

Privacy Notice (Staff, Parents, Governors)

Statutory framework

This notice has regard to the following statutory regulations:

- The Data Protection Act 1998 and related statutory instruments (until 25 May 2018)
- The General Data Protection Regulation (from 25 May 2018)
- The Data Protection Act 2018 and related legislation (from 25 May 2018, form TBC)
- The Privacy and Electronic Communications Regulations 2011 (PECR) (to continue after 25 May 2018 until replaced by the ePrivacy Regulation – form and date TBC)
- The Protection of Freedoms Act 2012 (biometrics and CCTV)

Scope of the Privacy Notice

This Privacy Notice is provided by Westminster Cathedral Choir School, Ambrosden Avenue, London, SW1P 1QH (registered charity number 1063761) (the **School**). The School can be contacted on any matter relating to this Privacy Notice via the Bursar or School office:

Jo Stephens (Bursar)

Email jstephens@choirschool.com

Tel 020 7798 9394

School office

Email office@choirschool.com

Tel 020 7798 9081

This Privacy Notice is intended to provide information about how we, the School, will use (or "process") personal data about individuals including: its staff, its current, past and prospective pupils and their parents, carers or guardians (referred to in this document as "parents").

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 CCTV policy
- the School's policy on taking, storing and using images of children
- the School's data protection policy
- the School's safeguarding and child protection and health and safety policies, including how concerns or incidents are recorded and
- the School's pupil and staff ICT policies

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, which also provides further information about how personal data about those individuals will be used.



Responsibility for data protection

Overall responsibility for data protection lies with the School's senior management team.

Why we need to process data

In order to carry out our ordinary duties to staff, pupils and parents, we need to process a wide range of personal data about individuals (including current, past and prospective staff, pupils or parents) as part of our daily operation.

Some of this activity we will need to carry out to fulfil our legal rights, duties or obligations – including those under a contract with our staff, or parents of our pupils.

Other uses of personal data will be made in accordance with our legitimate interests, or the legitimate interests of another, if these are not outweighed by the impact on individuals, and provided it does not involve special or sensitive types of data.

We expect that the following uses will fall within that category of our “**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, and extra-curricular activities to pupils, and monitoring pupils' progress and educational needs
- To maintain 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)
- To enable relevant authorities to monitor our 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 our pupils
- 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 our ICT Policies
- To make use of photographic images of pupils in our publications, on our website and (where appropriate) on our social media channels in accordance with our policy on taking, storing and using images of children
- For security purposes, including CCTV
- To carry out or cooperate with any School or external complaints, disciplinary or investigation process
- To administer job applications and, carry out employee due diligence checks including by checking references in relation to your education and employment history
- To monitor your attendance and performance in your work, including performance appraisals

- To pay you or administer benefits (including pensions) in connection with your employment or other engagement with us and
- Where otherwise reasonably necessary for our purposes, including to obtain appropriate professional advice and insurance for the School.

In addition, we will on occasion need to process **special category personal data** (this is defined as data relating to health, ethnicity, religion, biometrics or sexual life) or criminal records information (such as when carrying out checks required by the Disclosure and Barring Services for all employees of the school) in accordance with rights or duties imposed on us by law, including as regards safeguarding and employment, or from time to time by explicit consent where required.

These reasons will include:

- To safeguard pupils' welfare and provide appropriate pastoral (and where necessary, medical) care, and to take appropriate action in the event of an emergency, incident or accident, including by disclosing details of an individual's medical condition or other relevant information where it is in the individual'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
- To provide spiritual education in the context of any religious beliefs
- In connection with employment of its staff, for example DBS checks, welfare, union membership or pension plans
- 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, diversity monitoring and health and safety) and to comply with its legal obligations and duties of care.

Types of personal data processed by us

This will include by way of example:

- names, addresses, date of birth, telephone numbers, e-mail addresses and other contact details
- car details (about those who use our car parking facilities)
- 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
- personnel files, including in connection with academics, employment or safeguarding
- where appropriate, information about individuals' health and welfare, and contact details for their next of kin
- references given or received by the School about pupils or staff, 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 occasionally other individuals) engaging in School activities, and images captured by the School's CCTV system (in accordance with the School's policy on taking, storing and using images of children)

How we collect data

Generally, we receive 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.

Access and sharing of personal data

Occasionally, we 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);
- appropriate regulatory bodies including the [Independent Schools Inspectorate](#) and the [Charity Commission](#);
- The Diocese of Westminster in relation to payroll or HR services, education services and information relating to the chorister activity at Westminster Cathedral
- The Old Boys' Association and
- The Parents' Association

For the most part, personal data collected by us 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, 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.

Staff, pupils and parents are reminded that we are 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 Local Authority Designated Officer or police. For further information about this, please view the School's Safeguarding and Child Protection Policy.

Finally, in accordance with Data Protection Law, some of our processing activity is carried out on our 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

We 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 staff and pupil personnel files is up to 7 years following departure from the School. However, incident reports and safeguarding files will need to be kept much longer, in accordance with specific legal requirements.

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:

Jo Stephens (Bursar)

Email jstephens@choirschool.com

Tel 0207 798 9394

Please bear in mind that we 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").

Keeping in touch and supporting the school

We 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 by post. Unless the relevant individual objects, we 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, such as the Parents' Association and Old Boys' Association;
- Contact 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;

Should you wish to limit or object to any such use, or would like further information about them, please contact the Bursar at the address given above.

You always have the right to withdraw consent, where given, or otherwise object to direct marketing or fundraising. However, we are 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).

Rights of access

Individuals have various rights under Data Protection Law to access and understand personal data about them held by us, and in some cases ask for it to be erased or amended or have it transferred to others, or for us to stop processing it – but subject to certain exemptions and limitations.

Any individual wishing to access or amend their personal data, or wishing it to be transferred to another person or organisation, or who has some other objection to how their personal data is used, should put their request in writing to the Bursar at the address given above.

We will endeavour to respond to any such written requests as soon as is reasonably practicable and in any event within statutory time-limits (which is one month in the case of requests for access to information).

We 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, we may ask you to reconsider, or require a proportionate fee (but only where Data Protection Law allows it).

Requests that cannot be fulfilled

You should be aware that the right of access is limited to your own personal data, and certain data is exempt from the right of access. This will include information which identifies other individuals (and parents need to be aware this may include their own children, in certain limited situations – please see further below), or information which is subject to legal privilege (for example legal advice given to or sought by the School, or documents prepared in connection with a legal action).

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

You may have heard of the "right to be forgotten". However, we will sometimes have compelling reasons to refuse specific requests to amend, delete or stop processing your (or your child's) personal data: for example, a legal requirement, or where it falls within a legitimate interest identified in this Privacy Notice. All such requests will be considered on their own merits.

Pupil requests

Pupils can make subject access requests for their own personal data provided that, in our reasonable opinion, they have sufficient maturity to understand the request they are making (see section **Whose Rights?** below). A pupil of any age may ask a parent or other representative to make a subject access request on his 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.

Pupils aged 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. Slightly younger children may, however, be sufficiently mature to have a say in this decision, depending on the child and the circumstances.

Parental requests

It should be clearly understood that the rules on subject access are not the sole basis on which information requests are handled. Parents may not have a statutory right to information, but they

and others will often have a legitimate interest or expectation in receiving certain information about pupils without their consent. We may consider there are lawful grounds for sharing with or without reference to that pupil.

Parents will in general receive educational and pastoral updates about their children, in accordance with the Parent contract. Where parents are separated, we will in most cases aim to provide the same information to each person with parental responsibility, but may need to factor in all the circumstances including the express wishes of the child.

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

Consent

Where we are relying on consent as a means to process personal data, any person may withdraw this consent at any time (subject to similar age considerations as above). Examples where we do rely on consent are: e.g. biometrics, certain types of uses of images, certain types of fundraising activity. Please be aware however that we 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).

Whose rights?

The rights under Data Protection Law belong to the individual to whom the data relates. However, we will often rely on parental authority or notice for the necessary ways we process personal data relating to pupils – for example, under the parent contract, or via a form. Parents and pupils should be aware that this is not necessarily the same as the School relying on strict consent (see section on Consent above).

Where consent is required, it may in some cases be necessary or appropriate – given the nature of the processing in question, and the pupil's age and understanding – to seek the pupil's consent. Parents should be aware that in such situations they may not be consulted, depending on the interests of the child, the parents' rights at law or under their contract, and all the circumstances.

In general, we 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 our opinion, there is a good reason to do otherwise.

However, where a pupil seeks to raise concerns confidentially with a member of staff and expressly withholds their agreement to their personal data being disclosed to their parents, we may be under an obligation to maintain confidentiality unless, in our opinion, there is a good reason to do otherwise; for example where we believe disclosure will be in the best interests of the pupil or other pupils, or if required by law.



Pupils are required to respect the personal data and privacy of others, and to comply with the School's pupil ICT policy and the School rules. Staff are under professional duties to do the same covered under the staff ICT and taking, storing and using images of children policies.

Data accuracy and security

We 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 Director of Admissions of any significant changes to important information, such as contact details, held about them:

Lucy Auger (Director of Admissions)

Email lauger@choirschool.com

Tel 0207 798 9081

An individual has the right to request that any out-of-date, irrelevant or inaccurate or information about them is erased or corrected (subject to certain exemptions and limitations under Data Protection Law): please see above for details of why we may need to process your data, of who you may contact if you disagree.

We 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. Staff will receive relevant training.

This policy

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.

Queries and complaints

Any comments or queries on this policy should be directed to the Bursar at the address detailed above.

If an individual believes that we have not complied with this Privacy Notice or have acted otherwise than in accordance with Data Protection Law, they should utilise the School complaints procedure, as outlined in the Parents' and Staff Handbooks and should also notify the Bursar. You can also make a referral to or lodge a complaint with the Information Commissioner's Office (ICO), although the ICO recommends that steps are taken to resolve the matter with the School before involving the regulator.