



# BROMSGROVE SCHOOL

## PRIVACY NOTICE FOR OLDER PUPILS

Author:	Bursar
Reviewed:	January 2024
Next Review Due:	August 2024
Scope:	All Schools

## Introduction

This notice is to help you understand **how** and **why** we collect your personal information and **what** we do with that information. It also explains the decisions that you can make about your own information.

If you have any questions about this notice please talk to the Senior Master / Mistress (Senior School) or to your form tutor (Prep School/Winterfold).

## What is "personal information"?

Personal information is information that the School holds about you and which identifies you.

This includes information such as your name, date of birth and address as well as things like exam results, medical details, unique pupil number and behaviour records. We will also hold information such as your religion or ethnic group for the purposes of ensuring that we know about any pastoral adjustments such as foods that you do not wish to eat. CCTV, photos and video recordings of you are also personal information.

## Our legal bases for using your information

This section contains information about the legal bases that we are relying on when handling your information as described above.

The two tables below contain a general description of the different legal bases but we have also used a colour code system so that you can see which bases we are relying on for each of the purposes described in paragraphs 1 to 40 below.

### Legitimate interests (LI)

This means that the School is using your information when this is necessary for the School's legitimate interests or someone else's legitimate interests. We won't rely on this basis when your interests and fundamental rights override our legitimate interests. Specifically, the School has a legitimate interest in:

- providing you with an education and making sure that you are behaving properly;
- complying with our agreement with your parents for you to be at the School;
- looking after you, other pupils and our staff (e.g. your teachers);
- keeping the School buildings safe;
- making sure that the School is well managed and that we protect the School's reputation;
- telling people about the School and what we do here e.g. we may use photographs of you in our prospectus, on our website or on our social media;
- ensuring that all relevant legal obligations of the School are complied with (for example in relation to inspections);
- using your information in connection with legal disputes;
- improving the School e.g. to make sure that we are providing you and other pupils with a good schooling experience.

In addition your personal information may be processed for the legitimate interests of others. For example, we may use information about you when investigating a complaint made by one of your fellow pupils.

### Legal obligation (LO)

The School might need to use your information in order to comply with a legal obligation, for example, to report a concern about your wellbeing to Children's Services. We will also have to disclose your

information to third parties such as the courts, the local authority, the police or other public bodies where legally obliged to do so.

#### Vital interests (VI)

In limited circumstances we may use your information to protect your vital interests or the vital interests of someone else (e.g. if you or they are seriously hurt).

#### Performance of a task carried out in the public interest (or carrying out public tasks) (PI)

This applies where what we are doing is for the benefit of people generally. The following are examples of where this applies:

- providing you and others with an education;
- safeguarding and promoting your welfare and the welfare of other pupils;
- facilitating the efficient operation of the School;
- ensuring that we comply with all of our legal obligations.

The School must also comply with an additional condition where it processes special categories of personal information. These special categories include: personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, genetic information, health information, and information about sex life or orientation.

#### Substantial public interest (SPI)

The School is allowed to use special categories of personal information where doing so is necessary in the substantial public interest. This is similar to "public interest" in the table above. For example, the School will use information about your health to look after you. We may also use other types of special category personal information about you to provide you with an education, to look after you and other pupils or when the School is inspected.

#### Employment and social protection and social security law (ESP)

There will be times when the School needs to use your information because we are an employer (e.g. we employ your teachers). The School will also use your information to comply with social protection law (e.g. to look after you) and social security laws. Social protection law is concerned with preventing, managing, and overcoming situations that adversely affect people's wellbeing.

#### Vital interests

In limited circumstances we may use your information to protect your vital interests or the vital interests of someone else (e.g. if you or they are seriously hurt).

#### Legal claims (LC)

We are allowed to use your information if this is necessary in relation to legal claims. For example, this allows us to share information with our legal advisors and insurers. This applies whenever sharing special category information is necessary in relation to legal claims.

#### Medical purposes (MP)

This includes medical treatment and the management of healthcare services.

## How and why does the School collect and use your personal information?

We set out below examples of the different ways in which we use personal information and where this personal information comes from. The letters highlighted in different colours below refer to the legal bases we are relying on. Please see the section above for an explanation.

1. The School's primary reason for using your personal information is to provide you with an education - **LI, PI, SPI**.
2. The School will also use your personal information to safeguard and promote your welfare and the welfare of others (for example, so that we can look after you if you are hurt) - **LI, PI, SPI, ESP, MP**.

Admissions forms give us lots of personal information about you such as your name, contact details, disabilities, any particular difficulties you have with work, hobbies and interests, medical information (such as information about an allergy) and family circumstances. We get information from you, your parents, your teachers and other pupils. Your old school also gives us information about how well you did and any difficulties you had so that we can teach and care for you. Sometimes we get information from your doctors and other professionals where we need this to look after you.

3. We will use information about you during the admissions process e.g. when marking your entrance exams and learning more about you from your parents before you join the School. We may let your old school know if you have been offered a place at the School - **LI, PI, SPI**.
4. We need to tell the appropriate teachers if you have a health issue - **LI, PI, SPI**.
5. We will need to tell School staff if you have special educational needs or need extra help with some tasks - **LI, PI, SPI**.
6. We will need to share information about you (e.g. about your health and wellbeing) with the School Health Centre, the School doctor and counsellors. We may share your information with the NHS and their contractors for the purposes of making childhood immunisations available to you - **LI, PI, SPI, ESP, MP**.
7. If we have information that you suffer from an allergy we will use this information so that we can look after you - **LI, PI, SPI, VI, MP**.
8. If we have information that you suffer from a disability we will use information about that disability to provide support - **LI, PI, SPI, ESP**, and in certain circumstances, **MP**.
9. Where appropriate, the School will have information about your religious beliefs and practices, for example, if you do not eat certain foods - **LI, PI, SPI**.
10. We use CCTV to make sure the School site is safe. Images captured of you via CCTV will be your personal information. CCTV is not used in private areas such as changing rooms. Full details are available in the CCTV Policy - **LI, LO, VI, PI, SPI**.
11. We record your attendance and if you have time away from the School we record the reason(s) why - **LI, PI, SPI**.
12. We will need to report some of your information to the government (e.g. the Department for Education). We will need to tell the local authority that you attend the School, if you leave the School or let them know if we have any concerns about your welfare - **LI, LO, PI, SPI, ESP**.

13. We are legally required to provide the Department for Education with certain information about you and other pupils. Some of this information will be stored on the National Pupil Database. Organisations can request information from the National Pupil Database which includes information about you. But they are only allowed to do this for limited purposes and they must be very careful about how they use your information. More information can be found here - <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information> - **LO, SPI**.
14. We may need to share information about you with the Health and Safety Executive (a government organisation) if there is a health and safety issue at the School - **LI, LO, PI, SPI**.
15. The School is a charity which means that we may need to share your information with the Charity Commission which checks how we are behaving as a charity - **LI, LO, PI, SPI**.
16. We will need information about any court orders or criminal matters which relate to you. This is so that we can safeguard your welfare and wellbeing and the other pupils at the School - **LI, PI, SPI**.
17. If you are from another country we have to make sure that you have the right to study in the UK. Sometimes the government will ask us to provide information as part of our reporting requirements. In addition to this we have a duty to provide information about you to UK Visas and Immigration who are part of the government - **LI, LO, PI, SPI**.
18. Depending on where you will go when you leave us we will provide your information to other schools, colleges and universities, UCAS or potential employers, also using the School's Futures system. For example, we will share information about your exam results and provide references. If you have special educational needs we will pass this information on to your next educational establishment. - **LI, PI, SPI**.
19. We may pass on information to your next school which they need to look after you, for example, information about any concerns we have had about your welfare - **LI, LO, PI, SPI, ESP**.
20. When you take public examinations (e.g. GCSEs) we will need to share information about you with examination boards, for example, if you require extra time in your exams, evidence of work such as recordings of music pieces or video of an ABRSM online music theory examination - **LI, PI, SPI**.
21. The Learning Records Service (which is part of the government) will give us your unique learning number. We may receive details about you (e.g. your qualifications) from the Learning Records Service - **LI, PI, SPI**.
22. The School is sometimes inspected to make sure that we are continuing to be a good school. We will have to make your information available to the inspectors to help them to carry out their job - **LI, LO, PI, SPI**.
23. If someone makes a complaint about how the School has behaved we may need to use your information to deal with this appropriately, for example, if your parents complain that we have not looked after you properly - **LI, PI, SPI**.
24. The School may share information about you with the local authority for the purpose of the preparation, implementation and/or review of your Statement of Special Educational Needs or Education Health and Care Plan - **LI, LO, PI**.

25. We may need to share information about you with the police or our legal advisers if something goes wrong or to help with an enquiry, for example, if a pupil is injured at School or if there is a burglary - **LI, LO, PI, SPI, LC**.
26. We use consultants, experts and other advisors to assist the School in fulfilling its obligations and to help run the School properly. We will share your information with them if this is relevant to their work - **LI, PI, SPI**.
27. If you have misbehaved in a serious way, we may need to share information with the police or other government law-enforcement bodies and we may need to use information about the action taken by the police - **LI, LO, PI, SPI, ESP**.
28. We may share some information with our insurance company to make sure that we have the insurance cover that we need - **LI, PI, SPI, LC**.
29. Parents who are based outside of the UK will sometimes appoint someone to act on their behalf during the admissions process (an overseas agent). If this applies to you, your parents may provide information to the overseas agent so that he or she can pass this on to the School. We will sometimes share information with the overseas agent, for example, we may send them the letter telling your parents that we are offering you a place so that they can pass this on to your parents - **LI**.
30. We will share your academic and (where fair) your behaviour and pastoral records with your parents or education guardian so they can support your schooling - **LI, PI, SPI**.
31. We will monitor your use of email, the internet and mobile electronic devices e.g. iPads. This monitoring is sometimes carried out using computer software. In certain circumstances, we will look at the content of your communications (e.g. emails and text messages). We monitor and look at your use of technology (e.g. your use of your phone) to check that you and other pupils are not misbehaving, are not at risk of harm or for other good reasons. If you would like more information about this you can read the acceptable use of IT and email policy or speak to the Senior Master / Mistress or your form tutor - **LI, PI, SPI**.
32. We will record your name, boarding or day status, your House and if you have been awarded a scholarship or exhibition in the Maroon Book which is published at the start of each year - **LI**.
33. We may take photographs or videos of you at School events to use on social media and on the School website. We use social media sites such as Facebook, Twitter, Instagram, YouTube, SmugMug and Planet eStream for showing photographs and videos including live streams of School activities and performances with parents and the wider School community. We also use them to show prospective parents and pupils what we do here and to advertise the School. We may continue to use these photographs and videos after you have left the School - **LI**.
34. Sometimes we use photographs and videos for teaching and examination purposes, for example, to record a drama lesson or a sports training session. We record live online lessons for safeguarding purposes and for pupils who were not able to attend. Our distance learning platform logs data relating to the usage of the platform including lesson participation and online chat - **LI**.

If you have concerns about us using photographs or videos of you please speak to the Database Manager.

35. We publish our public exam results, sports fixtures and other news on the website and put articles and photographs in the local news to tell people about what we have been doing - [LI](#).
36. When you leave the School, we will transfer your personal details onto the InTouch Bromsgrovians Connected Alumni Database, which is operated by the School. Alumni are then offered the opportunity to logon and use the various functions should they so wish. This is so we can stay in touch with you but we won't pass your information on to any third parties unless we have a good reason for doing so. If you would prefer that we do not put your details on the database please contact the Bursar - [LI](#).
37. When you leave the School, we may include your personal details in the leavers' book which includes leavers' photographs. Your name may also be included on leavers' clothing - [LI](#).
38. The School must make sure that our computer network is working well and is secure. This may involve information about you, for example, our anti-virus software might scan files containing information about you - [LI](#).
39. We can keep information about you for a very long time or even indefinitely if we need this for historical, research or statistical purposes, for example, if we consider the information might be useful if someone wanted to write a book about the School - [LI](#).
40. We may make use of an outside activity or service provider, such as an external sports coach or school photography company, or we may arrange for you to take part in external events such as arts festivals or sporting competitions. We may share your information with the provider and obtain information from them after you have engaged in activities. We may share your information with trainee teachers working in the School - [LI](#).

We will only share your information with other people and organisations when we have a good reason to do so. In exceptional circumstances we may need to share it more widely than we would normally.

We sometimes use contractors to handle personal information on our behalf. The following are examples:

- NS Optimum, our IT consultants who might access information about you when checking the security of our IT network; and
- we use third party "cloud computing" services to store some information rather than the information being stored on hard drives located on the School site. Examples include Microsoft Office 365, SmugMug, SurveyMonkey and Parents Evening System (School Cloud Systems Ltd).

If you have any questions about any of the above, please speak to the Senior Master / Mistress or your form tutor.

### **Criminal offence information**

In exceptional circumstances, we may use information about criminal convictions or offences. We will only do this where the law allows us to. This will usually be where such processing is necessary to carry out our obligations, to exercise our rights or to look after our pupils.

### **More than one basis**

As you will see from the information above, in some cases we will rely on more than one basis for a particular use of your information.

In addition, we may move from one of the legal bases listed above to another as circumstances change. For example, if we become really worried about your wellbeing, we may start to rely on "legal obligation" to share personal information with the local authority in addition to the other legal bases which are noted for looking after you.

## **Consent**

We may ask for your consent to use your information in certain ways as an alternative to relying on any of the bases in the table above. For example, we may ask for your consent before taking or using some photographs and videos if the photograph or video is more intrusive and we cannot rely on legitimate interests. If we ask for your consent to use your personal information you can take back this consent at any time.

Any use of your information before you withdraw your consent remains valid. Please speak to the Senior Master / Mistress or your form tutor if you would like to withdraw any consent that you have given.

## **Sending information to other countries**

In certain circumstances, we will send your information to countries which do not have the same level of protection for personal information as there is in the UK. For example, we may:

- store your information on cloud computer storage based overseas;
- we may share information with overseas pupils, their parents and with their overseas educational agents;
- share information with overseas educational trip agents.

The European Commission has produced a list of countries which have adequate data protection rules. The list can be found here: [https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries_en)

If the country that we are sending your information to is not on the list, or is not a country within the EEA (which means the European Union, Liechtenstein, Norway and Iceland), then it might not have the same level of protection for personal information as there is in the UK.

We will provide you with details about the safeguards which we have in place outside of this privacy notice. If you have any questions about the safeguards that are in place please contact the Bursar.

## **For how long do we keep your information?**

We keep your information for as long as we need to in order to educate and look after you. We will keep some information after you have left the School, for example, so that we can find out what happened if you make a complaint.

In exceptional circumstances we may keep your information for a longer time than usual, but we would only do so if we had a good reason and only if we are allowed to do so under data protection law.

Please see our Information and Records Retention Policy for more detailed information. Please ask the Bursar for a copy of this policy if you wish to see it.

## **What decisions can you make about your information?**

Data protection legislation gives you a number of rights regarding your information. Your rights are as follows:

- **Rectification:** if information the School holds about you is incorrect you can ask us to correct it.
- **Access:** you can also ask what information we hold about you and be provided with a copy. This is commonly known as making a subject access request. We will also give you extra information, such



as why we use this information about you, where it came from and what types of people we have sent it to.

- **Deletion:** you can ask us to delete the information that we hold about you in certain circumstances. For example, where we no longer need the information.
- **Portability:** you can request the transfer of your information to you or to a third party in a format that can be read by computer in certain circumstances.
- **Restriction:** our use of information about you may be restricted to simply storing it in some cases. For example, if you tell us that the information is inaccurate we can only use it for limited purposes while we check its accuracy.
- **Object:** you may object to us using your information where:
  - we are using it for direct marketing purposes (e.g. to send you the School newsletter);
  - the legal basis on which we are relying is either legitimate interests or performance of a task carried out in the public interest. Please see the section "Our legal bases for using your information" above;
  - we are using it for historical or scientific research purposes or archiving purposes. For example, we may keep photographs of your class for historical reasons.

The Bursar can give you more information about your data protection rights.

### **Further information and guidance**

This notice is to explain how we look after your personal information.

Please speak to the Senior Master/Mistress or your form tutor if:

- you would like to exercise any of your rights listed above; or
- you would like us to update the information we hold about you; or
- you would prefer that certain information is kept confidential.

The Bursar is in charge of the School's data protection compliance. You can ask the Senior Master / Mistress or your form tutor to speak to the Bursar or speak to Bursar yourself. Alternatively, you can ask your parents to speak to us on your behalf if you prefer.

If you consider that we have not acted properly when using your personal information you can contact the Information Commissioner's Office: [ico.org.uk](http://ico.org.uk).