

# BRYANSTON

## PRIVACY NOTICE PART B – PUPILS, PARENTS AND ALUMNI

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### **WHAT THIS PRIVACY NOTICE IS FOR**

This Privacy Notice is intended to provide information about how Bryanston will use (or "process") Personal Data about its current, past and prospective pupils; and their parents, carers or guardians (referred to in this policy as "parents"). Collectively, we refer to these individuals in the Privacy Notice as the School's community.

This information is provided because Data Protection Law gives individuals rights to understand how their data is used. Staff, parents and pupils are all encouraged to read this Privacy Notice and understand the school's obligations to its entire community. However, the school has a separate Data Protection Policy and Privacy Notice applicable to its employees and other staff.

This Privacy Notice applies alongside Bryanston's Privacy Notice Overview Part A and any other information the School may provide about a particular use of Personal Data, for example when collecting data via our online or paper admissions forms.

This Privacy Notice also applies in addition to the Bryanston's other relevant terms and conditions and policies, including:

- the contract between the School and the parents of pupils;
- the School's Policy on Taking, Storing and using Images of Pupils;
- the School's CCTV and/or Biometrics Policy;
- the School's Records Management Policy;
- the School's Data Subject Access Request Policy;
- the School's Safeguarding, Pastoral, or Health and Safety Policies, including as to how concerns or incidents are recorded; and
- the School's IT Policies.

Anyone who works for, or acts on behalf of, Bryanston (including staff, volunteers, governors and service providers) should also be aware of and comply with the Bryanston's Data Protection Policy.

### **RESPONSIBILITY FOR DATA PROTECTION**

The School has appointed a Data Protection Officer who will deal with all your requests and 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.

The contact details of the Data Protection Officer and provided for at the end of this Privacy Notice.



## **WHY THE SCHOOL NEEDS TO PROCESS PERSONAL DATA**

In order to carry out its ordinary duties of providing education and pastoral care the School will process a wide range of Personal Data about our pupils and their parents (including current, past and prospective staff, pupils or parents) as part of its daily operation.

The School also needs to engage in fundraising to support its educational and charitable aims.

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 parents of its pupils.

Other uses of Personal Data will be made in accordance with Bryanston'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 Category Personal Data or sensitive types of data.

The School expects that the following uses may fall within that category of its (or its community's) "legitimate interests":

- for the purposes of pupil selection, to confirm the identity of prospective pupils and their parents and retain a record if appropriate for the purposes of future applications or openings;
- for the assessment of applications for School scholarship or bursary fee assistance;
- to provide education and boarding services, including musical education, physical training or spiritual development, career services, and extra-curricular activities to pupils, to facilitate school trips and monitoring pupils' progress and educational needs;
- For the purposes of promoting Bryanston School through different marketing activities undertaken including via email (where appropriate) and maintaining relationships with alumni and the Bryanston 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 [and relevant interests]; depending on your relationship with the school, on occasion use data the school holds for wealth screening and research, to help the school understand more about donors and potential donors and their ability to support the school including using information gathered from publicly available sources. Wealth screening is a term which describes the process of finding financial information about a potential donor to ascertain the level of possible donation. A trusted third-party partner may assist the school in this process.
- to receive anonymous, aggregated statistics about visitors to our social media pages, through Facebook Insights and Twitter Analytics;
- for the purposes of management planning and forecasting, research and statistical analysis including that imposed or provided by law (such as tax, diversity or gender pay gap analysis);
- to enable the 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 examinations, 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;
- for security purposes, including biometrics and CCTV in accordance with the School's Biometric and Data Protection - CCTV Code of Practice;
- images of pupils as a record/archive of whole school, House and Teams or where their image is captured from time to time, incidentally such as in sports footage (including at inter-school events) or where they may appear within a larger group, e.g. year group photos, plays, concerts or other such events in which other participating Bryanston pupils will be captured.
- where appropriate, images/voice recorded through Teams in respect of the Guided Learning Programme; and



- where otherwise reasonably necessary for the School's purposes, including to obtain appropriate professional advice and insurance for the School.

You have the right to object to above processing if you wish, and if you wish to do so, please contact [dpo@bryanston.co.uk](mailto:dpo@bryanston.co.uk). Please bear in mind that if you object, this may affect the school's ability to carry out tasks above for your benefit.

In addition, the School may need to process Special Category Personal Data (concerning health, ethnicity, religion, biometrics, facial recognition or sexual life) in accordance with rights or duties imposed on it by law, including as regards to safeguarding and health and safety or from time to time by explicit consent where required. These reasons may 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 aware of dietary or medical needs;
- to provide educational services in the context of any special educational needs;
- to provide spiritual education in the context of any religious beliefs;
- to run any of its systems that operate on biometric or facial recognition data, such as for security and other forms of pupil identification such as café and lunch;
- for legal and regulatory purposes (for example child protection and health and safety (including temperature checking in relation to the Coronavirus outbreak)) and to comply with its legal obligations and duties of care.

## **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;
- vehicle details (about those who use our car parking facilities and site roads);
- 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 School fees and any parents that apply for or receive, bursaries or scholarships;
- 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; and
- 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 Policy on Taking, Storing and Using Images of Pupils);

## **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, some functions are outsourced in some cases personal data may be supplied by third parties (for example a prep or another senior school, or other professionals or authorities working with that individual) or collected from publicly available sources such as through the exercise of wealth screening.



As a result of providing education and boarding care the School also generates extensive pupil personal data in relation to academic and examination performance, attendance, participation records and disciplinary files.

## **WHO HAS ACCESS TO PERSONAL DATA AND WITH WHOM THE SCHOOL SHARES IT WITH?**

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

- medical records and educational psychologist reports which are held and accessed only by appropriate medical staff at the School and Quarterjack Surgery in Wimborne;
- pastoral or safeguarding files;
- Biometric data.

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);
- appropriate contractors, such as visiting music teachers;
- examination boards;
- Stage 3 complaints panels, which will include independent panel members; and
- Government authorities (e.g. HMRC, DfE, CAF/CASS, police or a relevant local authority) and/or appropriate regulatory bodies (e.g. the Teaching Regulation Agency, the Independent Schools Inspectorate and the Charity Commission).

The School may also share limited personal information with Bath University for sports performance research.

Additionally, in providing on site medical care, medical treatment and diagnosis records are produced which are added to pupil's NHS record. 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. Medical care is provided on site by qualified nursing staff and doctors from the Quarterjack Surgery based in Wimborne and their Privacy Notice is available at their website <https://www.quarterjacksurgery.co.uk/privacy-statement/>

However, a certain amount of any 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.

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 related to child safeguarding 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, (low-level concerns records kept about adults) and in some cases referrals to relevant authorities such as the 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 Records Management Policy for material related to safeguarding matters.

For further information about this, please view the School's Safeguarding Policy.



Finally, in accordance with data protection law, some of the School's processing activity is outsourced and is carried out on its behalf by third parties, including for example HR, accounting, IT systems, cloud storage providers and web developers. This type of external data processing is always subject to contractual assurances that personal data will be kept securely and used only in accordance with the school's specific directions. Examples of a third party is, but not limited to, (and will change from time to time):

- iSAMS, (Management Information System for schools);
- Boardingware (Boarding Management System);
- Studywiz (virtual learning);
- IB (International Baccalaureate);
- E4 Education (marketing and communication);
- Blackbaud (Raiser's Edge Management System);
- School Sports (SOCS online sports management toolkit for managing and marketing the Schools' sports);
- Marsh's, who are the administrators of the Fees Refund Scheme;

Full details of the School's third-party processors can be made available upon request to the Data Protection Officer.

Occasionally, the School may need to transfer personal data overseas, including outside of the European Economic Area (EEA). For example, to facilitate school trips or to communicate with parents residing outside the EEA or in some instances to a third party. Where this happens, the School will ensure that appropriate technical and organisational safeguards are in place to protect your personal data.

## **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 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 wish to request that Personal Data you no longer believe to be relevant is considered for erasure, please contact the School's Data Protection Officer. However, please bear in mind that the School may have lawful and necessary reasons to hold on to some data.

If you have any specific queries about how our Records Management 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 Data Protection Officer whose details are provided below. 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 a 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**

Bryanston 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. 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, such as 'Beyond Bryanston';
- 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.



In order to achieve this, the School may require your consent for particular fundraising activities. If you do consent, you have the right, at any time, to limit or object to any such use regarding direct marketing and fundraising, or if you would like further information about them, please contact The Data Protection Officer. However, please note that the School may need nonetheless to retain some of your details (not least to ensure that no more communications are sent to that particular address, email or telephone number in the future).

## **YOUR RIGHTS**

Individuals (both pupils and parents) have various rights under Data Protection Law to access and understand their own personal data held and processed by the School, and in some cases ask for it to be erased or amended, for the School to stop processing it, or to have it transmitted elsewhere - but subject to certain exemptions and limitations (please refer to Bryanston Privacy Notice Overview for full details).

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 generally one month, but actually fulfilling more complex or multiple requests, e.g. those involving third party information, may take 1-2 months longer).

- **Rights of access, etc.**

The School will be better able to respond quicker to smaller, targeted requests for information made during term time. 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).

If you consider that the personal data, we hold on you is inaccurate, please let us know. However, the School will not necessarily delete or amend views, opinions, notes or records purely on the request of an individual who disputes the account, although we may keep a record of all parties.

- **Requests that cannot be fulfilled**

You should be aware that GDPR rights (including the right of access) are 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 children, in certain limited situations – (please see below), or information which is subject to legal privilege (for example legal advice to or sought by the School, or documents prepared in connection with a legal action).

The School is also not required to disclose any pupil examination scripts (or other information consisting solely of pupil test answers – although markers' comments may still be disclosable if they constitute pupil personal data); 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.

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 you (or your child's) personal data: for example, a legal requirement, or where it falls within a proportionate legitimate interest identified in this Privacy Notice. Generally, if the School still considers the processing of the personal data to be reasonably necessary, it is entitled to continue. All such requests will be considered on their merits.





- **Requests by or on behalf of pupils**

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?** below). 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.

Pupils aged 12/13 years 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.

- **Parental requests, etc.**

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

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

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

## **CONSENT**

Where the School is relying on consent as a means to process Personal Data, the person who gave the consent can withdraw it at any time whether in full or part (subject to similar age considerations as above). Please be aware however that the School may 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. a parent contract, or because a purchase of goods, services or membership of an organisation such as an alumni or parents' association has been requested).

The following processing activity may be subject to pupil and/or parental consent:

- use of photographic or video images where pupils are featured prominently in School publications, on the School website and (where appropriate) on the School's social media channels in accordance with the School's Policy on Taking, Storing and Using Images of Pupils;
- use of Special Category Personal Data including in provision of pupil medical care, special dietary requirements and learning support for pupils with special educational needs (SEN) or Sports lead initiative or research;
- use of Biometric or facial recognition data in relation to pupil registration, meal provision and building access controls.
- certain types of fundraising activity.



## **WHOSE RIGHTS**

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).

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, either alongside or in place of parental 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, 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.

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.

Pupils are required to respect the personal data and privacy of others, and to comply with the School's ICT Policies including, the Anti-bullying Policy, Cyber-Bullying Policy and the School Rules.

## **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 Personal Assistant to the Headmaster of any significant changes to important information, such as contact details, held about them.

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 the School may need to process your data, of 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 the 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.

## **CONTACT**

The Data Protection Officer post: Bryanston School, Blandford Dorset DT11 0PX, by email: [dpo@Bryanston.co.uk](mailto:dpo@Bryanston.co.uk) by phone: + 44 (0)1258 452411

This Privacy Notice will be reviewed annually by the person responsible, namely the Data Protection Officer whose contact details are provided above. Any substantial changes that may affect your rights may be provided to you directly as far as reasonably practicable.





## **QUERIES AND COMPLAINTS**

Any comments or queries on this policy, in the first instance, should be directed to the Data Protection Officer using the contact details provided above.

If an individual believes that the School has not complied with this policy or acted otherwise than in accordance with Data Protection Law, they may utilise the School complaints procedure. 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.

Reviewed: May 2020  
Reviewer: Senior Leadership Team  
Next Review: May 2021  
Author: Data Protection Officer

