



# LEWESTON

## SHERBORNE

### DATA PROTECTION POLICY FOR PUPILS AND PARENTS

1. This policy is intended to provide information about how the school will use (or process) personal data about individuals including current, past and prospective pupils; and their parents, carers or guardians (referred to in this policy as "parents").
2. It applies in addition to the school's terms and conditions, and any other information the school may provide about a particular use of personal data, including e.g. the school's policy on taking, storing and using images of children.
3. Anyone who works for, or acts on behalf of, the school (including staff, volunteers, governors and service providers) should also be aware of and comply with the school's data protection policy for staff, which also provides further information about how personal data about those individuals will be used.

#### Responsibility for Data Protection

4. In accordance with the Data Protection Act 1998 ('the Act'), the school has notified the Information Commissioner's Office of its processing activities. The school's ICO registration number is Z5662862 and its registered address is Leweston School Trust, Sherborne, Dorset, DT9 6EN.
5. The School has appointed the Bursar as Data Protection Officer (DPO) who will endeavour to ensure that all personal data is processed in compliance with this policy and the Act.
6. There is a new General Data Protection Regulation which will be introduced in May 2018. The school is aware of this and is working with the ISBA to make any adjustments that might be required to ensure that it remains compliant. Changes are mainly in respect of data that are held on alumni.

#### Types of Personal Data Processed by the School

7. The school may process a wide range of personal data about individuals including current, past and prospective pupils and their parents as part of its operation, including by way of example:
  - 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
  - where appropriate, information about individuals' health, and contact details for their next of kin

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- 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
  - 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)
8. Generally, the school receives personal data from the individual directly (or, in the case of pupils, from parents). However in some cases personal data may be supplied by third parties (for example another school, or other professionals or authorities working with that individual), or collected from publicly available resources.
9. The school may, from time to time, need to process sensitive personal data regarding individuals. Sensitive personal data includes information about an individual's physical or mental health, race or ethnic origin, political or religious beliefs, sex life, trade union membership or criminal records and proceedings. Sensitive personal data is entitled to special protection under the Act, and will only be processed by the school with the explicit consent of the appropriate individual, or as otherwise permitted by the Act.

### Use of Personal Data by the School

10. The school will use (and where appropriate share with third parties) personal data about individuals for a number of purposes as part of its operations, including as follows:
- For the purposes of pupil selection and to confirm the identity of prospective pupils and their parents
  - To provide education services (including SEN), career services, and extra-curricular activities to pupils; monitoring pupils' progress and educational needs; maintaining relationships with alumni and the school community
  - For the purposes of management planning and forecasting, research and statistical analysis, and to enable the relevant authorities to monitor the school's performance
  - 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 (and where necessary, medical) care, and to take appropriate action in the event of an emergency or accident, including by disclosing details of an individual's medical condition where it is in the individual's interests to do so, for example for medical advice, insurance purposes or to organisers of school trips
  - To monitor (as appropriate) use of the school's IT and communications systems in accordance with the school's IT Acceptable Use Policy
  - 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 in accordance with the school's policy on taking, storing and using images of children

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- For security purposes, and for regulatory and legal purposes (for example child protection and health and safety) and to comply with its legal obligations
- Where otherwise reasonably necessary for the school's purposes, including to obtain appropriate professional advice and insurance for the school.

## Keeping in Touch and Supporting the School

11. 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, including by sending updates and newsletters, by email and by post. Unless the relevant individual objects, the school may also:
  - Share personal data about parents and/or alumni, as appropriate, with organisations set up to help establish and maintain relationships with the school community, such as the alumni association
  - Contact parents and/or alumni (including via the organisation above) by post and email in order to promote and raise funds for the school
12. Should you wish to limit or object to any such use, or would like further information about them, please contact the DPO in writing.

## Rights of Access to Personal Data (Subject Access Request)

13. Individuals have the right under the Act to access to personal data about them held by the school, subject to certain exemptions and limitations set out in the Act. Any individual wishing to access their personal data should put their request in writing to the DPO.
14. The school will endeavour to respond to any such written requests (known as subject access requests) as soon as is reasonably practicable and in any event within statutory time-limits. The school may charge an administration fee of up to £10 for providing this information.
15. You should be aware that certain data is exempt from the right of access under the Act. 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 reference given by the school for the purposes of the education, training or employment of any individual.
16. 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. Pupils aged 12 or over are generally assumed to have this level of maturity, although this will depend on both the child and the personal data requested. All subject access requests from pupils will therefore be considered on a case by case basis.
17. A person with parental responsibility will generally be expected to make a subject access request on behalf of younger pupils. A pupil of any age may ask a parent or other representative to make a subject access request on his/her behalf.

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## Whose Rights

18. The rights under the Act belong to the individual to whom the data relates. However, the school will in most cases rely on parental consent to process personal data relating to pupils (if consent is required under the Act) 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.
19. In general, the school will assume that pupils consent to 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.
20. 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 will maintain confidentiality unless, in the school's opinion, there is a good reason to do otherwise; for example where the school believes disclosure will be in the best interests of the pupil or other pupils.
21. Pupils are required to respect the personal data and privacy of others, and to comply with the school's IT Acceptable Use Policy, Online Safety and Cyber-Bullying Policy, Anti-Bullying Policy and the school rules.

## Data Accuracy and Security

22. 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 DPO of any changes to information held about them.
23. An individual has the right to request that inaccurate information about them is erased or corrected (subject to certain exemptions and limitations under the Act) and may do so by contacting the DPO in writing.
24. The school will take appropriate technical and organisational steps to ensure the security of personal data about individuals. All staff will be made aware of this policy and their duties under the Act.

## Queries and Complaints

25. Any comments or queries on this policy should be directed to the DPO at the school address.
26. If an individual believes that the school has not complied with this policy or acted otherwise than in accordance with the Act, they should utilise the school complaints procedure and should also notify the DPO.

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# LEWESTON

## SHERBORNE

### TAKING, USING AND STORING IMAGES OF CHILDREN POLICY

#### This Policy

1. This Policy is intended to provide information to pupils and their parents, carers or guardians (referred to in this policy as "parents") about how images of pupils are normally used by Leweston School ("the school"). It also covers the school's approach to the use of cameras and filming equipment at school events and on school premises by parents and pupils themselves, and the media.
2. It applies in addition to the School's Terms and Conditions, and any other information the school may provide about a particular use of pupil images, including e.g. signage about the use of CCTV; and more general information about use of pupils' personal data contained in the Data Protection Policy.

#### General points to be aware of

3. Certain uses of images are necessary for the ordinary running of the school; other uses are in the legitimate interests of the school and its community and unlikely to cause any negative impact on children. The school is entitled lawfully to process such images and take decisions about how to use them, subject to any reasonable objections raised.
4. Parents who accept a place for their child at the school are invited to indicate their consent to uses of images of him/her via the Registration Form. However, parents should be aware of the fact that certain uses of their child's images may be necessary or unavoidable (for example if they are included incidentally in CCTV or a photograph).
5. We hope parents will feel able to support the school in using pupil images to celebrate the achievements of pupils, sporting and academic; to promote the work of the school; and for important administrative purposes such as identification and security.
6. Any parent who wishes to limit the use of images of a pupil for whom they are responsible should contact the Marketing and Admissions Manager in writing. The School will respect the wishes of parents/carers (and indeed pupils themselves) wherever reasonably possible, and in accordance with this policy.
7. Parents should be aware that, from around the age of 12 and upwards, the law recognises pupils' own rights to have a say in how their personal information is used – including images.

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## Use of Pupil Images in School Publications

8. Unless the relevant pupil or his or her parent has requested otherwise, the school will use images of its pupils to keep the school community updated on the activities of the school, and for marketing and promotional purposes, including:
- internal displays (including clips of moving images) on digital and conventional notice boards within the school premises;
  - communications with the school community (parents, pupils, staff, Governors and alumni) including by email, on the school intranet and by post;
  - the school's website and, where appropriate, via the school's social media channels, e.g. Twitter, Instagram and Facebook. Such images would not be accompanied by the pupil's full name without permission; and
  - the school's prospectus, and in online, press and other external advertisements for the school. Such external advertising would not normally include pupil's names and in some circumstances the school will seek the parent or pupil's specific consent, depending on the nature of the image or the use.
9. The source of these images will predominantly be the school's staff (who are subject to policies and rules in how and when to take such images), or a professional photographer used for marketing and promotional purposes, or occasionally pupils. The school will only use images of pupils in suitable dress and the images will be stored securely and centrally.

## Use of Pupil Images for Identification and Security

10. All pupils are photographed on entering the school and, thereafter, at yearly intervals, for the purposes of internal identification. These photographs identify the pupil by name, year group, house and form/tutor group.
11. CCTV is in use on school premises, and will sometimes capture images of pupils. Images captured on the School's CCTV system are used in accordance with the Data Protection Policy.

## Use of Pupil Images in the Media

12. Where practicably possible, the school will always notify parents in advance when the media is expected to attend an event or school activity in which school pupils are participating, and will make every reasonable effort to ensure that any pupil whose parent or carer has refused permission for images of that pupil, or themselves, to be made in these circumstances are not photographed or filmed by the media, nor such images provided for media purposes.
13. The media often asks for the names of the relevant pupils to go alongside the images, and these will be provided where parents have been informed about the media's visit and either parent or pupil has consented as appropriate.

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## Security of Pupil Images

14. Professional photographers and the media are accompanied at all times by a member of staff when on school premises. The school uses only reputable professional photographers and makes every effort to ensure that any images of pupils are held by them securely, responsibly and in accordance with the school's instructions.
15. The school takes appropriate technical and organisational security measures to ensure that images of pupils held by the school are kept securely on school systems, and protected from loss or misuse. The school will take reasonable steps to ensure that members of staff only have access to images of pupils held by the school where it is necessary for them to do so.
16. All staff are given guidance on the school's Policy on Taking, Storing and Using Images of Pupils, and on the importance of ensuring that images of pupils are made and used responsibly, only for school purposes, and in accordance with school policies and the law.

## Use of Cameras and Filming Equipment (including mobile phones) by Parents

17. Parents, guardians or close family members (hereafter, parents) are welcome to take photographs of (and where appropriate, film) their own children taking part in school events, subject to the following guidelines, which the school expects all parents to follow:
  - When an event is held indoors, such as a play or a concert, parents should be mindful of the need to use their cameras and filming devices with consideration and courtesy for cast members or performers on stage and the comfort of others. Flash photography can disturb others in the audience, or even cause distress for those with medical conditions; the school therefore asks that it is not used at indoor events.
  - Parents are asked not to take photographs of other pupils, except incidentally as part of a group shot, without the prior agreement of that pupil's parents.
  - Parents are reminded that such images are for personal use only. Images which may, expressly or not, identify other pupils should not be made accessible to others via the internet (for example on Facebook), or published in any other way.
  - Parents are reminded that copyright issues may prevent the school from permitting the filming or recording of some plays and concerts. The school will always print a reminder in the programme of events where issues of copyright apply.
  - Parents may not film or take photographs in changing rooms or backstage during school productions, nor in any other circumstances in which photography or filming may embarrass or upset pupils.
  - The school reserves the right to refuse or withdraw permission to film or take photographs (at a specific event or more generally), from any parent who does not follow these guidelines, or is otherwise reasonably felt to be making inappropriate images.
  - The school sometimes records plays and concerts professionally (or engages a professional photographer or film company to do so), in which case CD, DVD or digital copies may be made available to parents for purchase. Parents of pupils taking part in such plays and concerts will be consulted if it is intended to make such recordings available more widely.

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## Use of Cameras and Filming Equipment by Pupils

18. All pupils are encouraged to look after each other, and to report any concerns about the misuse of technology, or any worrying issues to a member of the pastoral staff.
19. The use of cameras or filming equipment (including on mobile phones) is not allowed in toilets, washing or changing areas, nor should photography or filming equipment be used by pupils in a manner that may offend or cause upset.
20. The misuse of images, cameras or filming equipment in a way that breaches this Policy, or the school's Data Protection Policy for Pupils and Parents and Carers, IT Policy, Safeguarding Policy or the School Rules is always taken seriously, and may be the subject of disciplinary procedures or dealt with under the relevant safeguarding policy as appropriate.

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