



P90.1 – PRIVACY NOTICE FOR PARENTS & PUPILS

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Revision History

Revision	Paragraph Number	Revision
June 2018		New Document

Abbreviations, Acronyms and Definitions

Abbreviation / Acronym	Definition
Biometric Data	Personal information about an individual's physical or behavioural characteristics that can be used to identify that person; this can include their fingerprints, facial shape, retina and iris patterns, and hand measurements.
CCTV	Closed Circuit Television
Data Controller	Organisations, including independent Schools, that determine how people's personal data is processed and for what purpose.
Data Protection	The relevant English Law relating to Data Protection, including the GDPR and The Data Protection Act 2018.
Data Subjects	Any living individual whose data the Data Controller processes.
DfE	Department for Education
DPO	Data Protection Officer
DSAR	Data Subject Access Request
GDPR	General Data Protection Regulation
HMRC	Her Majesty's Revenue & Customs
KCSIE	Keeping Children Safe In Education
Personal Data	Everything from which a Data Subject can be identified. It ranges from simple contact details via pupil files to safeguarding information, and encompasses opinions, file notes or minutes, a record of anyone's intentions towards that person, and communications (such as emails) with or about them.
Processing	Any handling of personal data such as collection, storage, alteration, use, transfer, restriction or destruction, whether or not by automated means.

SEMH	Social, Emotional and Mental Health
SEN	Special Educational Needs
Social Protection	Concerned with preventing, managing and overcoming situations that adversely affect people's well-being and is designed to reduce poverty, diminish people's exposure to risks and enhance their capacity to manage social risks.
Special Category Data	Some categories of Personal Data are special category data under GDPR. These comprise data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership; data concerning health or data concerning a natural person's sexual orientation.

Aim / Objective / Statement of Intent

This policy applies to the whole School. Please ensure you have read the table above for the meanings of specific terms shown in this document in italics.

1. This policy is intended to provide information about how the School will use or ***process personal data*** about individuals including past and prospective pupils and their parents, guardians (including local guardians for overseas pupils) or carers (all referred to in this policy as “parents”).
2. This information is provided because Data Protection Law gives individuals rights to understand how their data is used. Parents and pupils are all encouraged to read this Privacy Notice and understand the School’s obligations to its entire community.
3. This Privacy Notice applies alongside any other information the School may provide about a particular use of personal data, including :
 - Any contract between the School and the parents of pupils;
 - The School’s Digital Media Policies;
 - The School’s Use of CCTV Policy;
 - The School’s Data Retention Policy;
 - The School’s Data Protection Policy;
 - The School’s various safeguarding, pastoral, and health and safety policies, including as to how concerns or incidents are recorded; and
 - The School’s E-Safety Policy.
4. 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 for Parents and Pupils.

Responsibility for Data Protection

5. The School has appointed **Kate Clanchy, Head, and Alison Packman, Compliance Officer and DPO, as responsible for data protection**. They will deal with any requests or enquiries concerning the School’s uses 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.
6. They can be contacted as follows via email at head@menuhinschool.co.uk or alison.packman@menuhinschool.co.uk or via telephone on +44(0) 1932 864739. You may also write to either Kate Clanchy or Alison Packman at The Yehudi Menuhin School, Stoke d’Abernon, Cobham, Surrey KT11 3QQ.

7. The School has notified the Information Commissioner's Office of its processing activities. The School's ICO registration number is Z8192950 and its registered address is The Yehudi Menuhin School, Stoke d'Abernon, Cobham, Surrey KT11 3QQ.

Why the School needs to process personal data

8. In order to carry out its ordinary duties 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 or parents) as part of its daily operation.
9. 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.
10. 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 subject to other relevant rules where special or sensitive types of data are involved.
11. The School expects that the following uses will fall within that category or its (or its community's) "legitimate interests" :
- For the purposes of pupil selection and to confirm the identify of prospective pupils and their parents;
 - To provide academic and musical education services, including physical training or spiritual development 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 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)
 - For the purposes of donor due diligence, and to confirm the identity of prospective donors and their background and relevant interests;
 - 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 or providers of work experience 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 competitions, and to publish the results of competitions or other musical achievements of pupils of the School;
- To safeguard pupils' welfare and provide appropriate pastoral care (by for example, accessing current and/or past employee's emails/notes of correspondence and meetings either internal or with external parties such as parents, in order to ascertain if there are/were any pupil concerns, safeguarding issues, HR disciplinary matters, which the School should be aware of);
- To monitor (as appropriate) use of the School's IT and communications systems in accordance with the School's Digital Media Policies and E-Safety Policy;
- To make use of photographic images and recordings of pupils and staff in School publications, on the School website and (where appropriate) on the School's social media channels and to share these images and recordings with third parties (such as concert venues) in accordance with the School's Digital Media Policies;
- To make use of audio and/or video recordings of pupils and staff taking part in School activities, concerts, rehearsals etc. for the purposes of promotion and marketing/advertising, education and to record the achievements of pupils and staff;
- For security purposes, including CCTV in accordance with the School's Security and 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.

12. In addition, the School will on occasion need to **process special category personal data** (concerning health, ethnicity, allergies, religion, biometrics or sexual life) 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 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;
- In connection with the provision of transportation to external venues to attend religious services;
- As part of any School or external complaints, disciplinary or investigation process that involves such data, for example if there are SEN, health or safeguarding elements; or
- For legal and regulatory purposes (for example child protection, KCSIE, 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

13. This will include by way of example:

- Names, addresses, telephone numbers, e-mail addresses and other contact details;
- Bank details for parents who pay fees to the School (these are retained only for the purposes of providing refunds of deposits) along with notes on whether parents usually pay by cash, BACS or cheque for School trips, fees etc.;
- Financial information for those parents who have made bursary applications;
- Past, present and prospective pupils' academic, disciplinary, admissions and attendance records (including information about SEN), and assessed work and marks;
- Where appropriate, information about individual's 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;
- Personnel files for staff, supply-staff, contractors, governors and volunteers;

- Correspondence with and concerning staff, pupils and parents past and present; and
- Images of pupils (and occasionally other individuals) engaging in School activities, and images captured by the School's and/or Menuhin Hall CCTV system

How the School collects data

14. 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 an email or written assessments).
15. In some cases, personal data will be supplied by third parties (for example another School, or other professionals such as Speech Therapists or authorities working with that individual); or collected from publicly available resources.

Who has access to personal data and who the School shares it with

16. 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)
 - Mailing Houses (in order to distribute school publications such as newsletters etc)
 - Government authorities (e.g. HMRC, DfE, UK Visas & Immigration, Police or the Local Authority); and
 - Appropriate regulatory bodies. For example:
 - The Independent Schools Inspectorate (<https://www.isi.net/>)
 - The Charity Commission (<https://www.gov.uk/government/organisations/charity-commission>)
 - The Information Commissioner's Office (<https://ico.org.uk/>)
17. The School may also share images of pupils or staff, or groups of pupils and staff at events such as concerts, Duke of Edinburgh activities etc. These may be made available to third parties. For example to concert venues as part of their publicity for the concert, in the media (either printed or electronic) as part of post event publicity etc. Permission for the sharing of these images has been provided by parents on behalf of pupils.

18. 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 apply in the context of:
- Medical records (but not allergy information which is more widely available in School including to lunchtime staff and catering team);
 - Pastoral or safeguarding records; and
 - SEN records
19. 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.
20. Where there are pastoral concerns relating to a pupil’s SEMH needs, these will be sensitively shared with relevant staff or external parties in the context of providing the necessary care that the pupil requires.
21. Staff, pupils and parents are reminded that the School is under duties imposed by law and statutory guidance (including Keeping Children Safe in Education) 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, and in some cases referrals to relevant authorities such as the LADO or the Police. For further information about this, please view the School’s Safeguarding and Child Protection Policy.
22. 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.

How long we keep personal data

23. 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 pupil personnel files is up to 7 years following the departure from the School. However, incident reports and safeguarding files will need to be kept much longer, in accordance with specific legal requirements. Where detailed information about activities in School may form an important part of safeguarding for that individual, the pupils data will be retained until they are 25 years of age or older. For further details please refer to the School’s Data Retention Policy.

24. 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 **Alison Packman, Compliance Officer and DPO**, via email at alison.packman@menuhinschool.co.uk. However, please bear in mind that the School will often have a lawful and necessary reason to hold on to some personal data even following such a request.
25. A limited and reasonable amount of information will be kept for archiving purposes, for example; and even when 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”).
26. Some audio and/or video recordings of performances by pupils may be kept for archiving purposes for extended periods of time. Other related materials such as press articles, concert programmes etc. may also be kept in the same manner. This is in order to continue to build upon the archives which record the rich history of the School.

Keeping in touch and supporting The Yehudi Menuhin School

27. 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/or by post. Unless the relevant individual objects, the School will also:
- Contact parents and/or alumni, by post and/or email in order to promote and raise funds for the School, and where appropriate, other worthy causes;
 - Collect information from publicly available sources about former pupils’ occupation and activities, in order to maximise the School’s fundraising potential or to publicise the School or inform the current parents and pupils.
 - Should you wish to limit or object to any such use, or would like further information about them, please contact **Sarah McDonald, Marketing and Communications Manager**, via email at sarah.mcdonald@menuhinschool.co.uk. You will 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).
28. When pupils leave the School some information they (or their parents where relevant) be given the opportunity to consent to some of their information being transferred to the Development Office database (“alumni database”). At that point, the alumni database becomes the primary record of the ongoing relationship with the School. Further information is available via our **P90.2 Privacy Policy for Supporters**. Pupils or their parents have the right to withdraw consent, if given previously, at any time. To

withdraw consent or to give consent, please contact the Development Team via email at development@menuhinschool.co.uk or by calling +44(0) 1932 584791.

Your rights

Rights of access

29. 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.
30. Any individual wishing to access or amend their personal data, or wishing it to be transferred to another person or organisation, or who has some other objection to how their personal data is used, should put their request in writing to **Kate Clanchy, Head** via email to head@menuhinschool.co.uk and also to **Alison Packman, Compliance Officer and DPO** via email to alison.packman@menuhinschool.co.uk
31. 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 30 calendar days in the case of requests for access to information (also known as DSAR or Data Subject Access Requests). Whilst the School will aim to respond to DSARs within the statutory time limits, more complex requests may take longer for us to respond, as will DSARs made just before, or during, School holiday closures. The School will advise the requestor of any anticipated delay along with reasons why we cannot respond within the 30 calendar day time limit should this be necessary. The School has a right to charge a reasonable fee for any unreasonable or excessive requests or for producing multiple copies of information.
32. 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).

Requests that cannot be fulfilled

33. 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).
34. The School is 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 the School itself for the purposes of the education, training or employment of any individual.

35. 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 (See paragraphs 11 and 12). All such requests will be considered on their own merits.

Pupil requests

36. Pupils can make subject access requests for their own personal data, provide that, in the reasonable opinion of the School, they have sufficient maturity to understand the request they are making (see Whose Rights? Section below, paragraph 42 - 46). A pupil of any age may ask a parent or other representative to make a DSAR on his/her behalf.
37. While a person with parental responsibility will generally be entitled to make a SAR 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.
38. Pupil’s aged approximately 13 and above, 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. Younger children (aged 10-12) may however be sufficiently mature to have a say in this decision, depending on the child and the circumstances. The Yehudi Menuhin School will always consider the best interests of the child when deciding whether or not to release information to them.

Parental requests, etc

39. 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.
40. Parents will in general receive educational and pastoral updates about their children. Where parents are separated, in the course of divorce proceedings or are divorced, the School will, unless there are good reasons to the contrary, provide the information to the parties who have signed the Acceptance Form, but in any case may need to factor in all the circumstances including the express wishes of the child.

41. All information requests from, on behalf of, or concerning pupils – whether made under SAR or simply as an incidental request – will therefore be considered on a case by case basis.

Consent

42. 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).
43. 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.
44. That reason will usually have been asserted under this Privacy Notice or under P90.2 Privacy Notice for Supporters, or may otherwise exist under some form of contract or agreement with the individual (e.g. a parent contract, or because of a purchase of goods, services or membership of an organisation such as an alumni has been requested).

Whose rights?

45. 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).
46. 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.
47. 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.
48. 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.

49. Pupils are required to respect the personal data and privacy of others, and to comply with the School's Policy on Bullying, Racial or Sexual Harassment, E-Safety Policy, Behaviour Management Policies and Digital Media Policies.

Data Accuracy and Security

50. 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 notify the Bursar or their Housemaster/Housemistress of any significant changes to important information, such as contact details, held about them.
51. 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 and who you may contact if you disagree.
52. 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.

This Policy

53. 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.
54. Any comments or queries on this policy should be directed to **Alison Packman, Compliance Officer and DPO** via alison.packman@menuhinschool.co.uk.
55. If an individual believes that The Yehudi Menuhin School has not complied with this policy or acted otherwise than in accordance with Data Protection Law, they should utilise the School Complaints Procedure and should also notify **Alison Packman, Compliance Officer and DPO** via alison.packman@menuhinschool.co.uk. 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.

List of Appendices

There are no appendices to this Policy.