

## KRISHNAMURTI FOUNDATION TRUST

### INWOODS SMALL SCHOOL Inc. EYFS

#### **Privacy Notice for Parents of Inwoods Pupils**

Krishnamurti Foundation Trust Ltd is the legal entity and is the "data controller". There are four departments in the Trust and we have put in place structures in place in each department to upload the data subject's right for each department. Only information related to support functions shared. This policy is for Inwoods Small School (School).

This policy is reviewed annually and recognises that in May 2018 the new EU General Data Protection Regulations (GDPR) and Data Protection Act 2017 come into effect. Although the principles of the new legislation remain broadly the same as current arrangements the importance of how organisations manage data protection is emphasised and recognised by the school.

The purpose of this Privacy Notice is to help you understand how and why we collect your child's personal information and what we do with that information. It also explains the decisions that you can make about your child's information.

We are giving you this notice because you are able to exercise your child's data protection rights on their behalf. When your child is older (usually when they reach the age of 12) they will be considered mature enough to exercise their own data protection rights.

The Bursar is the person responsible at our school for managing how we look after personal information and deciding how it is shared.

Like other organisations we need to keep your child's information safe, up to date, only use it for what we said we would, destroy it when we no longer need it and most importantly - treat the information we get fairly.

#### **What is "personal information"?**

Personal information is information that the School holds about your child and which identifies your child. This includes information such as their date of birth and address as well as things like exam results, medical details and behaviour records. We will also hold information such as your child's ethnic group if it helps us to ensure that we support your child, photos and video recordings of your child are also personal information.

#### **How and why does the School collect and use your child's personal information?**

The application form which you complete gives us personal information about your child. We get information from your child, his / her teachers and other pupils. Your child's old school also gives us information about your child if we need this to teach and care for them. Sometimes we get information from your child's doctor and other professionals where we need this to look after your child.

## **Our legal grounds for using your information**

This section contains information about the legal basis that we are relying on when handling your information.

As you will see from the table below, in some cases we will rely on more than one ground for a particular use of your child's information. For example, we will rely on legitimate interests and public interest grounds when using your child's information to look after your child and his / her classmates and when providing your child with an education. The ground that we will rely on for a particular purpose may vary depending on the circumstances. For example, if we decide to tell the local authority something about a pupil because we are worried about their welfare, sometimes this will be because we have a legal obligation to do so but on other occasions we may tell the local authority because we are worried about the student even if we don't have a legal obligation to report something (in which case we would be relying on legitimate interests and public interests).

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

- Providing your child (and other children) with an education and making sure that your child is behaving properly,
- Complying with our agreement with you for your child to be at the School,
- Keeping the school buildings safe,
- Making sure that the School is well managed and that we protect the School's reputation,
- Safeguarding and promoting your child's welfare and the welfare of other children,
- Promoting the objects and interests of the School. This includes fundraising e.g. if we want to raise money to build new buildings and using photographs of your child in promotional material such as on our website and in the prospectus,
- Ensuring that all relevant legal obligations of the School are complied with (for example in relation to inspections),
- Using your child's information in connection with legal disputes,
- Facilitating the efficient operation of the School.

In addition your child's personal information may be processed for the legitimate interests of others. For example, we may use information about your child when investigating a complaint made by another student.

**Legal obligation:** Where the School needs to use your child's 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 child's information to third parties, such as the courts, the local authority or the police where legally obliged to do so.

**Vital interests:** In limited circumstances we may use your child's information to protect your child's vital interests or the vital interests of someone else (e.g. if your child or they are seriously hurt).

**Performance of a task carried out in the public interest:** This applies where what we are doing is for the benefit of people generally. The following are examples of where this applies:

- Providing your child and others with an education;
- Safeguarding and promoting your child's welfare and the welfare of other children;
- Facilitating the efficient operation of the School; and
- Ensuring that we comply with all of our legal obligations.

We set out in the table below examples of the different ways in which we use personal information and the legal basis on which we collect and process this information

**Special Category of Personal Information (sensitive data)**

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 below. For example, the School may use information about your child's health to look after him / her. We may also use other types of special category personal data about your child to provide them with an education, to look after your child and their classmates or when the School is inspected.

- **Substantial public interest:** The School is also 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 below;
- **Social protection and social security laws:** There will be times when the School needs to use your child's information because we are an employer. Also the School will use your child's information to comply with social protection law (e.g. to look after your child) and social security laws;
- **Vital interests:** In limited circumstances we may use your child's information to protect your child's vital interests or the vital interests of someone else (e.g. if your child or they are seriously hurt);
- **Legal claims:** The processing is necessary for the establishment, exercise or defence of legal claims. This allows us to share information with our legal advisors and insurers. This applies whenever sharing special category data is necessary in relation to legal claims.
- **Medical purposes:** This includes medical treatment and the management of healthcare services.

Examples of different ways we use personal information	Legal basis
The School's primary reason for using your child's information is to provide your child with an education	Legitimate interests, public interest, substantial public interest
The School uses your child's personal information to safeguard and promote your child's welfare and the welfare of others (for example, so that we can look after your child if they are hurt)	Legitimate interests, public interest, substantial public interest, social protection and social security laws, medical purposes

We use information about your child during the admissions process e.g. when considering any information provided on the registration form. We may let your child's previous school know if they have been offered a place at the School	Legitimate interests, public interest, substantial public interest
We need to tell all appropriate members of staff if your child is allergic to something or has a health issue	Legitimate interests, public interest, substantial public interest
We will tell your child's teachers if he or she has special educational needs or requires extra help with some tasks	Legitimate interests, public interest, substantial public interest
We will need to share information about your child (e.g. about their health and wellbeing) with the School infirmary team and the local surgery	Legitimate interests, public interest, substantial public interest Social protection and social security laws, medical purposes
We record your child's attendance and if he or she has time away from the School we record the reason(s) why	Legitimate interests, public interest, substantial public interest
We will need to report some of your child's information to the government (e.g. the Department for Education). We will need to tell the local authority that your child attends the School, if your child leaves the School or let them know if we have any concerns about your child's welfare.	Legitimate interests, public interest, substantial public interest, social protection and social security laws
We may need to share information about your child with the Health and Safety Executive (a government organisation) if there is a health and safety issue at the School	Legitimate interests, legal obligation, public interest, substantial public interest
The School is a charity which means that in exceptional circumstances we may need to share your child's information with the Charity Commission e.g. in the event of a serious incident	Legitimate interests, legal obligation, public interest, substantial public interest
When we are inspected by the Independent Schools Inspectorate we will have to make your child's information available to the inspectors to assist them with their inspection	Legitimate interests, legal obligation, public interest, substantial public interest
If the School receives a complaint or grievance which involves your child we will need to use their information to deal with this appropriately. For example, if you make a complaint or if another parent complains about an issue which involves your child	Legitimate interests, public interest, substantial public interest
We are legally required to provide the Department for Education with certain information about your child. 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 your child. But they are only allowed to do this for limited purposes and they must be very careful about how they use your child's information. More information can be found here: <a href="https://www.gov.uk/government/publications/national-pupil-databaseuser-guide-and-supporting-information">https://www.gov.uk/government/publications/national-pupil-databaseuser-guide-and-supporting-information</a>	Legal obligation, substantial public interest
We will need information about any court orders or criminal petitions which relate to your child. This is so that we can safeguard your child's welfare and wellbeing and the other pupils at the School	Legitimate interests, public interest, substantial public interest

If your child is from another country we have to make sure that they 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 your child to UK Visas and Immigration	Legitimate interests, legal obligation, public interest, substantial public interest
Depending on where your child will go when they leave us we will provide their information to other schools and colleges.	Legitimate interests, public interest, substantial public interest
If your child has a safeguarding file, we are legally required to pass this file to their next school	Legitimate interests, legal obligation, public interest, substantial public interest, social protection and social security laws
We may need to share information with the police or our legal advisers if something goes wrong or to help with an enquiry. For example, if one of your child's classmates is injured at School or if there is a burglary.	Legitimate interests, legal obligation, public interest, substantial public interest, legal claim
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 child's information with them if this is relevant to their work	Legitimate interests, public interest, substantial public interest
If your child has misbehaved in a serious way, and the police have become involved, we will need to use information about the action taken by the police	Legitimate interests, legal obligation, public interest, substantial public interest, social protection and social security laws
We may share some information with our insurance company to make sure that we have the insurance cover that we need	Legitimate interests, public interest, substantial public interest, legal claim
We will share your child's academic and (where fair) their behaviour records with you or their education guardian so you can support their schooling	Legitimate interests, public interest, substantial public interest
We may use photographs or videos of your child for the School's website and social media sites or prospectus to show prospective students what we do here and to advertise the School. We will continue to use these photographs and videos after your child has left the School	Legitimate interests
Sometimes we use photographs and videos for teaching purposes, for example, to record a drama lesson. If you have any concerns about us using photographs or videos of your child please speak to your child's tutor	Legitimate interests
We publish news on the website and put articles and photographs in the local news to tell people about what we have been doing	Legitimate interests
We will keep details of your child's address when they leave so we can send them the ePost, Observer and find out how they are getting on	Legitimate interests
The School must make sure that our computer network is working well and is secure. This may involve information about your child, for example, our anti-virus software might scan files containing information about your child	Legitimate interests

We will only share your child's 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	Legitimate interests
<p>We sometimes use contractors to handle personal information on our behalf. The following are examples:</p> <ul style="list-style-type: none"> <li>● IT consultants who might access information about your child when checking the security of our IT network; and</li> <li>● 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</li> </ul>	Legitimate interests

**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 and to look after our pupils.

**Consent**

We may ask for your consent to use your child's information in certain ways as an alternative to relying on any of the grounds in the table above. If we ask for your consent to use your child's personal information you can take back this consent at any time. Any use of your child's information before you withdraw your consent remains valid. Please speak to your child's tutor if you would like to withdraw any consent given.

**Sending information to other countries**

We may send your child's 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 child's information on cloud computer storage based overseas.

The European Commission has produced a list of countries which have adequate data protection rules. The list can be found here: [http://ec.europa.eu/justice/data-protection/internationaltransfers/adequacy/index\\_en.htm](http://ec.europa.eu/justice/data-protection/internationaltransfers/adequacy/index_en.htm)

If the country that we are sending your child's 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 child's information for as long as we need to in order to educate and look after them. We will keep certain information after your child has 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 child's 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.

We can keep information about your child 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. Please see our Information and Records Retention Policy for more detailed information. This can be found on our website in the policies section for each school.

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

From May 2018 you will be able to make various decisions about your child's information. Some of these are new rights whilst others build on your child's existing rights. Some of your child's rights are listed as follows:

- **Rectification:** if information is incorrect you can ask us to correct it;
- **Access:** you can also ask what information we hold about your child 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 your child, 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 your child in certain circumstances. For example, where we no longer need the information;
- **Portability:** you can request the transfer of your child's 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 your child 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: (a). we are using it for direct marketing purposes (e.g. to send you the School newsletters); (b) the legal ground on which we are relying is either legitimate interests or performance of a task carried out in the public interest. (c) we are using it for historical or scientific research purposes or archiving purposes. For example, we may keep photographs of your child at a School event 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 child's personal information. The Bursar can answer any questions which you might have.

Please speak to the Bursar if:

- you object to us using your child's information for marketing purposes e.g. to send your child information about school events. We will stop using your child's information for marketing purposes if you tell us not to; or
- you would like us to update the information we hold about your child; or
- you would prefer that certain information is kept confidential.

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