



## Privacy Notice

### 1. This Policy

- 1.1 This policy is intended to provide information about how Hampton School Trust (the "School") will process personal data about individuals including current, past and prospective pupils and their parents ("parents" means parents, carers and guardians in this policy).
- 1.2 The School is a Data Controller for the purposes of data protection law.
- 1.3 It applies in addition to the School's Terms and Conditions, Contracts, Privacy Notices and any other information the School may provide about a particular use of personal data (e.g. the School's CCTV Policy).
- 1.4 Anyone who works for, or acts on behalf of, the School (including Governors, staff and volunteers and service providers) should also be aware of and comply with this Policy. This Policy also provides further information about how personal data about those individuals will be used. This Policy covers all forms of data processed by the School, including both paper and electronic data.

### 2. Responsibility for Data Protection

- 2.1 The School Bursar is the senior person with responsibility for data protection matters within the School and is the point of contact for the Information Commissioner's Office.
- 2.2 The School's data protection responsibilities will be delegated to staff members within the School who have the best knowledge to handle or respond to a given matter.

### 3. How the School collects data

- 3.1 Generally, the School receives personal data from the individual directly or 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, telephone, in person or written assessments). This will include personal data provided in the course of applications to the School by prospective staff or parents.
- 3.2 However, in some cases personal data may be supplied by third parties (for example another school, or other professionals or authorities working with that individual); or collected from publicly available resources (such as LinkedIn); or simply generated in the course of ordinary school business by teachers or colleagues of the person in question.

### 4. Types of Personal Data Processed by the School

- 4.1 Generally speaking, the School receives personal data directly from the individual or, in the case of pupils, from parents. On some occasions personal data may be supplied by third parties (for example, another school, other professionals or authorities working with that individual), or be collected from publicly available resources.
- 4.2 The School may, from time to time, need to process special category (sensitive) personal data regarding individuals. Special category personal data includes information about an individual's health, race or ethnic origin, religious beliefs, sexual orientation, biometric data, and criminal records and proceedings. Special category personal data is given additional

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protection under the law, and will only be processed by the School with the consent of the appropriate individual, or as otherwise permitted by data protection law.

- 4.3 See further in [Appendix One](#) (parents and wider school community) and [Appendix Two](#) (pupils) for further details on personal data used by the School.

## 5. Use of Personal Data by the School

- 5.1 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.
- 5.2 The School manages and retains records in accordance with its Records Management Policy. This can be found on the School's website under the 'About us' section.
- 5.3 Occasionally, the School will need to share the personal data it holds relating to its community with third parties, such as professional advisers (lawyers and accountants) or relevant authorities (HMRC, the Police or the local authority); or with affiliated organisations set up to help establish and maintain relationships with the School community, as set out further below.
- 5.4 The School will use (and where appropriate share with third parties) personal data about individuals for a number of purposes as part of its operations.
- 5.5 The School will inform individuals how their data is being used through either this Privacy Notice or other relevant notices that may be contained in a form, contract, policy or request for consent.
- 5.6 The School may not inform an individual about the use of their data when the School shares or processes the information of individuals under a legal obligation.
- 5.7 See further in [Appendix One](#) (parents and wider school community) and [Appendix Two](#) (pupils) for further details on how and why we use your personal data.

## 6. Keeping in Touch and Supporting the School

- 6.1 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. This will include sending updates and newsletters by email and by post.
- 6.2 The School may also share personal data about parents, staff and/or alumni, as appropriate, with partner organisations set up to help establish and maintain relationships with the School community including (not exclusively) the Hampton School Parents' Association (HSPA), Hampton Holles Boat Club Association (HHBCA), Hampton School Music Society (HSMS), The Fitzwygram Foundation (FF) and the Old Hamptonians' Association (OHA).
- 6.3 The School also collects information from publicly available sources about parents' and former pupils' occupations and activities, for example, via LinkedIn.
- 6.4 Anyone wishing to limit or object to any such use, or seeking further information, should contact [data@hamptonschool.org.uk](mailto:data@hamptonschool.org.uk) (the "data email address").

## 7. Individuals' Rights

- 7.1 Under the GDPR individuals have the following rights:
- to understand what personal data is used by the School;
  - to require that the School does not send marketing communications;
  - to request that the School erases personal data;
  - to require that the School restricts its data processing activities;
  - to receive from the School, in a reasonable format which has been specified by an individual, the personal data which has been provided and which is held by the School (including for the purpose of transmitting that personal data to another data controller;

- to require that the School updates any personal data which it may hold and which is incorrect.

7.2 The above rights are not absolute, and the School may be entitled to refuse requests where exceptions apply. Please see the School's Data Subject Rights policy for further details of how the school manages such requests.

## **8. Whose Rights?**

8.1 The rights under data protection law belong to the individual to whom the data relates. In a data protection context (as distinct from issues of care and education which may be linked to parental consent or agreement by contract), questions of consent are likely to be for the pupil to exercise from secondary school age – depending on the nature of the processing in question, and the pupil's maturity and understanding. Parents should be aware that in such situations they may not need to be consulted, and in some contexts the child's views may take precedence over the parents'.

8.2 However, both parents and pupils must be aware that – as a general rule – the School may not need to rely on their consent to process their personal data. Most ordinary activities of the School involving pupil and parent personal data will be necessary, either to fulfil the Parent Contract or in connection with the School's legitimate interests. Other activities, including those relating to SEN and Safeguarding, may be necessary in connection with legal obligations placed on the School.

8.3 In many contexts, the School will not require a pupil's consent to disclose 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) unless, in the School's opinion, there is a good reason to do otherwise. However:

- where a subject access request as above is made on a pupil's behalf, the School is required to ensure it is made with the child's authority (if the child is old enough to give it) – please see our Data Subject Rights policy; and
- 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 will seek to maintain confidentiality unless, in the School's opinion, there is a good reason to do otherwise (e.g. where the School believes disclosure will be in the best interests of the pupil or other pupils).

8.4 Pupils, like the School's staff, are required to respect the personal data and privacy of others and to comply with the School's policies.

## **9. Data Accuracy and Security**

9.1 The School will endeavour to ensure that all personal data held in relation to an individual is as up-to-date and as accurate as possible. Individuals are responsible for notifying the School of any changes to personal information held about them.

9.2 An individual has the right to request that inaccurate personal information is erased or corrected (subject to certain exemptions and limitations under data protection law) and may do so by contacting the School in writing.

9.3 The School will take appropriate technical and organisational steps to ensure the security of personal data about individuals. All members of staff will be made aware of this Privacy Notice, all policies applicable to data protection and IT use, and their duties under the Law.

9.4 In line with the Records Management Policy and Schedule, the School will take appropriate steps to destroy or erase any data which is no longer required.

- 9.5 All staff are required to use encrypted portable media when transporting School-controlled electronic data. Staff are able to request such media via the IT Services department.
- 9.6 Staff are required to comply with the School's Password Policy (minimum of eight characters, containing three of the following: uppercase character, lowercase character, at least one character that is not alphanumeric).
- 9.7 A process is in place to ensure that any suspected or actual loss of information is handled without undue delay and in line with ICO guidance and data protection law. Anybody who suspects that personal information has been misplaced, must report this immediately following the School's Data Incident and Breach Process.

## **10. Queries and Complaints**

- 10.1 Any comments or queries on this policy should be directed to the School using the following contact details:  
The Bursar  
Hampton School  
Hanworth Road  
Hampton  
Middlesex  
TW12 3HD  
Or [data@hamptonschool.org.uk](mailto:data@hamptonschool.org.uk)
- 10.2 If an individual believes that the School has not complied with this Policy or has acted otherwise than in accordance with data protection law, they should utilise the School Complaints Procedure (which can be found the School's website).
- 10.3 If an individual is not satisfied with a response to a complaint under 9.2 above, they may contact the ICO. Information can be found at <https://ico.org.uk/> or by calling 0303 123 1113.

## **Appendix 1: Parents and wider School community**

### **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);
- 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;
- where appropriate, information about individuals' health, and contact details for their next of kin;
- references given or received by the School about pupils, and information provided by previous educational establishments and/or other professionals or organisations working with pupils;
- images of pupils (and occasionally other individuals) engaging in School activities, and images captured by the School's CCTV system (in accordance with the School's CCTV Policy); and
- medical information recorded by the School's medical staff, by way of medical form for school trips or admission data.

### **Why the School needs to process personal data**

The School expects that the following uses may fall within that category of its (or its community's, meaning pupils, parents and alumni) "**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;
- maintaining relationships with alumni and the School community, including direct marketing or fundraising activity;
- for the purposes of donor due diligence, and to confirm the identity of prospective donors and their background;
- for the purposes of management planning and forecasting, research and statistical analysis, including that imposed or provided for by law (such as diversity or gender pay gap analysis and taxation records);
- where appropriate, information about individuals' health, and contact details for their next of kin;
- 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 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 policies;
- 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;
- for security purposes, including CCTV in accordance with the School's CCTV policy;
- where otherwise reasonably necessary for the School's purposes, including to obtain appropriate professional advice and insurance for the School.

In addition, the School may need to process **Special Category Personal Data** (concerning health, ethnicity, religion, biometrics or sexual life) in accordance with rights or duties imposed on it by law, including, from time to time, by explicit consent where required. These reasons may include:

- to safeguard a pupil's 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 where it is in the individual's interests to do so: for example for medical advice, social services, insurance purposes or to organisers of School trips;
- to provide educational services in the context of any special educational needs of a pupil;
- to run any of its systems that operate on biometric data, such as for security and other forms of pupil identification (lockers, lunch etc.); or
- 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.

### **Pupil requests for their data**

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). Indeed, while a person with parental responsibility will generally be entitled to make a subject access request on behalf of younger pupils, the information in question is always considered to be the child's at law.

A pupil of any age may ask a parent or other representative to make a subject access request on their behalf. Moreover (if of sufficient age) their consent or authority may need to be sought by the parent making such a request. Pupils of secondary school age will be 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 may however be sufficiently mature to have a say in this decision.

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

## **Appendix 2: Pupils**

### **The categories of your information that we collect, hold and share include:**

- Personal information (such as name, unique pupil number and address);
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility);
- Attendance information (such as sessions attended, number of absences and absence reasons);
- Assessment information;
- Medical information;
- Special educational needs information;
- Exclusions / behavioural information.

### **Why we collect and use this information**

We use your data to:

- support your learning;
- monitor and report on your progress;
- provide appropriate pastoral care;
- provide medical treatment and immunisations;
- assess the quality of our services;
- comply with the law regarding data sharing.

### **The lawful basis on which we use this information**

We collect and use your information under data protection law for the “legitimate interests” of running the School, meaning it is a reasonable or obvious use of your data for a proper purpose.

The School may need to process what is called Special Category Personal Data (this is more sensitive personal data, for example concerning your health). In some cases, the School may ask for your consent to do so or in other cases your parents will be asked, depending on the legal position.

### **Collecting your information**

Whilst the majority the information you provide to the School is mandatory, some of it is provided on a voluntary basis. In order to comply with data protection law, the School will inform you whether you are required to provide certain information to us or if you have a choice in this.

### **Storing your data**

The School holds pupil data for different lengths of time, depending on the purpose of the data. The time that information is kept for can be found in Appendix 1 to the Records Management Policy which is on the School’s website.

Who we share your information with

The School routinely shares pupil information with:

- schools that the you attend after leaving Hampton or HPP&P;
- the local authority;
- the Department for Education (DfE);

- the School's medical staff.

### **Why we share your information**

The School will not share information about you with anyone without consent or unless the law and the School policies permit it to do so.

The School may share information about you with your parents unless there are legal reasons not to. You can ask that the School does not share some information with your parents. The School cannot promise this because it has a contract with your parents, are legally required to update them on some matters, and it may not be in your best interests.

The School shares pupils' data with the Department for Education (DfE) because it is required to by law. When you leave the School, you will be given information as to how this data is shared with other organisations affiliated to the School.

### **Data collection requirements**

Further information regarding DfE requirements regarding data collection, please go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

### **Requesting access to or correction of your personal data**

If you would like to request access to your personal data, or wish to ask for it to be changed or removed (which the School cannot promise), please go to the School's website and look at the Data Subject Rights Policy.

If you have a concern about the way the School is collecting or using your personal data, we request that you raise your concern with the School in the first instance ([data@hamptonschool.org.uk](mailto:data@hamptonschool.org.uk)). Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

### **Contact**

If you would like to discuss anything in this privacy notice, please contact:

The Bursar  
Hampton School  
Hanworth Road  
Hampton  
Middlesex  
TW12 3HD

Or email [data@hamptonschool.org.uk](mailto:data@hamptonschool.org.uk)