

Privacy Notice

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| **Date:** | **Review Period\*:** | **Reviewed by:** | **Authorised by\*:** | **Next Review Date:** |
| August 2022 | 2022/2023 |  |  | August 2023 |
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| **Approval Period:** | Annually\*\* Unless there are changes in the law or circumstances in which case the policy and/or documents shall be revised accordingly |
| **Approval Level Required:** | Governing Body or individual Governor |
| **Document Version:** | V001/072022 |

**Linked Policies: Data Protection Policy**

 **Safeguarding and Child Protection Policy**

 **Complaints Procedure**

**Appendices: Subject Access Request [1]**

 **Request for Erasure of Personal Data [2]**

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### STAFF PRIVACY NOTICE

### Introduction

* Supreme Education is committed to respecting and protecting the privacy and security of the personal data collected and processed as part of the normal running of the school.
* Supreme Education is furthermore, committed to recognising and adhering to the requirements and principles set out in the General Data Protection Regulation 2016/679 (‘GDPR’) which includes rules on giving privacy information to those whose data is held by an organisation.
* Supreme Education shall be the Data Controller, in relation to the personal data collected and processed by the school. The school shall clearly outline its responsibilities in providing information to data subjects on how personal data is collected and processed for school use.
* This Privacy Notice shall, furthermore, set out how the school shall carry out its privacy responsibilities as they apply to parents, guardians, students (past, present, and prospective).
* This Privacy Policy has taken guidance from a number of key sources, including:
* The GDPR (from 25 May 2018);
* The Data Protection Act 2018;
* The Protection of Freedoms Act 2012 (biometrics and CCTV);
* Education (Independent Educational Provision in England) (Provision of Information) Regulations 2010; and
* Keeping Children Safe in Education (KCSIE) 2019.

### Definitions

* ‘**Personal Data**’ shall mean any information that related to a living, identifiable person. It can include names, addresses, telephone numbers, email addresses, contact numbers, transaction-related information, cookies and usage Data, as well as any other information relating to that person or a combination of information which, when put together, can personally identify such person.
* ‘**Data Subject**’ shall mean the person whose Personal Data is being processed.
* ‘**Special Category Data**’ shall mean Personal Data about a person’s race, ethnic origin, politics, religion, trade union membership, genetics, biometrics (where used for ID purposes), health, sex life or sexual orientation.
* ‘**Processing**’ shall cover all activities relating to the use of Personal Data by Supreme Education, from its collection through to its storage and everything in between.

### The School

* Supreme Education is a company limited by guarantee, registered in England (Company Number 11244034), whose registered office is Supreme Education Limited, Supreme Education School, 1433a London Road, London, England, SW16 4AQ.

### What the Privacy Notice is for?

* The purpose of this Privacy Notice is to provide information on how Supreme Education intends to Process Personal Data about individuals including: its past, present, and prospective students, and their parents/guardians and wider family members, as applicable and appropriate.
* Parents/guardians and students are encouraged to read this Privacy Notice to understand the school’s obligations to individuals and the wider community.
* This Privacy Notice may apply to Personal Data collected, regardless of the source and shall be used for legitimate purposes only, i.e., for the purpose for which it was intended to be used.
* Anyone who works for, or acts on behalf of, Supreme Education, including Staff members, volunteers, governors, and other such service providers, should be made aware of and comply with the provisions of this Privacy Notice and the school’s **Data Protection Policy** which contains further information on the use of Personal Data.

### Principles

* Supreme Education shall endeavour to comply with the basic guiding principles of the GDPR which includes:
* Lawfulness, transparency and fairness;
* Purpose limitation;
* Data minimisation;
* Accuracy;
* Storage limitation; and
* Confidentiality and integrity.
* Supreme Education takes the privacy and security of Personal Data very seriously. The school aims to be guided by these principles.

### Responsibility for Data Protection

* Supreme Education has appointed the following senior Staff members as the Data Protection Lead (DPL) for the school:

Name: **#############**

Position: **############**

Contact Details: **#########**

* The DPL shall be responsible for dealing with any requests and/or enquiries relating to the school’s responsibilities, etc., concerning Personal Data and shall endeavour to ensure that all Personal Data is processed in accordance with the provisions of this Privacy Notice and the prevailing legislative laws, as they apply.

### Processing Personal Data

* In order to effectively carry out the ordinary duties and functions of the school to Staff members, students and parents/guardians, Supreme Education may be required to Process a wide range of Personal Data about the individuals as part of its normal daily operation.
* Supreme Education may process Personal Data to comply with its legal obligations and/or 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.
* Supreme Education expects that the following uses of Personal Data shall fall within the category of Legitimate Interests, as applicable. For the purposes of:
	+ Carrying out student assessments and selections;
	+ Confirming the identity of prospective students and their parents/guardianspupils and their parents;
	+ Providing education services, meeting special educational needs (SEN), providing musical and physical education training, career services, monitoring students’ progress and educational needs, etc.;
	+ Maintaining relationships with the school community, including alumni, through various direct marketing and/or fundraising opportunities;
* Conducting donor due diligence, as appropriate, in order to confirm the identity of prospective donors and asses their background and relevant interests;
* Conducting management planning and forecasting, research and statistical analysis, including that imposed or provided for by law (such as diversity analysis);
* Enabling relevant authorities to monitor Supreme Education's performance and intervene or assist with incidents, as appropriate;
* Giving and receiving information and references about past and current students, including as such relates to outstanding fees or payment history, to/from any educational institution that the student attended or where it is proposed they attend;
* Providing references to potential employers of past students;
* Enabling students to take part in national or other assessments, and to publish the results of any public examinations or other achievements of students of Supreme Education;
* Safeguarding studentls' welfare and providing appropriate pastoral care;
* Monitor, as appropriate, the use of IT and communications systems within school in accordance with the applicable school policies;
* Making use of photographic images of students in school publications, on the school website and, if appropriate, on the school's social media channels unless the parents/guardians of such student have not have given permission for the school to do so;
* For security purposes, including CCTV as applicable, in with the applicable school policies;
* Carrying out or cooperating with any school or external complaints, disciplinary or investigation process;
* Obtaining appropriate professional advice and insurance for the school.
* In addition, Supreme Education may on occasion be required to process special category personal data (e.g., data concerning health, ethnicity, religion, or Special Educational Needs (SEN), criminal records information through DBS checks) in accordance with all relevant rights and/or duties imposed on it by law, including as regards safeguarding and employment, or from time to time by explicit consent where required. The reasons for this may include:
* Safeguarding students' welfare and providing appropriate pastoral and medical care, where needed, and to take the appropriate action in the event of an emergency, incident or accident, including disclosing details of an individual's medical condition or other relevant information where it is in the individual's interests to do so;
* To provide educational services in the context of any special educational needs of a student;
* As part of a school or external complaints, disciplinary or investigation process involving such data, e.g., if there are SEND, health or safeguarding elements; or
* For legal and regulatory purposes, e.g., child protection, diversity monitoring, health and safety);
* In order to comply with its legal obligations and duties of care.

### Personal Data Processed by Supreme Education

* Supreme Education may be required to Process Personal Data for a range of reasons which is critical to the smooth running of the school. The type of Personal Data that may be Processed by Supreme Education include, but shall not necessarily be limited to:
	+ Name and address;
	+ Contact details, including telephone numbers and e-mail addresses;
	+ Car details, e.g. to process parking permits, etc;
	+ Bank details and other financial information, e.g. about Staff members for the payment of salaries, about parents/guardians for payment of school fees;
	+ Any anti money laundering information Supreme Education is required to collect, by law;
	+ Information about the academic, admissions and attendance records, information about any special needs, disciplinary, and examination scripts and results of past, present and prospective students;
	+ Personnel files, which may include details on academics, employment, safeguarding, etc;
	+ Information about an individuals' health and welfare, including contact details for their next of kin;
	+ References given or received by the school about students, and relevant information provided by previous educational establishments and/or other professionals and/or organisations working with students;
	+ Correspondence with and concerning Staff members, students and parents/guardians, past and present;
	+ Images of students, and other such individuals, as applicable, engaging in school activities; and
	+ Images captured by the school's CCTV system;
* Supreme Education does not collect or process biometric data.

### How Supreme Education Collects Data

* Supreme Education shall, generally, collect Personal Data directly from the individual or, in the case of students, from their parents/guardians.
* The information may be collected from completing forms, sending emails and other correspondence,, or through ordinary interactions, communications or written assessments.
* There may also be instances in which the school obtains Personal Data from a third party, e.g., another school, other professionals or authorities, or collected from publicly available resources.

### Access to Personal Data and who it will be Shared with

* There may be instances where Supreme Education is required to share Personal Data with third parties, e.g.:
* Professional advisers like lawyers, debt recovery suppliers, insurers, PR advisers and accountants;
* Government authorities (e.g. HMRC, DfE, police or the local authority);
* Appropriate regulatory bodies, (e.g the Independent Schools Inspectorate, the Charity Commission, the Health & Safety Executive or the Information Commissioner);
* School Auditors;
* School Catering Contractor;
* School Photographers;
* Media Printers for school publications;
* Web Developers for the school website;
* Management Information System providers, as applicable;
* Curriculum support information systems;
* Other schools to which parents/guardians intend to send their child/children.
* Personal Data collected by Supreme Education will, typically, remain within the school to be processes by the appropriate individuals in accordance with access protocols (i.e. on a ‘need to know’ basis). Supreme Education shall implement particularly stringent rules on access in relation to medical records and pastoral or safeguarding files.
* There may be instances in which information relating to SEN students shall be provided to other Staff members, as required, in order to facilitate the provision of care and education needed by the student.
* Supreme Education has no need to transfer Personal Data across bordersunless the school organises an international trip for students. In this case, parents/guardians will be contacted for their consent which will be limited in time and content pertinent to the particular trip.
* Where Supreme Education shares Personal Data with third parties, this shall be subject to contractual assurances from such third parties that the Personal Data will be kept securely and only in accordance with the specific directions from Supreme Education.
* Staff members, students, and parents/guardians shall be reminded that Supreme Education is required, 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 (refer to the **Safeguarding and Child Protection Policy**), e.g., file notes on students or safeguarding files, referrals to relevant authorities or police.
* When a student leaves school to join another school, Supreme Education is required to provide the student’s child protection file, as applicable, to the new organisation. Supreme Education shall retain a copy of the student’s child protection file in accordance with the relevant policy.

### How Long Supreme Education Keeps Personal Data

* Supreme Education will retain all Personal Data collected securely and only for as long as the school has a legitimate and lawful reason to keep it.
* There may be a legal requirement to maintain Incident reports and safeguarding files for a specific period of time. Supreme Education shall comply with any such legal requirements, as applicable.
* Data owners have the right to request that their Personal Data be erased if the Data Owner believes that the Personal Data is not longer relevant to the school. The right of the Data Owner may, in circumstances, not overrise Supremem Education’s lawful reasons to maintain the Personal Data despite such a request.
* Supreme Education may keep a certain amount of information, including Personal Data for archiving purposes, as applicable, e.g., the school is requested to no longer keep in touch with a specific individual, Supreme Education shall still be required to keep a record of the fact in order to comply with such a request (called a "suppression record").

### Processing Personal Data to Keep in Touch

* Supreme Education believes in fostering close ties within the whole school community. As such, Supreme Education shall keep in touch with important stakeholders, including parents/guardians. For example, the school may use the contact details of parents/guardians and past students to inform them of events and activities at the school, updates, newsletters, etc.
* Supreme Education will obtain contact details and consent from all parents/guardians and students leaving Supreme Education to:
	+ Share personal data about parents/guardians and/or alumni, as appropriate;
	+ Contact parents/guardians and/or alumni by post and email to promote and raise funds, where appropriate;
* Individuals have the right to withdraw their consent at any time.

### An Individual’s Rights in Respect of their Personal Data

* Individuals have a number of rights in respect of their Personal Data, as set out in the GDPR legislation, including around access and the way in which the school processes and transfers such information.
* These rights may be limited in law and, therefore, subject to exemptions and restrictions, as applicable.
* The rights are as follows:
* **Right of Access.** Individuals have the right to obtain confirmation on whether or not their Personal Data is being processed and, if such Personal Data is being processed, they have the right to request and gain access to such Personal Data.
* **Right to Rectification.** Individuals have the right to have the details of their Personal Data rectified if it’s found to be inaccurate and the right to provide additional Personal Data to complete any incomplete Data.
* **Right to Restriction of Processing.** Individuals can request a restriction on the processing of their Personal Data for a certain period of time and/or under certain circumstances.
* **Opt-out.** Individuals can request a halt on the Processing of Personal Data.
* **Right of Erasure.** Individuals may request deletion of their Personal Data.
* **Right to Object.** Individuals may have the right to object to the Processing, or further Processing, of their Personal Data, in relation to profiling and/or direct marketing purposes.
* **Right to File Complaints.** Individuals have the right to file a complaint with the data protection authority if they are not satisfied with the way in which their Personal Data is being Processed.
* **Right to Compensation of Damages.** Individuals have the right to claim for any damages in the event of a breach of applicable legislation in relation to the collection and/or processing of their Personal Data.
* Supreme Education shall endeavour to respond to any written requests relating to an individual’s rights over their Personal Data within the prescribed statutory time-limits.
* Any individual who intends to submit a written request relating to their Personal Data is required to submit their requests using the formats provided:
* Subject Access Request (**Appendix 1**);
* Request for Erasure of Personal Data (**Appendix B**).
* These written requests shall be submitted directly to the school and may only be submitted by the individual to whom the Personal Data belongs. Email requests cannot be accepted in these instances.
* All requests regarding the treatment of Personal Data must be originally signed by the individual.
* The individual collecting any Personal Data from the school may be requested to produce photographic identification at the point of collection in the event their identity is not known to the school.

#### 13.1 Rights of access, etc.

* Supreme Education shall respond to reasonable requests for access, as per the prevailing legislation. The school reserves the right to levy a proportionate fee, as permitted, to comply with any such requests.
* Should any Personal Data be inaccurate, individuals are requested to contact the school with such information.
* Supreme Education may not necessarily delete or amend views, opinions, notes or records in the event of a dispute. This shall be reviewed on a case-by-case basis.

#### 13.2 Requests that cannot be fulfilled

* The rights individuals have in relation to their Personal Data is enshrined in law; however, these rights are subject to exemptions and limitations.
* The rights are, furthermore, restricted to one’s own Personal Data and certain data is exempt. This may include information which identifies other individuals (parents/guardians should be aware that this may include their own children, in certain limited situations), or information which is subject to legal privilege, e.g., legal advice given to or sought by the school, or documents prepared in

connection with a legal action).

* Supreme Education is not required to disclose any student examination scripts, although markers’ comments may be disclosable if they constitute a student’s Personal Data). Supreme Education is also not required to disclose examination or other test marks ahead of the ordinary publication date, nor share any confidential reference held by the school given for the purposes of the education, training, appointment or employment of any individual.
* Individuals have the "right to be forgotten" in certain circumstances; however, Supreme Education may have compelling reasons to refuse such specific requests to amend, delete or stop the processing of Personal Data. Generally, if the school still considers the Processing of the Personal Data to be reasonably necessary, it is entitled to continue to do so. All such requests shall be considered on their own merits.

#### 13.3 Requests by or on behalf of pupils

* Students may make subject access requests for their own Personal Data provided that, in the reasonable opinion of the school, such student has sufficient maturity to understand the request they are making.
* A student of any age may request a parent, guardian or other such representative to make a subject access request on their behalf.
* A person with parental responsibility is generally be entitled to make a subject access request on behalf of younger students, the law does still consider the information in question to belong to the student. In the event of older students, any requests made by parents/guardians may require evidence of the student’s consent for the specific request.
* Supreme Education may refuse requests not considered in the student’s best interests.

#### 13.4 Parental requests, etc.

* Rules on subject access are not the sole basis on which information requests shall be dealt with. Parents/guardians may not have a statutory right to information, but they may have a legitimate interest or expectation in receiving certain information about students without their consent.
* Supreme Education may consider that there are lawful grounds for sharing with or without reference to such student.
* Parents/guardians shall, in general, receive educational and pastoral updates about their children, as appropriate. Should the parents of a student be separated, the school will aim to provide the same information to each person with parental responsibility, subject to any prevailing factors, including the express wishes of the student, court orders, or pastoral issues.
* All information requests from, on behalf of, or concerning students, whether made under subject access or as an incidental request, will be considered on a case by case basis.

#### 13.5 Consent

* Should the school be relying on consent as a means to Process Personal Data, such consent may be withdraw at any time, subject to legislative provisions.

#### 13.6 Whose rights?

* The rights under the applicable Data Protection Law belong to the individual to whom the data relates.
* As a school, Supreme Education may often rely on parental authority or notice to Process the Personal Data of students.
* The school will obtain the necessary consent from the parent/guardian or student or both, as appropriate, to the age of the student, depending on the interests of the student, the parents’/guardians’ rights at law or under their contract, and all the circumstances.
* In general, Supreme Education will assume that the student’ consent is not required for ordinary disclosure of their Personal Data to their parents/guardians, e.g. for the purposes of keeping parents/guardians informed about the student's activities, progress and behaviour, and in the interests of the student's welfare.
* In the event of a student raising a concern about confidentiality to a Staff member and expressly withholds agreement to their Personal Data being disclosed to parents/guardians, Supreme Education may be under an obligation to maintain confidentiality unless, in the school's opinion, there is a good reason to do otherwise. The school may, furthermore, seek a legal opinion as appropriate and applicable.

### Data Accuracy and Security

* Supreme Education shall endeavour to ensure that all Personal Data is as up to date and accurate as possible. Individuals are requested to notify the school receptionist of any significant changes to important information, e.g., contact details.
* Individuals have the right to request that any inaccurate, out-of-date, or irrelevant information about them is corrected or erased, as appropriate, subject to applicable exemptions and limitations under data protection laws.
* Supreme Education shall have in place organsational and technical processes to protect and limit access to Personal Data.
* All Staff members and governors will be made aware of this policy and their duties under applicable data protection law through initial onboarding training and subsequent refresher training that shall be provided annually, or sooner in the event of any changes to protoicols and/or applicable legislation.

### Review and Updates

* The Board of Governors shall review and update this policy from time to time but at least annually.
* The school shall notify the relevant parties in the event of any substantial changes that may affect the rights of parents/guardians, students, Staff members, etc, as far as is reasonably practicable.

### Queries and Complaints

* In the event of any queries, complaints or comments, these can be directed to the Deputy Head.
* Should an individual believe that Supreme Education has not complied with the provisions of this policy or may have contravened the provisions of the prevailing legislation, they should follow the school’s complaints procedure, as will more fully appear in the school’s **Complaints Procedure**.
* Individuals may also have the option of making a referral or lodging a complaint directly with the Information Commissioner’s Office (ICO), if the individual fails to resolve the matter with the school directly.

## Appendix 1: Subject Access Request

**Subject Access Request Template**

[Name and address of the organisation]

[Your name and full postal address]

[Your contact number]

[Your email address]

[The date]

Dear Sir or Madam

**Subject Access Request**

[*Include your full name and other relevant details to help identify you*].

I hereby request that you supply the personal data you hold about me, which I am entitled to receive under the General Data Protection Regulation 2016/679 (GDPR).

If you need any more information, please let me know as soon as possible.

*[If relevant, state whether you would prefer to receive the data in a particular electronic format, or printed out]*.

It may be helpful for you to know that data protection law requires you to respond to a request for personal data within one calendar month.

If you do not normally deal with these requests, please pass this letter to your data protection officer or relevant staff member.

If you need advice on dealing with this request, the Information Commissioner’s Office can assist you. The website is ico.org.uk, and the regulator can be contacted on 0303 123 1113.

Yours faithfully,

[Signature]

## Appendix 2: Request for Erasure of Personal Data

**Right to Erase Request Form**

This form is to enable Supreme Education to process your request to erase personal data relating to

you (or your child) held by the school. Such requests may be refused where the school continues to have a lawful purpose for retaining or processing personal data, or if the request is excessive, or not founded in one of the lawful grounds, stated below.

You are required to complete this form before your request can be processed. Targeted requests for specific types of data at specific times are likely to be easier to comply with, less likely to be excessive, and more easily tied to one of the specific grounds below.

Should you wish the school to consider multiple categories of data for erasure, or on behalf of multiple persons, it is recommended that you use one form per such request.

**Nature of personal data to be erased**

Please identify the nature of the personal data that you believe we currently hold that you

wish to be erased:

|  |
| --- |
|  |

Please identify the date or date range of the personal data that you wish to be erased, and

any other further useful information on its whereabouts to help us identify and locate it:

|  |
| --- |
|  |

**Reasons for erasure**

Please select at least ONE of the following grounds on which your data should be erased:

|  |  |
| --- | --- |
| You believe the personal data is no longer necessary in relation to the purposes for which it was either collected, or for which it is otherwise being processed. |  |
| If so, please explain why you believe it is no longer necessary |  |
| Where the school has been relying on your (or the data subject’s) consent to process the data, you (or the data subject) withdraw(s) such consent, and you believe there is no other legal ground for the processing of this data. |  |
| If so, please explain when and how you believe consent was obtained |  |
| Where the school has been relying on its “legitimate interests” to process the personal data (please see the school’s privacy notice for more details), you have an objection to the processing of your data on this ground. |  |
| If so, please give any supporting reasons as to why you believe your rights, freedoms and interests (or those of the data subject) outweigh the school’s in this instance. |  |
| The data processed is for direct marketing purposes or fundraising, and you wish not to be contacted for these purposes (please bear in mind we may need to keep a note of your preference not to be contacted). |  |
| You believe that the personal data is not being processed lawfully, or must be erased for compliance with a legal obligation |  |
| If so, please explain why you believe this to be the case |  |

Please be aware that you will have no right to erasure of your data where:

* none of the above grounds apply; or
* processing of such data can be justified on grounds of freedom of expression or other easons in the public interest (including in the area of public health and safety, and archival purposes); or
* where we need to retain it for compliance with our legal obligations, or for our preparation of actual or possible legal proceedings.

We will nevertheless consider all reasonable requests on their own terms and assist where we can.

We aim to respond to most requests within 1(one) month. More complex or multiple requests may take two or three times longer, especially if received in school holidays. **If the request is excessive or repetitious the school may be entitled to refuse it or charge a reasonable fee.**

If you are making the request on behalf of a child, please indicate their name below and – if the child is 12 years old or above – please attach a written authority stating your relationship:

|  |
| --- |
|  |

Signed (and print name):

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: