



St Mary's School
CAMBRIDGE

School Privacy Notice

This policy is the responsibility of the Compliance Manager and reviewed by the Senior Leadership Team

Last review: June 2023

Next review: Summer Term 2025

Overview

St Mary's School, Cambridge (the School) is a company limited by guarantee (company number 1840431, registered charity 290180). We take our responsibilities as a data controller seriously and are committed to using the personal data we hold in accordance with the law.

Who this Privacy Notice applies to?

This policy is intended to provide information about how 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 policy as "parents"), suppliers and contractors, donors, friends and supporters and other individuals connected to the School. It also applies to visitors to the School who may supply us with their personal data (e.g., when attending events). See also: Privacy Notice for Senior School pupils and Privacy Notice for staff, prospective applicants, volunteers, and governors.

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. The Privacy Notice for Staff and the School's Data Protection Policy (as applicable), also provides further information about how personal data about those individuals will be used.

If you have any questions about this Privacy Notice or how we use personal data please contact the Compliance Manager, Deanna Cook, by telephone on 01223 224111 or by post at The Bursary, St Mary's School, Cambridge, Bateman Street, Cambridge CB2 1LY.

What this privacy notice is for?

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.

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:

- Terms and Conditions of the Parent Contract
- the Policy on Taking, Storing and Using Images of Children
- the CCTV Policy
- the guidelines for data storage and retention
- the Safeguarding, Pastoral, and Health and Safety Policies, including as to how concerns or incidents are recorded; and
- the IT policies, including its IT Acceptable Use Policy, On-line Safety Policy, Social Media Policy and Bring Your Own Device Policy.

Why the school needs to process personal data

The School needs to process a wide range of personal data as part of its daily operation. This may include factual information, expressions of opinion, images or other recorded information which identifies or relates to a living individual. Some of this activity is required 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 these do 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) including assessing eligibility for scholarship and means tested bursary awards.
- To provide education services, including musical education, physical training or spiritual development, career services, and extra-curricular activities to pupils, monitoring pupils' progress and educational needs, processing entries for public examinations and other assessments, publishing those results and other pupil results/achievements, reporting and storing examination and assessment results and reporting to parents on pupil progress.
- To provide other services to pupils including higher education applications and providing resources (library and on-line), administering school trips and to monitor and administer (as appropriate) use of the School's IT and communications systems in accordance with the School's IT acceptable use policies.
- Maintaining relationships with alumnae and the wider school community, by communicating with the body of current and former pupils and/or their parents or guardians and organising events 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;.
- 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 and census returns), to enable relevant authorities to monitor the School's performance and to intervene or assist with incidents as appropriate (eg recording accidents in accordance with our health and safety policies), keeping records for insurance purposes or to obtain appropriate professional advice, keeping financial information to process invoices, fee accounts and manage

debtors, compiling information for inspection by the Independent Schools Inspectorate, and for commercial operations and other charitable activities.

- For security purposes, including biometrics and CCTV.
- 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 safeguard pupils' welfare and provide appropriate pastoral care including recording concerns and incidences of bullying and support given, monitoring the use of the internet and email (if required) in accordance with our On-Line Safety Policy and IT acceptable use policies.
- Promoting the aims and achievements of the School through our website, publications, our social media platforms and sometimes in the media this includes making use of photographic images and/or videos of pupils.
- For the purposes of fulfilling our duties as an employer including for the recruitment of staff, volunteers and contractors, including appropriate safeguarding checks as required by law, payroll and pension processing, keeping records of other staff matters including that relating to grievances and disciplinary action and providing and receiving references.
- To carry out or cooperate with any school or external complaints, disciplinary or investigation process.
- Where otherwise reasonably necessary for the School's purposes, including to obtain appropriate professional advice and insurance for the School.

In addition, the School will on occasion need to process special category personal data (concerning health, ethnicity, religion, biometrics, or sexual life) or criminal records information (such as when carrying out DBS checks) in accordance with rights or duties imposed on it 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.
- To run any of its systems that operate on biometric data, such as for security and other forms of pupil identification (registration, lockers, lunch etc.).
- As part of any school or external complaints, disciplinary or investigation process that involves such data, for example if there are Special Educational Need / Disability (SEN), health or safeguarding elements.
- For legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with our 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
- car details (about those who use our car parking facilities)
- biometric information, which will be collected and used by the School
- 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, 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
- 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 policies on CCTV and Taking, Storing and Using Images of Children).

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 or by engaging in various activities).

In some cases, personal data will be supplied by third parties (for example another school or employer, or other professionals or authorities working with that individual); or collected from publicly available resources.

We use internet monitoring software for pupils to monitor access. We do not routinely monitor email or staff internet use but may do so as part of an investigation. Please see our On-Line Safety Policy and IT acceptable use policies on the School website.

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

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);
- relevant authorities (e.g., Children Safeguarding Partnership Board, HMRC, UKVI, Department for Education, Department for Work and Pensions, police or the local authority); and
- appropriate regulatory bodies e.g., the Teaching Regulation Agency (TRA), the Independent Schools Inspectorate, the Charity Commission, or the Information Commissioner).

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:

- medical records held and accessed by the appropriate medical staff and school doctor, or otherwise in accordance with express consent. The School's medical staff may disclose confidential information if it is considered to be in the pupil's best interest or necessary for the protection of other members of the School community
- pastoral or safeguarding files.

However, a certain amount of any Special Educational Need / Disability (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 the School is under duties imposed by law and statutory guidance 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), the Cambridgeshire and Peterborough Safeguarding Children Partnership Board (SCPB) or police. For further information about this, please view the School's Safeguarding and Child Protection Policy. We keep a record of safeguarding concerns that are reported even if they do not meet the statutory thresholds for reporting on a confidential basis.

Pupil personal data will be shared with awarding bodies for the purpose of examining and awarding qualifications. Awarding bodies may in turn be required to provide our pupil's personal data to educational agencies such as the Department of Education, Local Authorities and UCAS. This data may also be used for statistical and policy development purposes.

Some of the School's processing activity is carried out on its behalf by third parties. This is 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

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 although it is necessary to keep some information for longer. 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 long we keep records or wish to request that personal data that you no longer believe to be relevant is considered for erasure, please contact the Compliance Manager at the School. 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").

Keeping in touch and supporting the school

We will use the contact details of parents, alumnae and other members of the School community to keep them updated about the activities and developments of the School (including fundraising initiatives), and alumnae and parent events of interest, including by sending updates, invitations, and newsletters, by email and by post. We fundraise from individuals, companies and foundations who want to support our charitable

purposes and do so in accordance with the Fundraising Promise and Fundraising Code of Practice. Unless the relevant individual objects, the School will also:

- Share personal data about parents and/or alumnae, as appropriate, with organisations set up to help establish and maintain relationships with the School community, such as the Circle of Friends, Pastonian and Pastonianconnect.com.
- Contact parents and/or alumnae (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 about your invitations and attendance to School events, your key relationships with other Pastonians and supporters of the School, donations made and personal interests. We also collect information from publicly available sources (such as LinkedIn, Companies House, Charity Commission, Who's Who, articles and publications) about parents' and former pupils' occupation and activities, to create a profile of interests and preferences so that we can make appropriate requests and maximise the School's fundraising potential.

Should you wish to limit or object to any such use, update your data preferences, or would like further information about them, please contact the Alumnae & Parent Officer, Emma Whittley, in writing. You always have the right to withdraw consent, where given, or otherwise object to direct marketing or fundraising. 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).

Your rights

Access

Individuals have various rights to access and understand personal data about them held by the School, and in some cases ask for it to be erased or amended or have it transferred to others, or for the School to stop processing it – but subject to certain exemptions and limitations. If you wish to access or transfer data to another person or organisation, or you have another objection to how your personal data is used, you should put your request in writing to the Compliance Manager.

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 one month in the case of requests for access to information).

The School 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, the School 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).

The School is 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 the School 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 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.

Pupils at Senior School 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

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. The School may consider there are lawful grounds for sharing with or without reference to that pupil. 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, 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, we may be under an obligation to maintain confidentiality unless, in our opinion, there is 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 is required by law.

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 any court order and 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 the School is 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). 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).

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. 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 Pupil Internet and IT Acceptable Use Policy, the On-line Safety Policy, and the School Rules. Staff are under professional duties to do the same and should refer to the Staff Behaviour Policy, the IT Acceptable Use Policy, the On-line Safety Policy, the Social Media Policy and the Bring Your Own Device to Work Policy.

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 relevant person 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 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.

Transfer of personal data outside the EU

We may need to send personal data outside of the EU (e.g., for school trips). If required, we will provide the individual with information on the safeguards we will put in place.

This Policy

We 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

If you believe that the School has not complied with this policy or acted otherwise than in accordance with Data Protection Law, you should contact the Compliance Manager. (see above). If you feel unable to contact the Compliance Manager, you should contact the Head. You can utilise the School complaints / grievance procedure and should also notify the relevant person. 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.
