THE
KING'S SCHOOL
CANTERBURY

Privacy Notice

Responsible person: Bursar (Data Protection Lead)

Reviewer: Director of Compliance

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1. Who we are

For the purposes of this notice, 'The School' will refer to The King's School Canterbury, Junior King's School, The Recreation Centre, The International College, The King's School Enterprises Ltd., and the OKS Association. Details of the aims and ethos of The School can be found on our **website**.

2. 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 forming what we have referred to in this document as our school community. **Members of our school community** include our staff; our current, past and prospective pupils; their parents, carers or guardians (referred to in this document as "parents"); members of the King's School Sports Centre, governors, volunteers, suppliers, visitors and our contractors

This information is provided because Data Protection Law gives individuals rights to understand how their data is used. Members of our school community whose data we process are all encouraged to read our Privacy Notice and understand The School's obligations.

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 School's 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 CCTV System and Surveillance System Policy;
- The School's retention of records policy;
- The School's safeguarding, pastoral, safer recruitment or health and safety policies, including as to how concerns or incidents are recorded; and
- The School's IT policies, including its E-Safety Policy.

Anyone who works for, or acts on behalf of, The School (including staff, volunteers, governors, and service providers) will be subject to suitable training and policies / procedures commensurate with their role.

3. Responsibility for Data Protection

Under UK GDPR law The School is the Data controller. The Bursar is appointed as Data Protection Lead who will deal with your requests and enquiries concerning The School's uses of your personal data and endeavour to ensure that all personal data is processed in compliance with this notice and Data Protection Law.

4. Why the school needs to process personal data

To perform 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.

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 (including trips) to pupils, and monitoring pupils' progress and educational needs;
- To provide effective communication with parents, including reporting and about fees;
- To facilitate effective communication within The School through staff handbooks and information management systems;
- Maintaining relationships with alumni and The School community (including former parents and staff), including direct marketing or fundraising activity;
- For the purposes of donor due diligence, to confirm the identity of donors / prospective donors, their financial background and relevant interests and to facilitate wealth screening;
- For the purpose of financial due diligence, to confirm the legitimacy of funds received within The School and to undertake financial review for bursary applications;
- 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 safeguard pupils' welfare and provide appropriate pastoral care;
- To monitor (as appropriate) use of The School's IT and communications;
- To make use of photographic images of pupils in school publications, on The School websites and (where appropriate) on The School's social media channels in accordance with The School's Taking, Storing and Using Images of Children Policy;
- To share information with safeguarding partners and other relevant agencies where necessary to safeguard or promote the welfare of children and young people, including in accordance with statutory information-sharing duties;
- For security purposes in accordance with The School's CCTV System and Surveillance System Policy;
- To give and receive information and references about past, present and prospective staff;
- To carry out or cooperate with any school or external complaints, disciplinary or investigation process; and
- Where otherwise reasonably necessary for The School's purposes, including to obtain appropriate professional advice and insurance for The School.

The School may process special category personal data, including information relating to health, ethnicity, religion, sexual orientation, and criminal records information such as Disclosure and Barring Service (DBS) checks, where necessary to meet its legal obligations or to carry out its functions as an educational institution. In limited circumstances, the School may also rely on explicit consent.

This information may be processed in order to:

- safeguard and promote the welfare of pupils and staff, including providing pastoral, medical, or wellbeing support and responding to emergencies or safeguarding concerns;
- support pupils with special educational needs or disabilities;
- provide education and support connected with religious beliefs or spiritual development;
- carry out recruitment, employment, and safeguarding checks, including maintaining the Single Central Register;
- manage complaints, disciplinary matters, investigations, or insurance claims; and
- comply with legal and regulatory requirements, including duties relating to child protection, equality monitoring, and health and safety.

Where appropriate, relevant information may be shared with medical professionals, social services, the police, insurers, caterers, or school trip providers where this is necessary to protect an individual's welfare or to meet the School's legal responsibilities.

The School processes special category personal data in accordance with Article 9 UK GDPR and Schedule 1 of the Data Protection Act 2018, including for safeguarding purposes, employment obligations, substantial public interest reasons, and the provision of education, health, or social care. Appropriate safeguards are applied in line with the School's data protection policies.

5. 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;
- bank details and other financial information, e.g. about persons 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, emergency contacts and contact details for their next of kin;
- where appropriate, information about past and current employment;
- 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; and
- images of pupils, staff and parents (and occasionally other individuals) engaging in school activities, and images captured by The School's CCTV system (in accordance with The School's Taking, Storing and Using Images of Children Policy).

6. Lawful basis for processing

The School relies on the following lawful bases under UK GDPR when processing personal data:

- **Contract** – where processing is necessary to fulfil a contract with staff, parents or pupils
- **Legal obligation** – where The School is required to comply with the law (e.g. safeguarding, health and safety, tax)
- **Legitimate interests** – where processing is necessary for The School's legitimate interests, provided these are not overridden by the rights of the individual
- **Consent** – where specific permission is required (e.g. certain uses of images)

A summary of how these apply is set out below:

Purpose	Lawful Basis	Special Category Condition
Education provision	Contract, legal obligation, legitimate interests	Education and Safeguarding
Safeguarding and Information Sharing Duty	Legal Obligation, Public Task (where applicable)	Substantial Public Interest, Safeguarding of Children and Individuals at Risk
HR Management	Contract/Legal obligation	Employment Law
Fundraising	Legitimate interests	N/A

7. 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).

However in some cases 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. Details of how The School collects information for the purposes of wealth screening can be found in Ways to Give - The King's School, Canterbury (kings-school.co.uk).

8. Who has access to personal data and who the school shares it with

8.1 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 HR, accounting, IT, wealth screening, cloud storage / records management, monitoring, mailing and library resources. In accordance with Data Protection Law, this type of external data processing is subject to contractual assurances that personal data will be kept securely and used only in accordance with The School's specific directions.

8.2 Data Sharing

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);

- government authorities (e.g. HMRC, DfE, police or the local authority);
- educational qualification providers, admission services and examination boards (e.g. Cambridge Assessment International Education, Joint Council for Qualifications (JCQ) the Universities and Colleges Admissions Service and OCR);
- appropriate regulatory bodies (e.g. the Independent Schools Inspectorate, the Independent Schools Council, the Health and Safety Executive);
- appropriate contractors (e.g. visiting music teachers, sports coaches);
- mailing houses.

We may inform a pupil's previous school from time to time of notable achievements by them during their time at The School, including public exam results and further education destination, as a means of updating them on the progress of their former pupil and celebrating their successes.

8.3 International Transfers

Some of The School's service providers (for example IT, cloud storage or fundraising support services) may process personal data outside the United Kingdom.
Where this occurs, The school ensures that appropriate safeguards are in place, such as:

- adequacy regulations issued by the UK Government; or
- approved transfer mechanisms such as the UK International Data Transfer Agreement (IDTA)

to ensure that personal data remains protected in accordance with UK data protection law.

8.4 Access to sensitive data

Particularly strict rules of access apply in the context of "special category" data, most notably:

- medical records; and
- pastoral or safeguarding files.

8.5 Medical 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 Special Educational Needs and Disabilities (SEND) 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.

8.6 Safeguarding Data

Staff, pupils and parents are reminded that 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 file notes on personnel or safeguarding files, and in some cases referrals to relevant authorities such as the Local Authority Designated Officer (LADO) or 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. The school will

retain a copy in accordance with its retention policy for material related to safeguarding matters.

For further information about this, please view The School's **Safeguarding and Child Protection Policy**.

8.7 Information Sharing Duty

The School is subject to statutory safeguarding duties, including the Information Sharing Duty under section 16LA of the Children Act 2004 and associated statutory guidance. Where The School holds information that it considers relevant to safeguarding or promoting the welfare of a child or young person, it may be required to share that information with other organisations or professionals involved in safeguarding and child welfare services where doing so may assist them in carrying out their safeguarding responsibilities. Information may be shared proactively or in response to a request from another safeguarding partner, educational setting, healthcare provider, local authority, police service or other organisation with safeguarding responsibilities.

The School will only share information that is relevant, necessary and proportionate for the purpose of safeguarding or promoting welfare. Information shared may include information relating to a child, parent, family member or other person connected to the child where such information is relevant to safeguarding decisions. In many safeguarding situations, information sharing is carried out under legal obligations or substantial public interest conditions and does not require the consent of the individual concerned. Wherever appropriate, the School will seek to be transparent about information-sharing decisions unless doing so would place a child or another person at increased risk of harm or would prejudice safeguarding enquiries.

All information sharing will be undertaken in accordance with UK GDPR, the Data Protection Act 2018, Keeping Children Safe in Education, Working Together to Safeguard Children and relevant statutory information-sharing guidance.

9. 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 it for a legitimate and lawful reason. More detailed retention periods are set out in the School's Record Retention Policy. By way of example:

- safeguarding records may be retained until a pupil reaches at least age 25.
- staff recruitment records may be retained for up to 6 years.
- financial records may be retained for up to 7 years or longer where required by law.

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 **The Bursar** (Data Protection Lead). 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 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").

10. Keeping in touch and supporting the school

The School and/or any relevant other organisation will use the contact details of staff, 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, social media 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.
- Contact staff, 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 such as social media about parents' and former pupils' financial background, occupation and activities, in order to maximise The School's fundraising potential. This may include the use of third-party companies who undertake fundraising/data cleaning/ wealth screening activities, all of whom are able to fast track processing of data on our behalf. All research of this type helps The School to understand more about you as an individual, helping us to focus future conversations we may have with you in the most effective way. This activity may involve profiling based on publicly available data; however, it does not involve automated decision-making that produces legal or similarly significant effects.

Should you wish to limit or object to any such use, or would like further information about it, please contact The Bursar (Data Protection Lead) in writing. The school relies on legitimate interests as its lawful basis for fundraising and alumni engagement activities. You have the absolute right to object at any time to the use of your personal data for direct marketing or fundraising purposes. 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).

11. Automated Decision-Making

The school does not carry out automated decision-making or profiling activities which produce legal or similarly significant effects on individuals.

12. Your rights

The School recognises that pupils are data subjects in their own right. Information is provided in a manner appropriate to their age and understanding, and additional care is taken when processing children's personal data.
Individuals have various rights under Data Protection Law to access and understand their own personal data held and processed by the school.
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.

13. Right of Access

Members of our school community have the right to access and receive a copy of their personal data; this is commonly referred to as a subject access request or SAR. 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).

You should be aware that the right of access is limited to your own personal data, and certain data is exempt. This will include information which identifies other individuals (and parents need to be aware this may include their own children, in certain limited situations), 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, or where a duty of confidence is owed by a legal adviser).

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). The school is also not required to 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.

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. 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.

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

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.

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.

14. Consent

Where the school is relying on consent to process personal data, any person may withdraw this consent at any time (subject to similar age considerations as above). An example of where we do rely on consent is for certain types of uses of images. 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).

15. 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 following: Human Resources Department for staff, Admissions Department / School Reception for pupils / parents, Development Office for donors and OKS Association for Alumni of any significant changes to essential 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, or 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. Members of our school community (including staff and governors) will be made aware of this notice and their duties under Data Protection Law and receive relevant training as appropriate.

Pupils are required to respect the personal data and privacy of others, and to comply with The School's policies and The School Rules. Staff are under professional duties to comply with applicable policies documented in the Staff Handbook.

16. This notice

The school will regularly review and update this Privacy Notice. Any substantial changes that affect your rights will be provided to you directly as far as is reasonably practicable.

The current copy of our Privacy Notice can be found on our school web sites and you are encouraged to check here regularly.

17. Queries and Complaints

Any comments or queries on this notice should be directed to The Bursar (Data Protection Lead).

If an individual believes that The School has not complied with this notice or acted otherwise than in accordance with Data Protection Law, they should notify The Bursar (Data Protection Lead). You can also make a complaint to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues (www.ico.org.uk). We would, however, appreciate the opportunity to address your concerns before you approach the ICO.