



Ruckleigh School – Privacy Notice

Draft: Sept 2024 [DRS]

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1. Who we are?

- 1.1. The Privacy Notice relates to Ruckleigh School, which is the Data Controller for the purposes of the relevant legislation. Ruckleigh School is a registered company, registration 03552343.

2. What is this Privacy Notice for?

- 2.1. This policy is intended to provide information on how Ruckleigh School will use ('Process') personal data about individuals, including its staff, its current, past and prospective pupils and their parents, carers or guardians (to be referred to as 'Parents' hereafter).
- 2.2. 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 the Privacy Notice.
- 2.3. The Privacy Notice applies alongside any other information the school may provide about a particular use of personal data, for example collecting data either online or on a particular paper form
- 2.4. This Notice also applies in addition to other relevant terms and conditions and policies.
- 2.5. Anyone who works for Ruckleigh School should also be aware of and comply with this privacy notice.

3. Responsibility for Data Protection

- 3.1. Ruckleigh School has appointed the Bursar as Privacy and Compliance Officer who will deal with all requests and enquiries concerning the Schools use of your personal data and endeavour to ensure that all personal data is processed in compliance with this policy and Data Protection Law. The Bursar may be contacted on admin@ruckleigh.co.uk, or by telephone on 0121 705 2773

4. Why Schools need to process personal data

- 4.1. To carry out its ordinary duty to staff, pupils and parents, the school needs to process a wide range of personal data about individuals (including current, past and prospective staff, pupils and parents) as part of its daily operation. Some of this



activity is necessary to fulfil the schools' legal rights, duties or obligations – including under contract with its staff or parents of pupils.

- 4.2. Other uses of personal data will be made in accordance with the school's legitimate interests, or the legitimate interests of another body, provided that these are not outweighed by the impact on individuals and provided it does not involve sensitive or special types of data.
- 4.3. The school expects that the following would fall into the category of 'legitimate interest'
 - For the purposes of pupil admission and to confirm the identity of both pupils and parents.
 - To provide education services i.e. musical, sporting
 - Maintaining relationships with alumna, which may include fundraising and/or marketing
 - For the purposing of management planning and forecasting, research and statistical analysis including that imposed or provided for by law, for example tax
 - To enable relevant authorities to monitor the school's performance
 - To give and receive information and references about current, past or prospective pupils
 - For the purposes of staff recruitment and selection, including regulatory checks
 - To enable pupils to take part in national or other assessments and to publish the results of examinations or other pupil achievements
 - To safeguard pupils' welfare
 - To monitor the school IT systems
 - Where otherwise necessary for the school's purposes, including to obtain appropriate professional advice and insurance for the school
- 4.4. In addition the school may on occasion need to process special category personal data (concerning health, ethnicity, religion or sexual life) or criminal record information (such as when carrying DBS checks) in accordance with rights and duties imposed on it by the 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 interest to so.



- To provide educational services in the context of special educational needs.
- In connection with the employment of staff. (i.e. pensions, DBS)
- As part of any investigation into internal or external complaints or disciplinary processes
- For legal and regulatory purposes.

5. Types of personal data processed by the School

5.1. Data will include by way of example:

- Names, addresses, dates of birth, email addresses and other contact information.
- Bank details and other financial information e.g. for parents who pay fees.
- Past, present and perspective pupils academic, disciplinary, admissions and attendance records, including information on any special educational needs.
- Personnel files including sickness, attendance and attendance at courses.
- Daily visitor records
- Images of school life and images captured on CCTV
- Correspondence concerning staff and pupils

6. How the school collects data

- 6.1. Generally, the school receives personal data from the individual directly (including in case of pupils from parents). This may be in paper or electronic form or simply in the ordinary course of interaction or communication (such as email, by telephone or written assessments).
- 6.2. However, in some cases personal data will be supplied by third parties or collected from publicly available resources.

7. Who has access to personal data and who is shared with

- 7.1. Occasionally, the school will need to share personal information relating to its community with third parties, such as:
 - Professional advisors (lawyers, insurers, accountants)
 - Government authorities (TRA, ISI, UKVI etc.)
 - Those providing services to the school necessary to fulfil its core activities.
 - Pastoral, personnel and safeguarding files



This list is not intended to be exhaustive

8. How long we keep personal information

- 8.1. The school will retain personal data securely only as long as it is necessary to keep for legitimate and lawful reasons. Typically, the legal recommendation to keep ordinary staff and pupil files is up to seven years following departure from the school. However, incident reports and safeguarding files will be kept much longer, in accordance with specific legal requirements.
- 8.2. Our retention arrangements take account of the requirements of HMRC, our insurers and regulators, and of best practice with regard to working papers and communications files. We take our responsibilities seriously and ensure that both our data collection and retention arrangements align with the principles established in regulation, that is, that data shall be:
 - Processed lawfully, fairly and in a transparent manner in relation to individuals.
 - Collected for specified, explicit and legitimate purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes.
 - Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
 - Accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that is inaccurate is erased or rectified without delay.
 - Kept in a form that permits the identification of data subjects for no longer than necessary
 - Processed in a manner that ensures the security of personal data

9. Your rights

9.1. Rights of Access

Individuals have various rights under Data Protection Law to access and understand personal data about them held by Ruckleigh 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. Any individual wishing to access or amend their personal data, or wishing it to be transferred to another person or organisation, or erased, or who has some other objection to how their personal data is used, should put their request in writing to the Bursar -admin@ruckleigh.co.uk 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 one month in the case of requests for access to information).



The school will be better able to respond quickly to smaller, targeted requests for information. If the request for information is manifestly excessive or similar to previous requests, the school may ask you to reconsider, or require a proportionate fee (but only where Data Protection Law allows it).

9.2. 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 Schools are also not required to disclose any pupil examination scripts (or other information consisting solely of pupil test answers), provide examination or other test marks ahead of any ordinary publication, nor share any confidential reference given by one of the Schools itself for the purposes of the education, training 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.

9.3. Pupil requests

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 (9.6.) "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.

9.4. 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. 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. 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.

9.5. 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: certain types of uses of images, and 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).

9.6. 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. 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 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 Schools' 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 Schools' policies and procedures. Staff are also required under professional duties to comply with all policies set out in the Staff Handbook, and the Code of Conduct.

10. Data Accuracy & Security

- 10.1. 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 should notify the School Office of any significant changes to important information, such as contact details, held about them.
- 10.2. 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 how to make such a request.
- 10.3. The School takes 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 advisors are made aware of this policy and their duties under Data Protection Law and receive relevant, ongoing training.



11. Revising this Policy

- 11.1. 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.

12. Queries & Complaints

- 12.1. Any comments or queries on this policy should be directed to the Bursar using the contact details provided above.
- 12.2. 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 Schools' Complaints Procedure (available on the Ruckleigh School website) and should also notify the Bursar. 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 internally before involving the Regulator.