



KING'S BRUTON

(Comprising King's School, Bruton and Hazlegrove – "the School")

PRIVACY NOTICE

This is a combined policy that applies to King's School, Bruton and Hazlegrove Preparatory School.

WHO WE ARE

King's School, Bruton is the data controller for the purposes of the relevant legislation for the charity known as King's School, Bruton.

- King's School, Bruton is a registered charity with the charity number 1071997 with the registered address The Plox, Bruton, BA10 0ED.
- This Privacy Notice covers both King's School, Bruton and Hazlegrove Preparatory School, hereafter referred to as "the School".
- The notice also covers the related organisations to the schools; the Friends of King's School, the Friends of Hazlegrove, the Old Brutonian Association and Old Hazlegrovian Association and the trading arm; Crown and Dolphin Enterprises.

INTRODUCTION

The School complies with the relevant national data protection regulations. We are committed to keeping personal information accurate, up-to-date, safe, secure and will not keep personal information longer than necessary. This privacy notice explains how we use personal information, whom we share it with, and how we protect it and account for the protections to privacy. This notice applies to all personal data collected for and on behalf of the School. This notice pertains to information obtained in analogue (forms, documents, in writing) and through technological means such as information systems and email.

From time to time, we will make you aware of when we require additional personal information for processing through a separate specific privacy notice.

WHAT THIS PRIVACY NOTICE IS FOR

This privacy notice is intended to provide information about how the school will use (or "process") personal data about individuals including: its staff; its current, past and prospective pupils; and their parents, carers or guardians (referred to in this policy as "parents").

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.

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 Schools' other relevant terms and conditions and policies, including:

- Any contract between the School and its staff or the parents of pupils.
- The School's policy on taking, storing and using images of children.
- The School's policies with regards to the use of CCTV and/or biometrics data.
- The School's data retention policy.
- The School's safeguarding, pastoral, or health and safety policies, including how concerns or incidents are recorded.
- The School's recruitment, selection and disclosure procedure policy.
- The School's IT policies.

Anyone who works for, or acts on behalf of, the School (including staff, volunteers, governors and service providers) should also be aware of and comply with this Privacy Notice and the School's Staff Data Protection Policy, which also provides further information about how personal data about those individuals will be used.

RESPONSIBILITY FOR DATA PROTECTION

The Bursar is appointed (bursar@kingsbruton.com) as Privacy and Compliance Officer and the Director of Information Systems as Data and Systems Manager who will deal with all requests and enquiries concerning the School's use of your personal data (see section on Your Rights below) and endeavour to ensure that all personal data is processed in compliance with this policy and Data Protection Law.

WHY THE SCHOOL NEEDS TO PROCESS PERSONAL DATA

In order to provide a safe and caring environment for teaching, learning and general educational purposes for staff, pupils and parents, 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. We use the information you provide for purposes that are necessary by law and are required to undertake the performance of the contract into which you have entered. We will always ensure we have a condition for processing personal and sensitive information.

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 its staff, or parents of its pupils.

Other uses of personal data will be made in accordance with the School's legitimate interests, or the legitimate interests of another, provided that these are not outweighed by the impact on individuals, and provided it does not involve special or sensitive types of data.

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.
- To provide a safe learning environment.
- To comply with child protection requirements.
- To protect the health of the pupils and staff we serve. We may also use data provided to us by other health professionals to safeguard staff and pupils.
- Maintaining relationships with alumni and the School community.
- 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 management planning and forecasting, research and statistical analysis, including that imposed or provided for by law (such as tax, diversity or gender pay gap analysis).
- 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 enable pupils to take part in sporting events and competitions external to the School and to publish achievements of pupils of the School.
- For approved School trips.
- 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, including biometrics and CCTV in accordance with the School's CCTV policy.
- To carry out or cooperate with any school or external complaints, disciplinary or investigation process.
- Where otherwise reasonably necessary for the School's purposes, including to obtain appropriate professional advice and insurance for the School.
- To enable the development of a comprehensive picture of the workforce and how it is deployed.
- To inform the development of recruitment and retention policies.
- To enable individuals to be paid.
- To support and develop our employees in the performance of their duties.
- To meet our statutory reporting requirements to ISI and other authorities.

We collect and use personal information to carry out the education services as prescribed above. We do so under a lawful basis, as prescribed by the associated regulations. In some circumstances, we may be required to share personal data for legal, statutory purposes or under legitimate interest. If we need to share your information, we will ensure, if required, that you are advised.

In addition, the School will on occasion need to process special category personal data (concerning health, ethnicity, religion, biometrics or sexuality) 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. 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 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 any religious beliefs.
- In connection with employment of its staff, for example DBS checks, welfare, union membership or pension plans.
- To run any of its systems that operate on biometric data, such as for security and other forms of pupil identification (registration, lunch etc.).
- As part of any school or external complaints, disciplinary or investigation process that involve such data, for example if there are Special Educational Needs (SEN), health or safeguarding elements.
- 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.

TYPES OF PERSONAL DATA PROCESSED BY THE SCHOOL

This will include by way of example:

- Names, addresses, telephone numbers, e-mail addresses and other contact details.
- Car details (about those who use our car parking facilities or use the School's business use motor insurance).
- Other relevant categories for the performance of our services (such as assessments, relevant medical information, special educational needs information, exclusions/behavioural information and psychological reports and assessments).
- Attendance information (such as sessions attended, number of absences and absence reasons).
- Logging and audit in the use of the IT systems and education technology apps, applications and cloud based systems.
- Biometric information, 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.
- Personnel files, including in connection with academics, employment or safeguarding.
- 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 organisations working with pupils.
- Correspondence with and concerning staff, pupils and parents, past and present.
- Images of pupils (and occasionally other individuals) engaging in School activities to record and share everyday life at the School. Your child may be identifiable in these photographs.
- Photographs taken for identification purposes and images captured by the School's CCTV system (in accordance with the School's policy on taking, storing and using images of children).

HOW THE SCHOOL COLLECTS DATA

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).

In some cases however, 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.

DATA ACCURACY AND SECURITY

The School recognises that by efficiently managing its records, it will be able to comply with its legal and regulatory obligations and to contribute to the effective overall management of the institution. Records provide evidence for protecting the legal rights and interests of the School and provide evidence for demonstrating performance and accountability.

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 School office of any significant changes to important information, such as contact details, held about them.

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.

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. In addition, we limit access to such personal information to those employees, agents, contractors and other third parties who have a valid reason to know that information.

Hosting and maintenance of all School information on IT systems, including personal data is located on servers within the School, or within hosted servers provided by our service providers. No third parties have access to your personal data unless the law allows them to do so. Where the law allows and information is shared with third parties, we ensure they have the same protection in place as we do. We cannot deliver our education services without processing the data we collect and share. In following the principles of Article 32 – Security of Processing of the GDPR, we have in place proportionate organisational and technical measures to protect your personal information.

WHO HAS ACCESS TO PERSONAL DATA AND WHO THE SCHOOL SHARES IT WITH

Processing by third parties. 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 direction.

Occasionally, the school will need to share personal information relating to its community with third parties, but this will only be done if the School is satisfied that there is a lawful basis to share with organisations such as:

- Appropriate contractors, such as visiting sports coaches.
- Professional advisers (eg. Lawyers, insurers, PR advisers and accountants).
- Government authorities (eg. HMRC, DfE, Police or the local authority).
- Appropriate regulatory bodies (eg. NCTL, the Independent Schools Inspectorate, UCAS, The Charity Commission or the Information Commissioner's Office (ICO)).
- Examining bodies and sports governing authorities.
- Schools, Colleges or Universities that pupils may join after leaving the School.
- Medical facilities if in the vital interest of the pupils or individuals to share.
- Stage 3 complaints panels, which may include independent panel members such as when a complaint is raised (and in accordance with the School Complaints Procedure, this requires the involvement of independent panel members).
- Third parties and their advisers in the event of a possible or actual sale, merger or other restructuring of the School.

ACCESS TO, AND SHARING OF, SENSITIVE DATA

Particularly strict rules of access apply in the context of:

- Medical records held and accessed only by school medical staff, or otherwise in accordance with express consent.
- Pastoral or safeguarding files.

- Medical / health 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. However, a certain amount of any 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.
- Safeguarding data. 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 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 Safeguarding Policies.

HOW LONG WE KEEP PERSONAL DATA

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.

If you have any specific queries about how the School’s 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 office at the relevant school. 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 historically significant 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”).

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 Friends of King's Bruton and Friends of Hazlegrove and the Old Brutonian Association (OBA).
- 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.
- Collect information from publicly available sources about parents' and former pupils' occupation and activities, in order to maximise the School's fundraising potential.

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).

YOUR RIGHTS

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.

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).

Individuals have various rights under Data Protection Law to access and understand personal data about them held by the School, and in some cases ask for it to be erased or amended or have it

transferred to others, or for the School to stop processing it, but subject to certain exemptions and limitations.

The School will endeavour to respond to any such written requests as soon as is reasonably practicable and in any event within statutory time-limits (which is generally one month, but actually fulfilling more complex or multiple requests, e.g. those involving third party information, may take 1-2 months longer).

- Rights of access, etc.

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).

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.

- Requests that cannot be fulfilled

You should be aware that the right of access is limited to your own personal data, and certain data is exempt from the right of access. 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).

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).
- 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.

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 legitimate interest identified in this Privacy Notice. All such requests will be considered on their own merits.

- Requests by or on Behalf of Pupil

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.

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.

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. Slightly younger children / Older Prep School children may however be sufficiently mature to have a say in this decision, depending on the child and the circumstances.

- **Parental requests**

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.

Parents will in general receive educational and pastoral updates about their children, in accordance with the Parent Contract. 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.

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.

- **Consent**

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: eg. Biometrics, certain types of uses of images, certain types of fundraising activity. 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.

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).

- **Whose rights?**

The rights under Data Protection Law belong to the individual to whom the data relates. However, the School will often rely on parental 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).

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.

In general, the School will assume that a pupil's 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.

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

Pupils are required to respect the personal data and privacy of others, and to comply with the School's relevant policies, e.g. IT: acceptable use policy and the School rules.

DATA ACCURACY AND SECURITY

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 School office of any significant changes to important information, such as contact details, held about them.

An individual has the right to request that any out-of-date, irrelevant or inaccurate 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.

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 Privacy Notice and their duties under Data Protection Law.

THIS POLICY

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.

QUERIES AND COMPLAINTS

Any comments or queries on this policy should be directed to the Privacy and Compliance Officer using the following contact details dataprotection@kingsbruton.com

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. 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.