

**DATED 30 AUGUST 2022**

**CROSFIELDS SCHOOL TRUST LIMITED  
("CROSFIELDS")**



**CROSFIELDS  
SCHOOL**

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**DATA PROTECTION PRIVACY NOTICE FOR PUPILS**

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## Updates

This Privacy Notice may be updated periodically and without prior notice to you to reflect changes in our information practices or relevant laws. We will post a notice on our website to notify you of any substantive changes to the way we collect and use information. We have indicated at the top of the Privacy Notice when it was last updated.

### 1. What is the purpose of this document?

Crosfields is committed to protecting the privacy and security of your personal information.

This notice describes what personal data (information) we hold about our pupils, how we collect it, and how we use and may share information about pupils during their time with us and after it ends, in accordance with the UK GDPR and Data Protection Act (2018). We are required by law to notify individuals of the information contained within this notice.

Parents and guardians ("guardians) should please ensure that they read this notice (sometimes referred to as a '*privacy notice*') and any other similar notice we may provide from time to time when we collect or process personal information about pupils in order that they are aware of how and why we are using pupils' personal information. A version of this privacy notice for pupils aged 13 years or over is available.

This privacy notice applies to **current, past and prospective pupils**, ("pupils") regardless of whether it is in paper or electronic format. This **Privacy Notice** also applies in addition to the School's other relevant terms and conditions and policies. We may update this notice at any time.

This Notice applies to the whole School, including the EYFS.

### 2. Who collects the information

Crosfields is a '*data controller*' and gathers and uses certain information about pupils. As a data controller, we are also responsible for deciding how we hold and use personal data about pupils. This information is also used by our affiliated entities and group companies, namely Crosfields School Trust Ltd and Crosfields School Enterprises Ltd, (our 'Group Companies') and so, in this notice, references to 'we' or 'us' mean Crosfields and the Group Companies.

### 3. Data protection principles

#### 4.

We will comply with the data protection principles when gathering and using personal information, as set out in our Data Protection Policy and which confirm that all personal information we hold about pupils must be:-

- Used lawfully, fairly and in a transparent way;
- Collected only for valid purposes that we have clearly explained to pupils/their guardians and not used in any way which is incompatible with those purposes;

- Relevant to the purposes we have told pupils/their guardians about and limited only to those purposes;
- Accurate and kept up to date;
- Kept only for as long as is necessary for the purposes we have told pupils/their guardians about; and
- Kept securely.

## **5. The kind of information we hold about you**

Personal data or personal information means any information about an individual from which that person can be identified. It does not include data where the identity has been removed.

We may collect, store and use the following categories of personal information about pupils during their time at Crosfields:

- personal details such as home address, contact details, date of birth, gender and next of kin
- identification documents including immigration status
- pupils' performance at School, including assessments, reports, examination reports, discipline record, attendance information, special educational needs
- medical records and information, including details of any illnesses, accidents, allergies or other medical conditions suffered by a pupil.
- Safeguarding information
- Details of any support received, including learning support, therapists, counselling, care plans and support providers
- Sensitive personal data such as religious beliefs
- images of pupils and staff (and occasionally other individuals) engaging in School activities
- CCTV images for security purposes

We may also collect, store and use the following "*special categories*" of more sensitive personal information:-

- Information about race or ethnicity, religious beliefs and sexual orientation.
- Information about pupils' health, including any medical conditions, allergies health and sickness records.
- Information about any special educational needs pupils may have.
- SEND (Special Educational Needs and Disabilities)
- biometric data (Senior School only) – see our *Biometric Information Notice*.

## **6. How we collect the information**

We collect personal information about pupils from them, their guardians and may also receive information about them from their previous school, local authority, Department of Education and/or the police

We may sometimes collect additional information from third parties including, your doctors or other medical professionals, Crosfields' employees, automated monitoring of our websites and other technical systems, such as our computer networks and connections, CCTV, remote access systems, email and instant messaging systems, intranet, telephones and voicemail.

## **7. How we will use the information**

We will only use pupils' personal information where the law allows us to. Most commonly, we will use pupils' personal information in the following circumstances:-

- Where we need to in order to perform the contract we have entered into with providing services.
- Where we need to comply with a legal obligation.
- Where it is necessary for our legitimate interests (or those of a third party) and pupils' interests and fundamental rights to not override those interests.

We may also use pupils' personal information in the following situations, which are likely to be rare:-

- Where we need to protect their interests (or someone else's interests).
- Where it is needed in the public interest or for official purposes.

We need all the categories of information in the list outlined within section 4 above primarily to allow us comply with our legal obligations, including in relation to ensuring a safe and secure learning environment and facilitating pupils' educational and personal progression.

We use this data to:

- administer admissions to the School
- support pupils' teaching and learning
- monitor and report on pupil progress
- provide appropriate pastoral care and safeguarding
- communicate with pupils
- monitor pupils' email communications and internet use for the purpose of ensuring compliance with and strictly in accordance with the School's *Child Protection Policy, IT Policy* and any other related policies
- where appropriate, promote the School to prospective pupils (including through the School's prospectus, website and social media applications)
- other reasonable purposes relating to the operation of the School.

We seek to ensure that our information collection and processing is always proportionate. We will notify guardians of any material changes to information we collect or to the purposes for which we collect and process it.

## 8. How we use particularly sensitive information about you

"Special categories" of particularly sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We may process special categories of personal information in the following circumstances:

- In limited circumstances, with pupil, guardian explicit written consent.
- Where we need to carry out our legal obligations and in line with our data protection policy.
- Where it is needed in the public interest, such as for equal opportunities monitoring, and in line with our data protection policy.
- Where it is needed to assess pupils' capacity to attend school and actively participate on health grounds, subject to appropriate confidentiality safeguards.
- Where it is needed to ensure pupils are safe at school, taking into account known health conditions and/or concerns.
- Where it is needed to support a pupils' special educational needs.
- Where it is needed to manage and provide support in relation to incidents of bullying.
- Where it is needed to process Tier 4 Student Visa applications.
- To provide secure access in the Senior School Building.
- To allow payment for purchases from The Hatch.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect a pupil's interests (or someone else's interests) and they are not capable of giving their consent, or where they have already made the information public.

### Do we need your consent?

We do not need pupil or guardian consent if we use pupils' personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights under law. However, the School may request **consent** to be provided by the parent or guardian of the pupil for medical data to be held, if the pupil has a requirement for special educational needs to be considered and further consent for the use of photography, video and other media.

Pupils and their guardians should be aware that it is not a condition of their place at Crosfields with us that they agree to any request for consent from us.

In general, the School will assume that pupils' consent is not required for ordinary disclosure of their personal data to their guardians, e.g. for the purposes of keeping guardians informed about the pupil's activities, progress and behaviour, and in the interests of the pupils' 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

guardians, 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.

## 9. How we may share the information

During the course of our daily activities the School will frequently engage with third party organisations and may need to share personal data with them. A list of the third parties, with whom the School regularly shares data is available within Annex 1. The individuals concerned will be informed when the School shares personal data with third parties not on this list. The School will seek to ensure any third party upholds the principles of Data Protection as laid out in this document.

Particularly strict rules of access apply in the context of:

- Medical records held and accessed only by the School nurse and appropriate staff under their supervision, or otherwise in accordance with express consent; and
- Pastoral or safeguarding files.

However, 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.

Personal data may be shared with a third party where:

- There is an issue with a pupil or parent/guardian that puts the safety of a pupil or our staff at risk.
- We need to liaise with other agencies.
- to enable the relevant authorities to monitor the School's performance i.e. Independent Schools Inspectorate.
- to compile statistical information (normally used on an anonymous basis);
- to safeguard pupils' welfare and provide appropriate pastoral (and where relevant, medical) care for pupils.
- where specifically requested by pupils and/or their guardians.
- to enable pupils to take part in national and other assessments and to monitor pupils' progress and educational needs.
- where necessary in connection with learning and extra-curricular activities undertaken by pupils e.g. **educational visits**, peripatetic teachers, residential trip providers, extra-curricular providers.
- to obtain appropriate professional advice.
- where a reference or other information about a pupil or ex-pupil is requested by another educational establishment or employer to whom they have applied.
- Our suppliers or contractors need data to enable us to provide services to our staff and pupils – for example, IT support, catering.
- The use by the School of online academic and educational services.

- The use by the School of cloud IT services such as email and file storage for staff and pupils
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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
- 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 anonymized or consent has been provided

We may also share personal data with emergency services and local authorities to help them to respond to an emergency situation that affects any of our pupils or staff.

All third-party service providers and other entities with whom we share data are required to take appropriate security measures to protect pupil personal information in line with our policies and is bound by confidentiality obligations. We do not allow our third-party service providers to use pupil personal data for their own purposes unless the law permits them to. We only permit them to process pupil personal data for specified purposes and in accordance with our instructions.

## **10. Where information may be held**

Information may be held in physical form or electronically at school, in the cloud, and premises of our Group Companies, and third party agencies, service providers, representatives and agents as described above.

## **11. How long we keep your information**

We will only retain pupil personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Details of retention periods for different aspects of your personal information are available in our retention policy which is available from the Bursar.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process pupil personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise pupil personal information so that it can no longer be associated with them, in which case we may use such information without further notice to them.

## 12. **Your rights to correct and access your information and to ask for it to be erased**

### **Your duty to inform us of changes**

It is important that the personal information we hold about pupils is accurate and current. Please keep us informed if pupil personal information changes during their time with us.

### **Your rights in connection with personal information**

Under certain circumstances, by law pupils and/or their guardians have the right to:

- **Request access** to their personal information (commonly known as a "data subject access request"). This enables them to receive a copy of the personal information we hold about them and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about them. This enables them to have any incomplete or inaccurate information we hold about them corrected.
- **Request erasure** of their personal information. This enables them to ask us to delete or remove personal information where there is no good reason for us continuing to process it. They also have the right to ask us to delete or remove their personal information where they have exercised their right to object to processing (see below).
- **Object to processing** of their personal information where we are relying on a legitimate interest (or those of a third party) and there is something about their particular situation which makes them want to object to processing on this ground. They also have the right to object where we are processing their personal information for direct marketing purposes.
- **Request the restriction of processing** of their personal information. This enables them to ask us to suspend the processing of personal information about them, for example if they want us to establish its accuracy or the reason for processing it.
- **Request the transfer** of their personal information to another party.

If pupils and/or their guardians want to review, verify, correct or request erasure of their personal information, object to the processing of their personal data, or request that we transfer a copy of their personal information to another party, please contact the Privacy Officer [privacy@crofields.com](mailto:privacy@crofields.com).

### **No fee usually required**

Pupils and/or their guardians will not have to pay a fee to access their personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if the request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

### **What we may need from you**

We may need to request specific information from pupils and/or their guardians to help us confirm their identity and ensure their right to access the information (or to exercise

any of their other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

### **13. Keeping your personal information secure**

We have appropriate security measures in place to prevent personal information from being accidentally lost, or used or accessed in an unauthorised way, altered or disclosed. We limit access to pupil personal information to those who have a genuine business need to know it. Those processing pupil information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify pupils and/or their guardians and any applicable regulator of a suspected data security breach where we are legally required to do so.

### **14. How to complain**

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. To make a complaint, please contact the Privacy Officer [privacy@crofields.com](mailto:privacy@crofields.com).

If not, contact the Information Commissioner at [ico.org.uk/make-a-complaint/](https://ico.org.uk/make-a-complaint/) or telephone: 0303 123 1113 for further information about their rights and how to make a formal complaint.

### **15. Changes to this privacy notice**

We reserve the right to update this privacy notice at any time, and we will provide a new privacy notice when we make any substantial updates. We may also notify pupils and/or their guardians in other ways from time to time about the processing of pupil personal information.

**If you have any questions about this privacy notice, please contact the Privacy Officer [privacy@crofields.com](mailto:privacy@crofields.com).**