

# BRYANSTON

## DATA PROTECTION POLICY: PUPILS AND PARENTS

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### 1 About this Policy

- The privacy of our pupils and parents is very important to the school and we have taken steps to protect it. This policy explains how we use (or "process") personal data about pupils and their parents and your rights in relation to your own personal data. "Personal Data" means information which is capable of identifying a living individual. Any reference to "pupils" includes current, past and prospective pupils and any reference to "parents" includes current, past and prospective parents, carers or guardians.
- This policy applies in addition to the school's terms and conditions, and any other information the school may provide about a particular use of personal data. For example, the school's policy on pupil biometric information.
- 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 the school's data protection policy for staff, which also provides further information about how personal data about those individuals will be used.

### 2 Responsibility for Data Protection

- The "data controller" of the personal data we hold about you is Bryanston School Incorporated (or "the School") and it is processed by us strictly in accordance with the Data Protection Act 1998 ("the Act"). In accordance with the Act, the school has notified the Information Commissioner's Office of its processing activities and a copy of our entry can be found at [www.ico.gov.uk](http://www.ico.gov.uk) under registration number Z6599431.
- The school has appointed the Finance Bursar as Data Protection Officer ("DPO") who will endeavour to ensure that all personal data is processed in compliance with this policy and the Act. The DPO's contact details are in paragraph 14.

### 3 Types of personal data processed by the school

- In order to carry out its functions, the school may process a wide range of personal data about pupils and parents as part of its operation, including 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 or any other relevant school;
  - 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;

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- images and in some cases, video and audio data, of pupils (and occasionally other individuals) engaging in school activities which will be processed in accordance with paragraph 5 of this policy below.
- data collected from monitoring devices. For example, closed-circuit television (CCTV) and other security systems, telephone, email and internet access logs and recordings.
- Generally, the school receives personal data from the individual directly (or, in the case of pupils, from parents). 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.
- The school may, from time to time, need to process "sensitive personal data" regarding individuals. Sensitive personal data includes information about an individual's physical or mental health, race or ethnic origin, political or religious beliefs, sex life, trade union membership or criminal records and proceedings. Sensitive personal data is entitled to special protection under the Act, and will only be processed by the school with the explicit consent of the appropriate individual or as otherwise permitted by the Act.

#### **4 Use of personal data by the school**

- The school will use (and where appropriate share with third parties) personal data about individuals for a wide variety of operational, regulatory and other purposes, including for example:
  - For the purposes of pupil selection and to confirm the identity of prospective pupils and their parents;
  - To provide education services (including SEN), career services and extra-curricular activities to pupils; monitoring pupils' progress and educational needs; and maintaining relationships with alumni and the school community;
  - For the purposes of management planning and forecasting, research and statistical analysis, and to enable the relevant authorities to monitor the school's performance;
  - To give and receive pupil information and references including the provision of references to potential employers of past pupils;
  - To supply and receive information relating to payment history including details of outstanding fees to/from any educational institution that the pupil attended or where it is proposed they attend;
  - 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 (and where necessary, medical) care, and to take appropriate action in the event of an emergency 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, insurance purposes or to organisers of school trips;
  - To monitor (as appropriate) use of the school's IT and communications systems in accordance with the school's Digital Communication Policy;
  - To use photographs and video in school and other publications, on the school website and (where appropriate) on the school's social media channels. The use of images in this way will be strictly in accordance with the school's policy on use of images; (See paragraph 5 below).
  - For fundraising, marketing or school promotional purposes and to maintain relationships between the school community and alumni, including through our alumni organisations. Use of personal data for these purposes will be strictly in accordance with the school's policy on the use of data for such purposes; (See paragraph 7 below).
  - For security purposes, and for regulatory and legal purposes (for example child protection and health and safety) and to comply with its legal obligations and

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- Where otherwise reasonably necessary for the school's purposes, including to obtain appropriate professional advice, support and services including where necessary from external parties and to obtain insurance for the school.

## **5 Use of Photographic Images and Video by the School**

- The school may process photographic images of pupils and where relevant occasionally others such as parents or video in the following ways:
  - For the purpose of holding a digital formal identity photograph of each pupil for administrative and pastoral purposes which do not include school publicity. Other pupil images and video may be held for pastoral care, to support teaching and learning and to internally record and celebrate pupil achievement.
- Where your specific written consent\* has been provided the school may process photographic images and video in the following ways:
  - For the purposes of school promotional activity and publicity. For example, on the school's social networking services, the school website, e-bulletins, newsletters and in printed material such as the school prospectus.
  - For disclosure to third party media (for example, external journalists) for their own journalistic purposes.

\*On joining the school, parents and pupils are invited to indicate whether they consent or object to the use of images and video for various different purposes via a written consent form. Subsequently, preferences may be amended by writing to the school's DPO using the contact details in paragraph 14 of this policy. Any changes made to your preferences will take effect from the date we issue our written acknowledgement of receipt. Where consent is withdrawn, we will make reasonable efforts to ensure that the image is not further used. However, it may not always be possible to remove media that has already been published and or circulated.

## **6 Use of Photographs and Video by Pupils, Parents and Others**

Where parents, pupils and others attend school performances and sporting events etc. the school will generally permit reasonable photography and video recording for purely personal domestic purposes. However, in order to protect the privacy of everyone, the school does not permit the publishing of any photograph or video of children other than your own. This includes publicity on any social networking service or website. The school's policy reflects the school's legal obligation to protect the privacy and in some cases personal safety of all our pupils and in recognition of the fact that not all pupils and parents wish to have their image etc. published. This is our general policy and may be subject to variation on a case by case basis.

## **7 Keeping in touch and supporting the school**

- 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, including by sending updates and newsletters, by email and by post. You can limit or object to us doing this by writing to the DPA using the contact details at paragraph 14 below.
- In addition, unless the relevant individual objects, the school may also:

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- 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 Bryanston Society Limited and the various Old Bryanstonian Associations;
- 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;
- Collect information from publicly available sources about parents' and former pupils' occupation and activities, in order to maximise the school's fundraising potential.
- Should you wish to limit or object to any such use, or would like further information about them, please contact the DPO in writing using the contact details in paragraph 14 of this policy.

## **8 Rights of access to personal data (“Subject Access Request”)**

- Under the Act, pupils and parents each have a right of access to their own personal data held by the School together with other information about the way in which that data is processed. This is known as the right of subject access.
- The right of subject access applies subject to the application of legal restrictions. For example, you may not be able to access information which is capable of identifying other people or information which is subject to legal privilege (such as legal advice given to the School), confidential references given by the School and copies of examination scripts.
- Pupils are free to make their own Subject Access Request if they choose provided that we think they are sufficiently mature enough to understand the consequences of their request. Generally, pupils that are age 12 or over are considered to have achieved this level of maturity although this will depend upon the individual child, the context and the nature of the personal data which they could potentially have access to. We will consider each pupil Subject Access Request on an individual basis.
- A pupil may ask a parent or other representative to make a Subject Access Request on their behalf. However, generally, we would expect a person with parental responsibility to make a subject access request on behalf of younger pupils. Where a parent or other adult makes a Subject Access Request on behalf of a pupil, the School is required to consider if the request is in fact being made on behalf of the pupil and if disclosure is in the pupil's best interests. In some cases, where appropriate, we may need to discuss the request with the pupil themselves.
- Subject Access Requests should be made in writing to the School's DPO using the contact details in paragraph 14. In some cases, the School may ask for further information to confirm the identity of the requestor or for information to help locate the information requested. Requests will be processed as quickly as is reasonably practicable and within the statutory time limit of 40 calendar days. The School may charge a fee of £10 to process a Subject Access Request.

## **9 Whose Rights**

- The rights under the Act belong to the individual to whom the data relates. However, the school will in most cases rely on parental consent to process personal data relating to pupils (if consent is required under the Act) unless, given the nature of the processing in question, and the pupil's age and understanding, it is more appropriate to rely on the pupil's consent. Parents should be aware that in such situations they may not be consulted.
- In general, the school will assume that pupils consent to 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, unless, in the school's opinion, there is a good reason to do otherwise.

- However, where a pupil seeks to raise concerns confidentially with a member of staff and expressly withholds their agreement to their personal data being disclosed to their parents, the school will 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.
- Pupils are required to respect the personal data and privacy of others and to comply with the school's Digital Communications Policy, Anti-Bullying Policy, Cyber-Bullying Policy, Behaviour Policy and the School Rules.

## **10 Data Accuracy and Standards of Handling**

- The law requires the School to take appropriate technical and organisational security measures to protect personal data and to prevent its unauthorised or unlawful processing or accidental loss, damage or destruction. Accordingly, the School has implemented technical steps to protect personal data held both manually and electronically and regularly reviews these measures to ensure they are adequate. Organisational steps to protect personal data include but are not limited to regular staff training in data protection.
- The School also takes steps to ensure that your personal data is kept accurate and up to date, is adequate, relevant and not excessive in relation to the purpose/s for which the data is being processed. In most cases, you have the right to request that any inaccurate information is erased or corrected and may do so by contacting the School's DPO using the contact details below.
- We endeavor to ensure that information is not kept for longer than necessary and is deleted as soon as reasonably practicable. However, the School may retain some personal data so that we can comply with regulatory or legal obligations and for legitimate organisational reasons.

## **11 Transferring Your Information Overseas**

- Occasionally, the school may need to transfer personal data overseas including outside the European Economic Area (EEA) for the purposes set out above. For example, to facilitate school trips outside the EEA or to communicate with parents residing outside the EEA. Where this happens we will ensure that appropriate safeguards are put in place to protect your personal data.

## **12 Your Obligations**

- In order to help the School to keep its records accurate and adequate we need to ensure that they are kept up to date. You are required to inform us of any changes to the personal data that we hold so that we can amend our records accordingly. For example, please notify us immediately of any change of address or other contact details or any specific medical or health information.

Please notify changes to your personal data to by email to [changes@bryanston.co.uk](mailto:changes@bryanston.co.uk).

## **13 Queries and complaints**

- Any comments or queries on this policy should be directed to the DPO using the contact details below.

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- If an individual believes that the school has not complied with this policy or acted otherwise than in accordance with the Act, they should utilise the school complaints procedure and should also notify the DPO.

#### **14 Contact the School's Data Protection Officer**

The school's DPO can be contacted using the methods below.

By Post: The Data Protection Officer, Bryanston School, Blandford Forum, Dorset, DT11 0PX

By email: [dpo@bryanston.co.uk](mailto:dpo@bryanston.co.uk).

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