), independent school bodies such as the Independent Schools Inspectorate and the Independent Schools Council, school doctors and other health professionals, contractors appointed to process data on behalf of the School:

- to enable the relevant regulatory authorities to monitor the School's performance;
- to compile statistical information (normally used on an anonymous basis);
- to secure funding for the School or on behalf of individual pupils;
- to safeguard pupils' welfare and provide appropriate pastoral (and, where relevant, medical) care;
- where specifically requested by pupils and/or their parents or guardians;
- where necessary in connection with learning and co-curricular activities undertaken by pupils;
- to enable pupils to take part in public examinations and other assessments and to monitor their progress and educational needs;
- to obtain appropriate professional advice and insurance for the School;
- where a reference or other information about a pupil is requested by another educational establishment or employer to whom they have applied;
- where otherwise required by law; and
- otherwise where reasonably necessary for the proper operation of the School, education of its pupils and employment of its staff.

8. RIGHTS OF ACCESS TO PERSONAL DATA

8.1 As data subjects, individuals have certain rights under the Data Protection Act, including a general right to be given access to personal data held about them by any data controller. The ICO's guidance is that, in the majority of cases, by the age of 13 an individual has sufficient maturity to understand their rights and to make an access request themselves if they wish.

8.2 If individuals wish to access their personal data held by the School or, in the case of parents, if they wish to access personal data held about their child or a pupil for whom they have parental responsibility, then a request should be submitted to the Principal in writing.

8.3 The School aims to respond to such subject access requests as quickly as possible and will ensure that a response is provided within 40 days of receiving a valid request.

9. ACCURACY

The School will endeavour to ensure that all personal data held in relation to individuals is accurate and up to date. Individuals must notify the School of any changes to information held about them. An individual has the right to request that inaccurate information about them is corrected.

10. SECURITY

The School will take reasonable steps to ensure that personal data is kept secure and is only accessed by authorised members of its staff for the purposes for which it is held. All staff will be made aware of this Data Protection Policy and their duties under the DPA.

11. ENFORCEMENT

11.1 If an individual believes that the School has not complied with this Policy or has acted otherwise than in accordance with the DPA, the individual should notify the Principal who shall, where appropriate, refer the matter for resolution in accordance with the School's grievance/ disciplinary procedure (for staff) or complaints procedure (for parents/ pupils).

11.2 This Policy forms part of the terms and conditions of all employees' contracts of employment. A breach of the policy may be regarded as misconduct, leading to disciplinary action up to and including summary dismissal.

12. GUIDANCE

Any queries about this Policy or how personal data is processed by the School should be referred to the Principal for further guidance.

Appendix 1

DATA SECURITY PRINCIPLES

- Access to personal data is provided to members of staff who require access to that personal data to perform their duties and responsibilities. As a result, different members of staff will have access to different categories of personal data depending upon their role.
- The security measures in place to protect data held electronically are set out in the School's Acceptable Use Policy, which is reviewed annually. All data on the Beech House networks is protected by Kapersky anti-virus software that runs on servers and workstations and is updated automatically. Data on the Beech House networks is backed-up daily.
- Personal data held in manual files is only accessible by authorised individuals and, where of a confidential nature, is kept in locked filing cabinets when not in use.
- Paper-based copies of personal data (or other sensitive or confidential data) are disposed of in a secure manner, by shredding. Decommissioned IT equipment has data destruction procedures applied prior to its disposal.
- The physical security of the School premises is checked by the Security Department daily.
- The School ensures that prior to the transfer of any personal data to a third party for processing, the third party has appropriate technical and organisational security measures governing the processing to be carried out.
- New staff are required to read and understand the Acceptable Use Policy as part of their induction.
- Any lapses in data security must be reported to the Principal at the earliest opportunity.

Appendix 2

USE OF CCTV

CCTV cameras are located at various points around the School's property and cover the approaches to the School, the roads and paths connecting the school, the outbuildings and the entrances to all school buildings. There are a total of seven cameras across the sites, all of which are equipped with IR night vision. All cameras are vandal and weatherproof.

The School's notification with the Information Commissioner records that CCTV is used to maintain the security of the School's premises, its staff and pupils and for the prevention and detection of crime. Signs are displayed at our entrances warning that CCTV is used. The CCTV system is not used for any other purpose and CCTV images are not provided to any third party, save for law enforcement agencies. An annual audit and review of our use of CCTV is carried out. Our CCTV monitors are in the Principal's office at the Manchester Road site and the School Administrator's office at the Broadfield Style site, to which access is restricted. Access to CCTV from remote locations is restricted to 'view only'.

Recordings are automatically deleted after 28 days. Recordings of suspicious incidents and crimes in action are stored within the Principal's office. All staff are aware of the procedure for handling requests for the disclosure of their own image by individuals, where the School's policy is:

- To agree the request on production of a photograph confirming the identity of the individual making the request

- To consult the Information Commissioner where there is doubt about the request.

The cameras are checked regularly to ensure that they continue to provide clear images. Our system is checked against the checklist at Appendix 2 to the ICO's Data Protection Code of Practice for Surveillance Cameras and Personal Information (2015) every two years.