



MILTON ABBEY

Data Protection Compliance Statement (Privacy Notice) for Pupils (current, past and prospective) and Parents of Pupils (current, past and prospective)

This document demonstrates our commitment to protecting the privacy and security of your personal information. It contains information regarding how we collect and use personal data or personal information about you in accordance with the General Data Protection Regulation (GDPR) and all other data protection legislation currently in force.

Pursuant to that legislation, when processing data we will:

- process it fairly, lawfully and in a clear, transparent way
- collect your data only for reasons that we find proper for the course of your/your child's education in ways that have been explained to you
- only use it in the way that we have told you about
- ensure it is correct and up to date
- keep your data for only as long as we need it
- process it in a way that ensures it will not be lost or destroyed or used for anything that you are not aware of or have consented to (as appropriate).

Milton Abbey is a "data controller". This means that the school is responsible for determining the purpose and means of processing personal data relating to you.

"Personal data", or "personal information", means any information relating to an identified or identifiable individual in particular by reference to an identifier such as a name, an identification number, location data and an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

There are "special categories" of sensitive personal data, meaning data relating to racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, physical or mental health conditions, sex life or sexual orientation, genetic data, and biometric data which require a higher level of protection.

This data protection compliance statement (privacy notice) applies to current and former pupils and parents. This notice is not aimed at staff or governors (whether current, past or prospective) or other members of the public.

TYPES OF PERSONAL DATA THE SCHOOL PROCESSES

Milton Abbey processes personal data about prospective, current and past: pupils and their parents; staff, governors, suppliers and contractors; donors, friends and supporters; and other individuals connected to or visiting the School.

The personal data the school processes takes different forms – it may be factual information, expressions of opinion, images or other recorded information which identifies or relates to a living individual. Examples include:

- names, addresses, telephone numbers, email addresses and other contact details;
- family details;
- admissions, academic, disciplinary and other education related records, information about special educational needs, references, examination scripts and marks;
- education and employment data;
- images, audio and video recordings;
- financial information (eg for bursary assessment or for fundraising);
- courses, meetings or events attended.

As a school, Milton Abbey needs to process special category personal data (eg concerning health, ethnicity, religion or biometric data) and criminal records information about some individuals (particularly pupils and staff). The school does so in accordance with applicable law (including with respect to safeguarding or employment) or by explicit consent.

PURPOSES FOR WHICH THE SCHOOL PROCESSES PERSONAL DATA

Milton Abbey processes personal data to support the school's operation as an independent boarding school for boys and girls aged 13–18, and in particular for:

- The selection and admission of pupils (and to confirm the identity of prospective pupils and their parents) including keeping in touch with parents who have expressed an interest in the school;
- The provision of education to pupils including the administration of the school curriculum and timetable; monitoring pupil progress and educational needs; reporting on the same internally and to parents; administration of pupils' entries to public examinations, reporting upon and publishing the results;
- The provision of educational support and related services to pupils (and parents) including the maintenance of discipline; provision of careers and library services; administration of sports fixtures and teams, school trips; provision of the school's IT and communications system and virtual learning environment (and monitoring the same) all in accordance with our IT policies;
- The safeguarding of pupils' welfare and provision of pastoral care, welfare, health care services by school staff, in boarding houses and through the Health Centre;
- 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 carry out or cooperate with any school or external complaints, disciplinary or investigation process;
- Compliance with legislation and regulation including the preparation of information for inspections by the Independent Schools Inspectorate, submission of annual census information to each of the Independent Schools Council and Department for Education;

- Operational management including the compilation of pupil records; the administration of invoices, fees and accounts; the management of the school's property; the management of security and safety arrangements (including monitoring of the school's IT and communications systems in accordance with our Acceptable Use Policy); management planning and forecasting; research and statistical analysis; the administration and implementation of the School Conventions and policies for pupils and staff; the maintenance of historic archives and other operational purposes;
- The promotion of the school through its own websites, the prospectus and other publications and communications (including through our social media channels); 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;
- Maintaining relationships with Old Miltonians and the wider school community by communicating with the body of current and former pupils and/or their parents or guardians and organising events including direct marketing and fundraising activities;
- For the purposes of donor due diligence and to confirm the identity of prospective donors and their background and relevant interests; where otherwise reasonably necessary for the school's purposes, including to obtain professional advice and insurance for the school.

The processing set out above is carried out to fulfil our legal obligations (including those under our parent contract and staff employment contracts). We also expect these purposes to form our legitimate interests.

In addition, the school will on occasion need to process 'special category personal data' in accordance with rights or duties imposed by law, including as regards safeguarding and employment, or from time to time by explicit consent where required. These reasons include:

- To safeguard pupils' welfare and provide appropriate pastoral (and where necessary, medical) care, and to take appropriate action in the event of an emergency, incident or accident, including by disclosing details of an individual's medical condition or other relevant information where it is in the individual's interests to do so: for example for medical advice, for social protection, safeguarding, and cooperation with police or social services, for insurance purposes or to caterers or organisers of school trips who need to be made aware of dietary or medical needs;
- To provide educational services in the context of any special educational needs of a pupil;
- As part of any school or external complaints, disciplinary or investigation process that involves such data, for example if there are SEN, health or safeguarding elements;
- For legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with our legal obligations and duties of care.

COLLECTING, HANDLING AND SHARING PERSONAL DATA

The school collects most of the personal data it processes directly from the individual concerned (or in the case of pupils, from their parents). In some cases, the school collects data from third parties (for example, referees, previous schools, the Disclosure and Barring Service, or professionals or authorities working with the individual) or from publicly available resources.

Personal data held by Milton Abbey is processed by appropriate members of staff for the purposes for which the data was provided or collected. The school takes 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. The school does not transfer personal data outside of the European Economic Area unless it is satisfied that the personal data will be afforded an equivalent level of protection.

It is not necessary for data to be shared with other countries. The exception to this will be international trips that the school organises; should this be envisaged you will be contacted for your consent and the consent will be limited in time and content if it be required.

In the course of school business, Milton Abbey shares personal data (including special category personal data where appropriate) with third parties such as examination boards, the school doctors, the school's professional advisors and relevant authorities (eg the Local Children Safeguarding Board, DBS, NCTL, UK Visas and Immigration, HM Revenue and Customs, Department for Education and Department for Work and Pensions). Some of our systems are provided by third parties, these are always subject to contractual assurances that personal data will be kept securely and only in accordance with our specific directions.

For the most part, personal data collected by the school will remain within the school, and will be processed by appropriate individuals only in accordance with access protocols (i.e. on a 'need to know' basis). Particularly strict rules of access apply in the context of:

- Medical records held and accessed only by the school nurse and appropriate medical staff under his/her supervision, or otherwise in accordance with express consent;
- Pastoral or safeguarding files.

However, a certain amount of any SEN pupil's relevant information will need to be provided to staff more widely in the context of providing the necessary care and education that the pupil requires.

Staff, pupils and parents are reminded that the school is under duties imposed by law and statutory guidance (including Keeping Children Safe in Education) 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. This is likely to include file notes on personnel or safeguarding files, and in some cases referrals to relevant authorities such as the LADO or police. For further information about this, please view the school's Safeguarding Policy.

We share personal data about Old Miltonians with the Milton Abbey Association ("the MAA").

We do not otherwise share or sell personal data to other organisations for their own purposes.

FUND-RAISING AND KEEPING IN TOUCH

Fundraising helps the school to achieve its strategic objective of remaining independent. Milton Abbey fundraises from individuals, companies and foundations who want to support our charitable purposes and do so in accordance with the Fundraising Promise and Fundraising Code of Practice. The school does not use third-party profiling companies but it analyses publicly available data about potential donors (eg from LinkedIn, Companies House, Charity Commission, Who's Who, articles in publications) to create a profile of interests and preferences so that the school can make appropriate requests.

The school keeps in touch with Old Miltonians, current or former parents or other members of the school community. Milton Abbey will also use your contact details to keep you updated about the school's fundraising activities and invite you to events of interest by email and by post. We ask you to let the school know your data preferences so that we can ensure our communications are relevant to you. You can update your data preferences at any time by contacting GDPR@miltonabbey.co.uk.

HOW LONG THE SCHOOL KEEPS PERSONAL DATA

Milton Abbey retains personal data only for a legitimate and lawful reason and only for so long as necessary or required by law. The school has adopted Records Retention Guidelines which set out the time period for which different categories of data are kept. If you have any specific queries about Milton Abbey's record retention periods, or wish to request that your personal data is considered for erasure, please contact the school at GDPR@miltonabbey.co.uk.

YOUR RIGHTS

You have various rights under Data Protection Law to access and understand the personal data the school hold about you, and in some cases to ask for it to be erased or amended or for the school to stop processing it, but subject to certain exemptions and limitations.

You always have the right to withdraw consent, where given, or otherwise object to receiving generic or fundraising communications. 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 Notice, or may exist under some form of contract or agreement with the individual (eg an employment or parent contract, or because a purchase of goods, services or membership of one of our societies).

If you would like to access or amend your personal data, or would like it to be transferred to another person or organisation, or to exercise any of your rights under the data protection legislation, contact GDPR@miltonabbey.co.uk.

The school will aim 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 in the case of requests for access to information. 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, we may ask you to reconsider or charge a proportionate fee, but only where Data Protection Law allows it.

You should be aware that the right of access is limited to your own personal data, and certain data is exempt from the right of access. This will include information which identifies other individuals (and parents need to be aware this may include their own children, in certain limited situations – please see further below), or information which is subject to legal privilege (for example legal advice given to or sought by the school, or documents prepared in connection with a legal action).

The school is also not required to disclose any pupil examination scripts (or other information consisting solely of pupil test answers), provide examination or other test marks ahead of any ordinary publication, nor share any confidential reference given by the school itself for the purposes of the education, training or employment of any individual.

You may have heard of the 'right to be forgotten'; however, the school will sometimes have compelling reasons to refuse specific requests to amend, delete or stop processing your (or your child's) personal data: for example, a legal requirement or where it falls within a legitimate interest identified in this Privacy Notice. All such requests will be considered on their own merits.

PUPIL DATA

The rights under Data Protection legislation 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, Milton Abbey will assume that pupils' consent is not required for ordinary disclosure of their personal data to their parents, eg 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 our 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, or is required by law.

Pupils can make subject access requests for their own personal data, provided that they have sufficient maturity to understand the request they are making. Milton Abbey's pupils are generally assumed to have this level of maturity. A person with parental responsibility will generally be entitled to make a subject access request on behalf of pupils, but 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. Moreover (if of sufficient maturity) their consent or authority may need to be sought by the parent making such a request.

It should be clearly understood that the rules on subject access are not the sole basis on which information requests are handled. Parents may not have a statutory right to information, but they and others will often have a legitimate interest or expectation in receiving certain information about pupils without their consent. The school may consider there are lawful grounds for sharing with or without reference to that pupil.

Parents will in general receive educational and pastoral updates about their children. Where parents are separated, the school will in most cases aim to provide the same information to each person with parental responsibility, but may need to factor in all the circumstances including the express wishes of the child.

All information requests from, on behalf of, or concerning pupils – whether made under subject access or simply as an incidental request – will therefore be considered on a case by case basis.

DATA SECURITY

As part of Milton Abbey's commitment to protecting the security of any data we process the school will take appropriate technical and organizational 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 these policies and their duties under Data Protection Law and receive relevant training. If you would like details of the school's Data Protection Policy, please contact GDPR@miltonabbey.co.uk.

Any data that is shared with third parties is restricted to those who have a business need, in accordance with our guidance and in accordance with the duty of confidentiality.

CHANGE OF DETAILS

Milton Abbey tries to ensure that all personal data held in relation to an individual is as up to date and accurate as possible. Parents are able to review and update their contact details through the school's

Parent Portal at <https://gateway.miltonabbey.co.uk:4443/SchoolPortal/Login> or to notify the school of any significant changes to important information, please email holly.white@miltonabbey.co.uk. Former pupils are able to update their contact details through the school's alumni website at www.miltonabbeyassociation.org.uk or by emailing maa@miltonabbey.co.uk.

THIS POLICY

Milton Abbey's privacy notice should be read in conjunction with the school's other policies and terms and conditions which make reference to personal data, including Milton Abbey's Parent Contract, the school's Safeguarding Policy, Health & Safety Policies, Acceptable Use Policies and ICT Policies.

This Privacy Notice will be updated from time to time. Any substantial changes that affect how the school processes your personal data will be notified on the school's website and to you directly, as far as practicable.

QUESTIONS OR COMPLAINTS

The supervisory authority in the UK for data protection matters is the Information Commissioner (ICO). If you think your data protection rights have been breached in any way by us, you are able to make a complaint to the ICO: www.ico.org.uk. The ICO does recommend you seek to resolve any issues with the data controller initially prior to any referral.

If you have a concern about the way Milton Abbey is collecting or using your personal data, we ask that you raise your concern with the school in the first instance by contacting GDPR@miltonabbey.co.uk.

Julian Litchfield FCIPD
Bursar, Milton Abbey

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