

Privacy Notice

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V.7	May 2023	Minor updates
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Who we are

This policy applies to Luckley House School, which is a Charitable Company Limited by Guarantee.

Address and Registered Office: Luckley House School

Luckley Road

Wokingham

Berkshire

RG40 3EU

www.luckleyhouseschool.org

Company No: 1091938

What this Privacy Notice is for

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

Collectively we refer to these individuals in the Privacy Notice as the School 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. There is a separate Data Protection Policy and Privacy Notice applicable to its employees and other staff.

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 is 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
- any policies or notices applicable to staff concerning the handling of personal data
- the policy on [taking, storing and using images of children](#)
- the [CCTV policy](#)
- the Retention of Records policy
- the [Safeguarding](#), Pastoral, or Health & Safety policies, including as to how concerns or incidents are recorded
- the IT policies, including its [Acceptable Use policy](#) and [eSafety policy](#).

Anyone who works for, or acts on behalf of, the School, including staff, volunteers, governors and service providers, will be subject to suitable training and/or policies commensurate with their role.

The School will update this Privacy Notice from time to time. Any substantial changes that affect the rights of individuals will be provided to them directly as far as is reasonably practicable.

Responsibility for Data Protection

The School has appointed the Bursar as Compliance & Privacy Manager who will deal with all requests and enquiries concerning the School's uses of personal data and endeavour to ensure that all personal data is processed in compliance with this policy and Data Protection Law.

Managing Data

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

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 its staff, or parents.

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 it does not involve special or sensitive types of data.

The School expects that the following uses will fall within that category of its legitimate interests:

- for the purposes of pupil selection and to confirm the identity of prospective pupils and their parents, and to retain a record if appropriate for the purposes of future applications
- to provide education services, including musical education, physical training or spiritual development, career services, and extra-curricular activities to pupils, and monitoring pupils' progress and educational needs, including where such services are provided remotely (either temporarily or permanently)
- to safeguard pupils' welfare and provide appropriate pastoral care
- 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 monitor, as appropriate, use of IT and communications systems in accordance with the IT: Acceptable Use Policy
- to make use of photographic images of pupils in publications, on the website and, where appropriate, on the School's social media channels in accordance with the policy on taking, storing and using images of children
- to carry out or cooperate with any School or external complaints, disciplinary or investigation process
- for security purposes, including CCTV in accordance with the CCTV policy
- maintaining relationships with alumni and the School community, including direct marketing or fundraising (see Alumni Privacy Policy in the annex to this notice)
- for the purposes of donor due diligence, and to confirm the identity of prospective donors and their background (see Alumni Privacy Policy in the annex to this notice)
- 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 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
- where otherwise it is 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 occasions 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 (e.g. for medical advice, for social protection, safeguarding and cooperation with police or social services, for insurance purposes or to organisers of School trips or visits who need to be made aware of dietary or medical needs)

- To comply with public health requirements in respect of Covid-19 (or similar) testing: including managing on-site testing and/or processing the results of tests taken by pupils or other members of the School community, and sharing this information with relevant health authorities
- to provide educational services in the context of any special educational needs
- in connection with the employment of staff (e.g. DBS checks, welfare or pension plans)
- as part of any School or external complaints, disciplinary or investigation process that involves such data (e.g. if there are SEND, health or safeguarding elements)
- for legal and regulatory purposes (e.g. child protection, diversity monitoring, and health & safety and immigration / visa sponsorship compliance) and to comply with its legal obligations and duties of care.

Types of Data

Data will include:

- names, addresses, 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 academic matters, employment or safeguarding
- nationality and other immigration status information (eg right to work / study), including copies of passport information
- where appropriate, information about individuals' health and contact details of 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
- 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 policy on taking, storing and using images of children).

Collecting 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.

In some cases personal data will be supplied by third parties (e.g. from another School, or other professionals or authorities working with that individual).

Accessing Data

General

For the most part, personal data 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, some functions are outsourced (e.g. the monitoring of IT systems). In accordance with Data Protection Law 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.

Occasionally the School will need to share personal information relating to staff, pupils and parents with third parties, such as:

- professional advisers (e.g. lawyers, insurers, PR advisors and accountants)
- appropriate contractors such as visiting music teachers
- government authorities (e.g. HMRC, DfE, a relevant public health / NHS body, police or the local authority)

- Stage 3 complaints panels, which include independent panel members
- examination boards
- appropriate regulatory bodies (e.g. the Charity Commission, the Independent School Inspectorate, the Information Commissioner).

Particularly strict rules of access apply in the context of ‘special category’ data, most notably:

- medical records
- pastoral or safeguarding files.

Medical data

The School needs to process such information to comply with statutory duties and to keep pupils and others safe, but will ensure that 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.

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.

Express consent will be sought where appropriate.

Safeguarding

Staff, pupils and parents are reminded that the School is under duties imposed by law and statutory guidance (including Keeping Children Safe in Education or KCSIE) to record or report incidents and concerns that arise or are reported, 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 Local Authority Designated Officer (LADO) or police.

KCSIE also requires that whenever a child leaves the School to join another school or college, his/her child protection file is promptly provided to the new organisation. The School will retain a copy in accordance with its retention policy for material related to safeguarding matters.

For further information please refer to the Safeguarding Policy.

Retention of Data

The School will retain personal data securely and only in line with how long it is necessary to keep it for legitimate and lawful reasons. The legal recommendation for staff personnel files is up to 7 years following departure from the School. The legal recommendation for pupil files is 25 years from the date of birth. However, incident reports and safeguarding files will need to be kept much longer, in accordance with specific legal requirements.

For full details of retention periods, see the School’s Retention of Records Policy which is available on request.

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 the Bursar, bursar@luckleyhouseschool.org. Please bear in mind that the School may 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. Where you have requested we no longer keep in touch with you, we will need to keep a record of the fact that in order to keep your wishes (called a ‘suppression record’).

Communication

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, or alumni and parent events of interest, including by sending updates and newsletters by email and by post.

Unless the relevant individual objects, the School will also contact parents and/or alumni by post and email through the parent association 'Luckley House Friends' or 'Luckley Alumni' in order to promote and raise funds for the School.

Should you wish to limit or object to any such use, or would like further information, please contact the Bursar, bursar@luckleyhouseschool.org, 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).

Subject Access Requests

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 to ask for it to be erased or amended, or to have it transferred elsewhere, or for the School to stop processing it subject to certain exemptions and limitations.

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).

The School will be better able to respond quickly 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 where Data Protection Law allows it.

If you consider that the personal data we hold on you are inaccurate please let us know. 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' viewpoints.

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 are exempt. Exempt data will include information which identifies other individuals (parents should be aware that this may include their own children, in certain situations), or information which is subject to legal privilege. (e.g. legal advice given 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, potentially including in mock exam scripts or other types of exams / tests used to assess performance – although markers' comments may still be disclosable if they constitute pupil personal data). The School is also not required to 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 your (or your child's) personal data (e.g. a legal requirement, or where it falls within a 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 own 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. A pupil of any age may ask a parent or other representative to make a subject access request on his/her behalf.

While a person with parental responsibility will generally be entitled to make a subject access request on behalf of a pupil, the law still considers the information in question to be the pupil's. Parents making the request may need to evidence their child's authority for such a request. Requests not considered in the child's best interests may sometimes be refused.

Pupils aged 13 and above are generally assumed to have this level of maturity although this will depend on both the pupil and the personal data requested, including any relevant circumstances. Slightly younger children may be judged sufficiently mature to have their views taken into account.

Parental requests

It should be 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 information with or without reference to pupils.

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.

All information requests from, on behalf of, or concerning pupils, whether made under subject access or simply as an incidental request, will 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 without consent.

Such a 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).

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 (e.g. 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.

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 pupil, the parents' rights at law or under their contract, or 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), unless, in the School's opinion, there is a good reason to do otherwise.

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 (e.g. 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 IT: Acceptable Use Policy and the School rules.

Accuracy and Security

The School will endeavour to ensure that all personal data held in relation to an individual are as up-to-date and accurate as possible. Individuals must please notify the School Registrar registrar@luckleyhouseschool.org 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 information about them is erased or corrected (subject to certain exemptions and limitations under Data Protection Law).

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.

Queries and Complaints

Any queries about this policy should be directed to the Bursar using the following contact details: bursar@luckleyhouseschool.org

If an individual believes that the School has not complied with this policy or acted otherwise than in accordance with Data Protection Law, they should utilise the Complaints Procedure and also notify the Bursar. In addition referrals can be made to, or complaints lodged 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.

ANNEX A Alumni Privacy Policy

This policy explains how Luckley House School ('the school' and 'we') handles and uses the personal data we collect about our alumni ('you' and 'your').

Why We Collect Your Personal Information

Collecting data about you helps the school to develop a better understanding of how best to stay in touch with you and keep you informed of our activities and developments, to provide services to you, and to identify ways in which you can support the school's strategic and development plans through donations or other forms of financial and non-financial support. The School will update this Privacy Policy from time to time and any substantial changes that affect your individual rights will be provided directly as far as is reasonably practicable.

Personal Information We Collect

We may hold information relating to you from several sources. A sizeable proportion of the information we hold on alumni is that which you provide to us. For example, you may give us information by filling in forms on the school's website, or by corresponding with us by telephone, email, post or in person. If you are a student or studied at the school, some of your personal data is transferred from your student record to the school's alumni database and cross-referenced with the information you give us on the school's 'Alumni Questionnaire and Data Protection Declaration for Leavers' form.

Records may contain:

- full name, postal and email addresses, home and mobile telephone numbers (which we update whenever you let us know that they have changed)
- details of your education and the courses, including A levels, that you have completed, dates of study, scholarship and/or bursary award(s), future career and education plans
- biographical information (i.e. date of birth, marital status, relationships with other alumni)
- personal data provided by you for a specific purpose (e.g. disability and dietary preferences for event management purposes)
- details of your interactions with the school, such as membership of clubs, positions of responsibility, participation in school productions, attendance at events, photos/ videos taken, benefits and services provided to you
- information about your areas of interest and extra-curricular activities.

We may also record information, which you provide to us and is publicly available information (as listed below):

- career highlights and other life achievements
- your history of donations made to the school
- your ability and willingness to make donations, including our assessment of your income and whether donations or funding appeals may be of interest to you
- your philanthropy and other giving, including donations to other organisations and other support that you provide (e.g. details of volunteering roles).

How We Use Your Data

We have a legitimate interest in processing your personal data for the purposes and in the manner described in this policy and the Alumni Questionnaire and Data Protection Declaration for Leavers.

We rely on you to keep your details updated each calendar year by logging in to your Alumni Profile or by contacting our development office to ensure we communicate with you about relevant opportunities. From time to time we may send you a reminder to keep your details updated.

Examples of how we will use your data include:

For alumni and school news, events and volunteering

- sending you alumni updates
- providing services, including access to our facilities
- sending you details of volunteering opportunities
- inviting you to alumni and other school events and activities
- promoting other opportunities and services available to you (e.g. offers and opportunities available through the school's network of alumni)
- internal record keeping, including the management of any feedback or complaints.

For school development plans and projects (in addition to the above)

- conducting surveys, including research on when and whether particular donation opportunities or funding appeals may be of interest to you
- sending you tailored proposals, appeals and requests for donations
- research to improve our understanding of our alumni and supporters, inform our fundraising strategy, target our communications more effectively
- administrative purposes (e.g. to process a donation you have made, conduct due diligence before accepting a major donation, administer an event you have registered for or attended).

If you have concerns or queries about any of these purposes or how we communicate with you, please contact our Bursar at bursar@luckleyhouseschool.org.

We always aim to make sure that any opportunities we present align with your interests, based on your data and the school's analysis of this. This also supports the school's strategic development plans and teaching objectives. We may link data together manually or automatically to help us identify your potential for:

- supporting the school
- providing you with an improved experience
- sending you communications which are relevant and timely
- identifying volunteering opportunities which may be of interest to you
- avoiding approaching you with opportunities which are not of interest

Under the GDPR (General Data Protection Regulation) you have the right to object to our processing of your personal data as set out in this policy. You may express such objection at any time by contacting development@luckleyhouseschool.org. We will always respect a request by you to stop processing your personal data, and respect your statutory rights. We share data on a considered and confidential basis, where appropriate, with affiliated organisations and individuals who support and provide services to alumni, such as:

- alumni groups for which we help manage events that you may attend

- clubs, societies and independent charities with close connections to the school for which we process your donation or which we believe you may wish to support
- volunteer partners closely related to us (e.g. development and advisory board members and volunteers supporting events that we organise)
- educational trusts associated with the school that awarded you a scholarship

How We Protect Your Data

We will not publicly share your alumni data or any information you provide to the school without your written consent. Occasionally we facilitate communication between individual alumni, but in doing so we do not release personal contact details without prior permission. Under no circumstances will we sell your personal data to third parties. Your data is held in a secure alumni database with limited access by the administrative and support staff to promote close links between you and the school.

You have the right to access your data to make sure it is accurate and meets your needs. You may also wish to restrict the school from processing your data and/or object to communications. You also have the right to request that inaccurate or out-dated information is corrected, archived or erased. If you feel the school has not complied with this policy or acted otherwise than in accordance with Data Protection Law, complaints can be rightfully lodged with the Information Commissioner's Office (ICO) at <https://ico.org.uk/concerns/>. In this situation please also notify our Bursar at bursar@luckleyhouseschool.org. The ICO recommends that steps are taken to resolve the matter with the school before involving the regulator.

Further Information

The controller for your personal data is Luckley House School, and our Bursar at bursar@luckleyhouseschool.org can be contacted with any concerns or questions about your data. Should you wish to ask the school not to process your personal data for particular purposes then please contact alumni@luckleyhouseschool.org. Where you have specific requests relating to how we manage your data, we will endeavour to resolve these, but please note that there may be circumstances where we cannot comply with specific requests.

The lawful basis for processing your personal data for the interdependent purposes set out in this policy is for the pursuit of our legitimate interests. We will retain your data indefinitely in support of your lifelong relationship with the school or until you request us to do otherwise. We will publish on our website any changes we make to this data protection statement and notify you by other communication channels where appropriate.

Where you exercise your right to erasure, we will continue to maintain a core set of personal data (name, subject(s), enrolment and graduation details, unique school identification number and date of birth) to ensure we do not contact you inadvertently in future and to maintain your academic record for archive purposes. We may also need to retain some financial records about you for statutory purposes (e.g. Gift Aid, anti-fraud and accounting matters). Relevant staff and governors will be made aware of this policy and their duties under Data Protection Law.

Alumni Privacy Statement

Your privacy and the security of all information that you give to us are of vital importance to Luckley House School. Your personal information will be held on the Alumni database in accordance with the General Data Protection Regulation (**GDPR**) 2016. Security measures to protect your personal information and privacy are in place. The only people who will see your data are the Alumni personnel and/ or agents contracted by them.

We will process your data as described in the Alumni Privacy Policy and keep you informed of:

1. Alumni and school news including networking opportunities, reunion and other school events.
2. Opportunities to volunteer your time and/or expertise including: mentoring, supporting the School's Pre-University week, event speaking and careers days.
3. School development plans and fundraising initiatives to include news of planned additions to the Luckley House School estate as well as ways you may wish to donate towards these.

Alumni data may be shared with academic, administrative and support departments at Luckley House School to promote close links between the school and its former students.

If you give a postal address, telephone/ mobile number and/ or an email address, you authorise the school to contact you using any of these methods. In particular, by providing a personal email address and/ or mobile number, you consent to receiving communications from the school by email and/ or text, including for the purpose of marketing and fundraising.

You may withdraw your consent or opt out of specific Alumni communications at any time by emailing development@luckleyhouseschool.org.

If you have any questions concerning data protection and/ or this questionnaire please contact the Bursar who is the School Privacy Manager bursar@luckleyhouseschool.org. Alternatively, our data protection and information sharing policies can be found on the Luckley House School's website.