

# Privacy Notice – Pupils & Parents



## 1. Definitions

**Data controller** - A controller determines the purposes and means of processing personal data. For the purposes of this Privacy Notice, Bradford Grammar School is the data controller.

**Data processor** - A processor is responsible for processing personal data on behalf of a controller.

**Data subject** – Natural person. For the purposes of this Privacy Notice the data subjects are pupils, parents and carers.

**Special categories personal data** - The General Data Protection Regulation (“GDPR”) refers to sensitive personal data as ‘special categories of personal data’ (as explained in Article 9 of GDPR). The special categories specifically include genetic data, and biometric data where processed to uniquely identify an individual. Other examples include racial and ethnic origin, sexual orientation, health data, trade union membership, political opinions, religious or philosophical beliefs.

**Processing** - means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

**Third party** - means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data.

## 2. Who are we?

Bradford Grammar School is an outstanding UK independent grammar school, which believes in providing every opportunity for its Junior and Senior pupils. We embrace academic, sporting and creative excellence within an aspirational, caring environment, which builds on our heritage while looking to the future. We nurture exciting and fulfilling lives shaped by our School’s traditional values and believe happiness is the key to an individual’s success. We are at ease with excellence. Our Charity registration number is 529113, and we are registered at Bradford Grammar School, Keighley Road, Bradford, BD9 4JP.

Your privacy and confidentiality are of paramount importance to us. We are committed to protecting and respecting your privacy. This statement explains when and why we collect personal information, how we use it, the conditions under which we may process it and how we keep it secure.

## 3. What is Personal Data?

Personal data is information which relates to a living individual and from which he or she can be identified either directly or indirectly through other data which the firm has or is likely to have in its possession. These individuals are sometimes referred to as data subjects. Personal data does not include information about companies and organisations.

## 4. What do we hold?

We process personal data about prospective, current and past pupils and their parents.

The personal data we process takes different forms – it may be factual information, expressions of opinion, images or other recorded information which identifies or relates to a living individual. Examples include:

- Personal information (such as name, unique pupil number and address)
- Family details including addresses, telephone numbers, e-mail addresses and other contact details
- images, audio and video recordings
- financial information (e.g. for bursary assessment or for fund-raising)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)

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- Attendance information (such as sessions attended, number of absences & absence reasons)
- assessment information,
- relevant medical information
- special educational needs information
- exclusions / behavioural information
- assessment information
- relevant medical information

## 5. Collecting, Handling and Sharing Personal Data

We collect most of the personal data we process directly from the individual concerned (or in the case of pupils, from their parents). In some cases, we collect data from third parties (for example, referees, previous schools, the Disclosure and Barring Service, or professionals or authorities working with the individual) or from publicly available resources.

Personal data held by us is processed by appropriate members of staff for the purposes for which the data was provided. We 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.

In the course of school business, we share personal data (including special category personal data where appropriate) with third parties such as examination boards, bus service providers, the school doctors, the school's professional advisors and relevant authorities (e.g. the Local Children Safeguarding Board, DBS, NCTL, UK Visas and Immigration, HM Revenue and Customs, Department for Education and Department for Work and Pensions). Some of our systems which hold personal data are provided by third parties such as PASS, SIMS, SOCS, IRIS ParentMail and BioStore. Please refer to their privacy statements. This is always subject to contractual assurances that personal data will be kept securely and only in accordance with our specific directions.

We share personal data about past pupils with the Old Bradfordians and Friends Association. We do not otherwise share or sell personal data to other organisations for their own purposes.

We will store any information in accordance with our Data Protection and Data Retention policies.

## 6. Purposes for which we use Personal Data

We process personal data to support the school's operation as a co-educational, independent school, and in particular for:

- The selection and admission of pupils
- The provision of education to pupils including the administration of the school curriculum and timetable
- Monitoring pupil progress and educational needs; reporting on the same internally and to parents administration of pupils' entries to public examinations, reporting upon and publishing the results providing references for pupils (including after a pupil has left), or recording of live lessons during the covid19 crisis.
- The provision of educational support and related services to pupils (and parents) including the maintenance of discipline; provision of careers and library services; administration of sports fixtures and teams, school trips; provision of the school's IT and communications system and virtual learning environment (and monitoring the same) all in accordance with our IT policies
- The safeguarding of pupils' welfare and the provision of pastoral care, welfare and health care
- Compliance with legislation and regulation including the preparation of information for inspections by the Independent Schools Inspectorate, submission of annual census information to each of the Independent Schools Council and Department for Education
- Operational management including the compilation of pupil records
- The administration of invoices, fees and accounts
- The management of the school's property
- The management of security and safety arrangements (including the use of CCTV in accordance with our CCTV Policies and monitoring of the school's IT and communications systems in accordance with our Acceptable Use Policy)
- Management planning and forecasting

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- The administration and implementation of the school's rules and policies for pupils
- The maintenance of historic archives and other operational purposes;
- The promotion of the school through its own website, the prospectus and other publications and communications (including through our social media channels)
- Maintaining relationships with the wider school community by communicating with the body of current and former pupils and/or their parents or guardians and organising events
- For track and trace purposes

## 7. What is the lawful basis on which we will use this information?

We need to process pupil information for the following lawful reasons:

- to comply with our legal obligations
- to perform/administer any contract that we have entered into with you
- where the processing is necessary for the purposes of our legitimate interests or those of a third party, except where such interests are overridden by your interests or fundamental rights or freedoms. We believe that it is in our legitimate interests to process pupil attendance records to ensure that our safeguarding obligations are met. We also have a legitimate and legal requirement within the Government's track and trace process
- we may also process pupil information in the following situations, which are likely to be rare:
  - where we need to protect your vital interests (or someone else's vital interests)
  - where we have your consent to do so
  - where required for track and trace purposes

## 8. Pupil Data

The rights under Data Protection legislation belong to the individual to whom the data relates. However, we will often rely on parental consent to process personal data relating to pupils (if consent is required) 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, 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, 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 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 is required by law.

Pupils can make subject access requests for their own personal data, provided that they have sufficient maturity to understand the request they are making. A person with parental responsibility will generally be entitled to make a subject access request on behalf of pupils, but the information in question is always considered to be the child's at law. A pupil of any age may ask a parent or other representative to make a subject access request on their behalf. Moreover (if of sufficient maturity) their consent or authority may need to be sought by the parent making such a request.

## 9. Special Categories of Data

Information such as racial or ethnic origin, sexual orientation, religious beliefs, trade union membership, genetic or biometric data and medical information including health and sickness records requires higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information.

We may process special categories of personal information in the following circumstances:

- in limited circumstances, with your explicit written consent
- where it is needed in the public interest and/or for safeguarding purposes or where there is a legitimate or legal requirement such as for track and trace purposes
- less commonly, where it is needed in relation to legal claims or where it is needed to protect

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your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

## 10. Information About Criminal Convictions

We will only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided that we do so in line with our data protection policy.

## 11. Your Rights

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's educational record, contact our Data Protection Manager who is Mrs Homera Najib, Acting Bursar and Clerk to the Governors via [dataprotection@bradfordgrammar.com](mailto:dataprotection@bradfordgrammar.com) or by post to the address listed in point 1.

You should be aware that certain data is exempt from the right of access. This may include information which identifies other individuals, or information which is subject to legal privilege. We are also not required to disclose any pupil examination scripts (though examiners' comments may fall to be disclosed), nor any confidential reference given by the school for the purposes of the education, training or employment of any individual.

If any of the information we hold is incomplete or inaccurate, please tell us by contacting us at [dataprotection@bradfordgrammar.com](mailto:dataprotection@bradfordgrammar.com) and we will correct it. We will endeavour to provide you with requested information within one month. We can impose a charge for this information if the request is manifestly unfounded or excessive. If we do refuse a request, we will advise you accordingly within one month.

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of data protection legislation

If you have a concern about the way we respond to your request or wish to complain about this or how we are collecting or using your personal data, we request that you raise your concern with us in the first instance at [dataprotection@bradfordgrammar.com](mailto:dataprotection@bradfordgrammar.com) or, without prejudice, you have the right to lodge a complaint direct to the Information Commissioner's Office if you have any concerns in relation to our information rights practices via <https://ico.org.uk/concerns/>.

## 12. Use And Storage Of Your Information Overseas

Your information may be transferred to, stored and processed outside the European Economic Area (EEA). We do not transfer personal data outside of the European Economic Area unless we are satisfied that the personal data will be afforded an equivalent level of protection.

Firefly, Heritage Library Software and Business Objectives within iTrent confirm that they may transfer personal data of EEA data subjects to outside of the EEA. Please refer to their statements which can be found at <https://fireflylearning.com/privacy-policy-firefly-app-and-website> <https://isoxford.com/legal> and <https://www.mhr.co.uk/privacy-policy/> respectively.

## 13. Change Of Details

We try to ensure that all personal data held in relation to an individual is as up to date and accurate as possible. Please notify [dataprotection@bradfordgrammar.com](mailto:dataprotection@bradfordgrammar.com) of any significant changes to important information, such as contact details, held about you.

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## **14. Changes to our Privacy Policy**

This privacy notice should be read in conjunction with our other policies and terms and conditions which make reference to personal data, including our Parent Contract, our Safeguarding Policy, Health & Safety Policies, Acceptable Use Policies and IT Policies.

We may change this Policy from time to time. Any changes made to the policy will be clearly detailed within this section. This Policy was last updated in August 2020 to be GDPR compliant.

## **15. Website Third Party Links**

Our website may contain links to other websites run by other organisations. This Privacy Policy applies only to our website, so we encourage you to read the privacy statements on any other websites you visit. We cannot be responsible for the privacy policies and practices of other sites even if you access them using links from our website. We do not endorse the content of any external sites and we are not responsible or liable, directly or indirectly, for any loss however caused to you by your use of any external site.

## **16. Miscellaneous**

The information on this website is for residents of the UK only. These Terms shall be governed by and construed in accordance with English law and the English courts shall have exclusive jurisdiction over any disputes between us.

## **17. Contact Us**

Any questions regarding this Policy and our privacy practices should be sent via [dataprotection@bradfordgrammar.com](mailto:dataprotection@bradfordgrammar.com).

**Reviewed by Lupton Fawcett 23 May 2018**

**Reviewed June 2021**

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