

1 Data Controller

The City of London School is part of the City of London Corporation (CoL), and it is CoL that is registered with the Information Commissioner's Office as the Data Controller (registration number Z5996206).

The Data Protection Officer is the CoL Comptroller & City Solicitor, who can be contacted at information.officer@cityoflondon.gov.uk.

The Data Protection contact at the School is the Data Coordinator, Susy Ralph, who can be contacted at slr@cityoflondonschool.org.uk.

2 Overview

In order to carry out its ordinary duties to staff, pupils and parents, the School collects and processes personal data about individuals (including current, past and prospective staff, pupils or parents) as part of its daily operation. The information in this Privacy Policy is provided in accordance with the rights of individuals under Data Protection Law to understand how their data is used.

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 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 it does not involve special or sensitive types of data. The School may also collect, process and store in the short-term data pertaining to job applicants and contractors. The legal basis for processing and storing this information is legitimate business interest.

This **Privacy Policy** also applies 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;
- the School's CCTV policy;
- the School's Data Retention policy;
- the School's Safeguarding and Child Protection, Pastoral, or Health and Safety policies, including as to how concerns or incidents are recorded; and
- the School's IT policies, including its Acceptable Use policies and Digital Safety policy.

3 Types of personal data collected and held by the School, and the method of collection

When you request information from the School, we will require some personal information about you, including your name, address, email address and telephone number. This information allows the School to fulfil your request and keep you informed. This may be provided by you or third parties electronically or on paper. Where payments are made to

the School, details of payment card numbers and expiry dates will go through a secure server operated by the School's Payment Service Provider.

If you are a **parent**, some of the personal information held about you will include:

- Your name, title, gender, nationality and date of birth;
- Your home address, email address and telephone numbers;
- Your bank account number, name and sort code (used for processing Direct Debits).

Please also see the City of London School Development and Alumni Privacy Policy.

If you are a **pupil, former pupil or prospective pupil**, some of the personal information held about you will include:

- Your name, title, gender, nationality and date of birth;
- Your home address, email address and telephone numbers;
- Start date, previous academic record, references, relevant medical information, attendance data, disciplinary records, learning support information, examination scripts and marks;
- Images, including the image stored on the School's Management of Information System, images of you engaging in school activities and images captured by the School's CCTV system.

If you are a **member of the alumni body**, please see the City of London School Development and Alumni Privacy Policy.

Where a new data processing activity is planned, a Legitimate Interest Assessment (LIA) may be carried out. This is done to ensure processing is proportionate to purpose. For example, during lockdown (pandemic) where remote teaching (including the recording of lessons) was the only avenue available to continue delivering education to CLS students, a LIA was carried out to ensure data protection considerations and safeguarding concerns were met. Recordings made via Teams or other media are governed by the same legislation as other forms of data, for example, CCTV footage and CLS has clear policies on how this data is used, stored and deleted.

Lessons are recorded for two purposes only. First, so pupils may access lessons if they are not able to participate in a live lesson. Secondly, lessons are recorded to safeguard staff (and students) as transparency is evident. The school has a legitimate interest in processing this data.

4 **Why the School needs to process personal 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 (and to confirm the identity of prospective pupils and their parents);
- 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;
- Maintaining relationships with alumni and the school community, including direct marketing or fundraising activity;
- For the purposes of management planning and forecasting, research and statistical analysis, including that imposed or provided for by law (such as diversity or gender pay gap analysis and taxation records);
- 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;
- To enable pupils to take part in national or other assessments, and to publish the results of public examinations or other achievements of pupils of the School;
- To safeguard pupils' welfare and provide appropriate pastoral care¹;

¹ Depending on the instance, the need to report issues such as safeguarding would also be covered by the legal obligations and vital interests' lawful basis, such that these basis are potentially more applicable to this activity instead of legitimate interests.

To monitor (as appropriate) use of the School's IT and communications systems in accordance with the School's Acceptable Use Policies;

- To make use of photographic images of pupils in school publications, on the School website and (where appropriate) on the School's social media channels. Where images are shared with third parties (e.g. the media, for promotional and congratulatory purposes), the pupil's full name will not appear with the photograph unless the permission of the pupil or parent (depending on the age of the pupil) has been sought. Pupils, parents and guardians should be aware that where photographs or other image recordings are taken by family members or friends for personal use, data protection legislation will not apply (e.g. where a parent takes a photograph of their child at a sporting event).
- For security purposes, including CCTV in accordance with the School's CCTV policy; and
- Where otherwise reasonably necessary for the School's purposes, including to obtain appropriate professional advice and insurance for the School.

In addition, the School may need to process special category personal data (e.g. to support student welfare) 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 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 where it is in the individual's interests to do so (e.g. for medical advice, social services, insurance purposes, or to organisers of school trips)²;
- To provide educational services in the context of any special educational needs of a pupil;
- For legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with its legal obligations and duties of care.

5 **How personal data is processed by the School and who has access to your personal data**

Access to personal data is restricted to those members of staff who have a requirement to maintain a relationship with you, and is controlled through password protection and user security profiles. All School staff that are given access to personal data receive mandatory Data Protection training and have a duty to maintain confidentiality under the Data Protection Act. Access to special category data is restricted to key personnel and staff with such access receive a higher level of training. For example:

- medical records are held and accessed only by the School Nurse. **Should a pupil test positive for Covid-19 and need to access online learning ('blended learning'), this information will be shared with the pupil's subject teachers only, in order to continue the provision of education to the pupil (Legitimate Interest).**
- safeguarding files are restricted to the Head and the Head's EA, the Designated Safeguarding Lead (DSL) and deputy DSLs, and the DSL's administrative assistant
- pastoral files are restricted to the Deputy Head Pastoral, Heads of Section and Heads of Year. However, information regarding pastoral concerns and safeguarding and child protection concerns may be shared confidentially with other members of staff on a 'need to know' basis;

² See note above.

- Learning Support information, which may include special category data, is shared in part with staff in the context of providing the necessary care and education that the pupil requires.

Personal data is processed by the School to:

- Keep you informed of your progress (pupils) or to keep you informed about your child's progress (parents);
- Promote events;
- Send news and updates;
- Recruit alumni volunteers and mentors;
- Provide community news.

6 **With whom does the School share data?**

Personal data is never sold to third parties. Data is shared with the Friends of CLS as a contractual necessity and for legitimate interest purposes. In many circumstances we will not disclose personal data without consent. However, there may be occasions, such as pupils changing schools, when we will need to share personal information with the organisation concerned and with other relevant bodies. Occasionally the school will need to share personal information relating to its community with third parties, such as professional advisers (lawyers and accountants) or relevant authorities (HMRC, police or the City of London Corporation, the local authority).

Information about employees may also be disclosed where required by law, or in connection with legal proceedings, or for the prevention/detection of crime, or assessment / collection of tax.

The School is required to disclose some personal data to the Department of Education, e.g. data related to students continuing with sixth form studies.

If you have registered to attend an event organised by the School or the Friends of CLS, the School may share a list of attendee names with participants.

The School may share personal data with third party organisations which carry out contracts on behalf of the School (such as a venue hosting a school event). The School will only share personal data that is relevant and proportionate. All data processing activities are logged and reviewed from time to time. Should a safeguarding issue arise, personal data may be shared after consultation with the DSL.

Finally, in accordance with Data Protection Law, some of the School's processing activity is carried out on its behalf by third parties, such as IT systems, web developers or cloud storage providers. This is always subject to contractual assurances³ that personal data will be kept securely and only in accordance with the School's specific directions.

7 **How personal data is stored by the School**

Personal data is stored electronically in the School's MIS, IT Systems, and, in some instances, in paper record. Paper records of special category data and higher category sensitive information are kept under lock and key.

³ Ahead of May 2018, third party contractors were contacted to ensure compliance with GDPR.

8 How long personal data is held by the School

The School has a Data Retention policy. Please note that this is subject to periodical revision and the current moratorium, applicable to all schools, on the destruction of files (International Inquiry into Child Sexual Abuse) means data is being retained that would otherwise have been destroyed. If you have any specific queries or wish to request that personal data that you no longer believe to be relevant is considered for erasure, please contact dataprotection@cityoflondonschool.org.uk.

9 Your rights

Individuals have various rights under Data Protection Law 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 for the School to stop processing it, but subject to certain exemptions and limitations.

Any individual wishing to access or amend their personal data, or wishing it to be transferred to another person or organisation, should email their request to dataprotection@cityoflondonschool.org.uk.

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 (from May 2018) in the case of Subject Access Requests. The School will be better able to respond quickly to smaller, targeted requests for information. If the request is manifestly excessive or similar to previous requests, the School may ask you to reconsider or charge a proportionate fee, but only where Data Protection Law allows it.

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 professional privilege. The School is 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.

Pupils aged 13 or over have the same rights as adults over their personal data and may submit their own Subject Access Requests. A subject access request from a pupil under the age of 13 may be considered if, in the opinion of the School, the pupil is of sufficient maturity. More usually, a person with parental responsibility will generally be expected to make a subject access request on behalf of younger pupils. However, 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, and moreover (if of sufficient age) their consent or authority may need to be sought by the parent. All subject access requests from pupils will therefore be considered on a case by case basis.

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 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 Policy 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 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 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, the School will assume that pupils' consent is not required for ordinary disclosure of their personal data to their parent (e.g. for the purposes of keeping parents informed about the pupil's activities, progress and behaviour, and in the interests of the pupil's welfare) unless, in the School's opinion, there is a good reason to do otherwise. However, where a pupil seeks to raise concerns confidentially with a member of staff and expressly withholds their agreement to their personal data being disclosed to their parents, the School 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 School's Acceptable Use Policy (Pupils) and the School Standards (Rules and Regulations). Staff are under professional duties to do the same, as covered under the School's Acceptable Use Policy (Staff) and all other relevant staff policies.

10 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 notify the School of any changes to information held about them (please contact dataprotection@cityoflondonschool.org.uk).

An individual has the right to request that any inaccurate or out-of-date information about them is erased or corrected (subject to certain exemptions and limitations under Act; please see above).

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 will receive relevant training.

11 Links to other websites

This privacy notice does not cover the links within this site linking to other websites. We encourage you to read the privacy policies / notices / statements on the other websites you visit.

12 Queries and Complaints

Any comments or queries on this policy should be directed to the School at dataprotection@cityoflondonschool.org.uk.

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 School's complaints procedure and should also notify the School at dataprotection@cityoflondonschool.org.uk.

You can also make a referral to or lodge a complaint with the [Information Commissioner's Office](http://www.ico.org.uk) (www.ico.org.uk), although the ICO recommends that steps are taken to resolve the matter with the School before involving the regulator.

Review of this Privacy Policy

We keep our privacy policy under regular review.

Policy last reviewed by:	Richard Brookes (Senior Deputy Head) and Susy Ralph (Data Coordinator)
Date last reviewed:	June 2021