

WOLVERHAMPTON GRAMMAR SCHOOL

PRIVACY NOTICE FOR PUPILS AND PARENTS

INTRODUCTION

This Privacy Notice is intended to provide information about how the School* will use (or "process") personal data about individuals including: its current, former and prospective pupils (collectively referred to in this policy as pupils); and their parents, carers or guardians (collectively referred to in this Privacy Notice as parents).

This information is provided because Data Protection Law gives individuals rights to understand how their data is used. Staff, parents and pupils are all encouraged to read this Privacy Notice and understand the School's obligations to its entire community.

This Privacy Notice applies alongside any other information the School may provide about a particular use of personal data, for example when collecting data via an online or paper form.

This Privacy Notice also applies in addition to the School's other relevant terms and conditions and policies, including:

- any contract between the School and the parents of pupils including the Parent Contract;
- Taking, Storing and Using Images of Children Policy;
- CCTV Policy
- Biometric Recognition Systems Guidance for Pupils;
- Data Retention Guide;
- Safeguarding Policy, including how concerns or incidents are recorded;
- Health and Safety Policy; and
- Acceptable Use Policy for Pupils.

Anyone who works for, or acts on behalf of, the School (including staff, volunteers, directors, trustees and service providers) should also be aware of and comply with the School's Privacy Notice for Staff and the School's Privacy Notice for Alumni, which also provides further information about how personal data about those individuals will be used.

*The School, acting as data controller, includes Wolverhampton Grammar School (WGS) Ltd, WGS Independence Appeal Funds, WGS 1958 Fund and WGS Enterprises Ltd.

RESPONSIBILITY FOR DATA PROTECTION

The School has appointed Shona Hemmings, the Finance Director as Privacy and Compliance Officer who will deal with all your requests and enquiries concerning the School's uses of your personal data (see section on Your Rights below) and endeavour to ensure that all personal data is processed in compliance with this policy and Data Protection Law.

WHY THE SCHOOL NEEDS TO PROCESS PERSONAL DATA

In order to carry out its ordinary duties for pupils and parents, the School needs to process a wide range of personal data about individuals (including current, past and prospective pupils or parents) as part of its daily operation.

The School will need to carry out some of these ordinary duties in order to fulfil its legal rights, duties or obligations, including those under a contract with the parents of its pupils.

Other uses of personal data will be made 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.

The School expects that the following uses will fall within that category of its (or its community's) "**legitimate interests**":

- For the purposes of pupil selection (and to confirm the identity of prospective pupils and their parents);
- To provide education services, including musical education, physical training or spiritual development, career services, and extra-curricular activities to pupils, and monitoring pupils' progress, pastoral and educational needs;
- To enable the collection of School fees and associated charges for extras such as trips and travel;
- Maintaining relationships with alumni and the School community, including direct marketing or fundraising activity;
- For the purposes of donor due diligence, and to confirm the identity of prospective donors and their background and relevant interests;
- For the purposes of management planning and forecasting, research and statistical analysis, including that imposed or provided for by law (such as tax, diversity or gender pay gap analysis);
- To enable relevant authorities to monitor the School's performance and to intervene or assist with incidents as appropriate;
- 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 care;
- To monitor (as appropriate) use of the School's IT and communications systems in accordance with the School's Acceptable Use Policy for pupils;
- 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;
- For security purposes, including biometrics and CCTV in accordance with the School's Biometric Recognition Guidance and CCTV Policy;
- For teaching and learning purposes, making use of incidental digital capture of images and voices of pupils in the filming of lessons for internal publication and pupil use through Firefly in accordance with the School's Taking, Storing and Using Images of Children Policy;
- To carry out or cooperate with any School or external complaints, disciplinary or investigation process; and
- Where otherwise reasonably necessary for the School's purposes, including to obtain appropriate professional advice and insurance for the School.

In addition, the School will on occasion need to process **special category personal data** (concerning health, ethnicity, religion, biometrics or sexual life) or criminal records information (such as when carrying out DBS checks) in accordance with rights or duties imposed on it by law, including as regards safeguarding and employment, or from time to time by explicit consent where required. These reasons will 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 comply with public health requirements in respect of Covid-19 (or similar) testing: including managing on-site testing and/or processing the results of tests taken by pupils or other members of the School community, and sharing this information with relevant health authorities;
- To provide educational services in the context of any special educational needs of a pupil;
- To provide spiritual education in the context of any religious beliefs;
- To run any of its systems that operate on biometric data, such as for security and other forms of pupil identification (entry door controls, lunch etc.);
- 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; or
- For legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with its legal obligations and duties of care.

COVID-19 RELATED PROCESSING

While pandemic conditions persist, the school may need to collect, share and otherwise process personal data in accordance with Government guidance. This may be for reasons not specifically set out in this Privacy Notice but always for the purposes of protecting public and individual health by seeking to limit the spread of coronavirus (COVID-19).

TYPES OF PERSONAL DATA PROCESSED BY THE SCHOOL

This will include by way of example:

- names, addresses, telephone numbers, e-mail addresses and other contact details (including social media accounts if applicable);
- pupil date of birth; sibling records; previous school (if applicable); ethnicity and religious beliefs (if supplied);
- car details (about those who use our car parking facilities);
- biometric information, which will be collected and used by the School in accordance with the School's Guidance on Biometric Recognition Systems.
- bank details and other financial information, e.g. about parents who pay fees to the School and/or have applied for a bursary;
- 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; dietary and welfare needs, and contact details for their next of kin and/or emergency contact details; GP contact details;
- references given or received by the School about pupils, and relevant information provided by previous educational establishments and/or other professionals or organisations working with pupils;
- correspondence with and concerning staff, pupils and parents past and present; and
- images of pupils (and occasionally other individuals) engaging in School activities, and images captured by the School's CCTV system or through the digital capture of lessons (in accordance with the School's Taking, Storing and Using Images of Children Policy and CCTV Policy);

HOW THE SCHOOL COLLECTS DATA

Generally, the School receives personal data from the individual directly (including, in the case of pupils, from their parents). This may be via a form, or simply in the ordinary course of interaction or communication (such as email or written assessments).

Parents are requested to confirm the pupil's core records every year in the form of an annual check by the School. Parents can also request changes to their home address and contact information using the online Parent Portal.

However, in some cases personal data will be supplied by third parties (for example another School, or other professionals or authorities working with that individual); or collected from publicly available resources.

WHO HAS ACCESS TO PERSONAL DATA AND WHO THE SCHOOL SHARES IT WITH

Processing by third parties: 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). However, some functions are outsourced, such as IT systems, web developers or cloud storage providers. In accordance with Data Protection Law, this type of external data is always subject to contractual assurances that personal data will be kept securely and only in accordance with the School's specific directions.

Data sharing: Occasionally, the School will need to share personal information relating to its community with third parties, such as:

- professional advisers (e.g. lawyers, insurers, PR advisers and accountants);
- examination bodies;
- Stage 3 complaints panels, which will include independent panel members;
- government authorities (e.g. HMRC, DfE, police or the local authority);
- appropriate regulatory bodies e.g. Teaching Regulation Agency, the Independent Schools Inspectorate, the Charity Commission or the Information Commissioner; and
- The School's Alumni and Friends' associations.

ACCESS TO, AND SHARING OF, SENSITIVE DATA

Particularly strict rules of access apply in the context of 'special category' data, most notably:

- medical records/care plans; and
- pastoral or safeguarding files.

Medical data: The School needs to process such information to comply with statutory duties and to keep pupils and others safe, but the School will ensure only authorised staff can access information on a need to know basis. This may include wider dissemination if needed for School trips or for catering purposes. Express consent will be sought where appropriate.

However, a certain amount of any SEND pupil's relevant information or critical medical information (such as epi-pen user) will need to be provided to staff more widely in the context of providing the necessary care and education that the pupil requires.

Safeguarding data: Staff, pupils and parents are reminded that the School is under duties imposed by law and statutory guidance (including Keeping Children Safe in Education or KSCIE) 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 safeguarding files including on CPOMS, and in some cases referrals to relevant authorities such as the LADO, Children's Services, CAMHS or police. For further information about this, please view the School's Safeguarding Policy.

KCSIE also requires that, whenever a child leaves the School to join another school or college, his or her child protection files is promptly provided to the new organisation along with any other information which the school's Designated Safeguarding Lead considers material to the ongoing care needs of any pupil. Where appropriate, the School will consult with parents as to how these needs are best served, but ultimately the decision as to what information is necessary to share with the new school or college is a safeguarding question that must be reserved to the school. The School will retain a copy of the child protection file in accordance with its Data Retention Policy for material related to safeguarding incidents. For further information, please see the School's Safeguarding Policy.

HOW LONG WE KEEP PERSONAL DATA

The School will retain personal data securely and only in line with how long it is necessary to keep for a legitimate and lawful reason. Typically, the legal recommendation for how long to keep pupil files is up to 7 years following departure from the School. However, incident reports and safeguarding files will need to be kept much longer, in accordance with specific legal requirements.

Records are held in line with our Data Retention Guide though if you have any specific queries about how this is applied or wish to request that personal data that you no longer believe to be relevant is considered for erasure, please contact Shona Hemmings by email on: bursar@wgs-sch.net. However, please bear in mind that the School will often have lawful and necessary reasons to hold on to some personal data even following such request.

A limited and reasonable amount of information will be kept for archiving purposes, for example; and even where you have requested we no longer keep in touch with you, we will need to keep a record of the fact in order to fulfil your wishes (called a "suppression record").

KEEPING IN TOUCH AND SUPPORTING THE SCHOOL

The School will use the contact details of parents and other members of the School community to keep them updated about the activities of the School, or alumni and parent events of interest, including by sending updates and newsletters, by email and by post. Unless the relevant individual objects, the School will 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 Old Wulfrunians' Association and Friends' Association.
- Contact parents and/or alumni, including via the organisations above, by post and email in order to promote and raise funds for the School and, where appropriate, other worthy causes;
- Should you wish to limit or object to any such use, or would like further information about them, please contact the Finance Director in writing. You always have the right to withdraw consent, where given, or otherwise object to direct marketing or fundraising. However, the School is nonetheless likely to retain some of your details (not least to ensure that no more communications are sent to that particular address, email or telephone number).

SENDING INFORMATION TO OTHER COUNTRIES

We may send your information to countries which do not have the same level of protection for personal information as there is in the UK, e.g. when communicating with you if you live overseas, or storing your information on computer servers 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/international-transfers/adequacy/index_en.htm

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, in the absence of any other safeguards, it might not have the same level of protection for personal information as there is in the UK.

Where appropriate we may put in place additional safeguards, for example, if we are using a third party to process a payment then we may ask them to contract with us using model data protection clauses provided by the European Commission in the absence of any other appropriate safeguard. If you would like more information about the safeguards that are in place, please contact the Finance Director.

YOUR RIGHTS

Individuals have various rights under Data Protection Law to access and understand personal data about them held by the School, and in some cases ask for it to be erased or amended or have it transferred to others, or for the School to stop processing it, but subject to certain exemptions and limitations.

The School will endeavour to respond to any such written requests as soon as is reasonably practicable and in any event within statutory time-limits (which is generally one month, but actually fulfilling more complex or multiple requests e.g. those involving third party information, may take 1-2 months longer).

Rights of access etc.

The School will be better able to respond quickly to smaller, targeted requests for information. If the request for information is manifestly excessive or similar to previous requests, the School may ask you to reconsider, or require a proportionate fee (but only where Data Protection Law allows it).

If you consider that the personal data we hold on you is inaccurate, please let us know. However, the School will not necessarily delete or amend views, opinions, notes or records purely on the request of an individual who disputes the account, although we may keep a record of all parties' viewpoints.

Requests that cannot be fulfilled

You should be aware GDPR rights (including the right of access) are 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.

These exemptions necessarily apply also in the context of teacher-assessed grades, where required in the absence of formal public examinations due to pandemic conditions. Please see our separate communications regarding exams which explains what information will be provided to all relevant pupils, and when, in respect of their grades.

You may have heard of the "right to be forgotten". However, we 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 proportionate legitimate interest identified in this Privacy Notice. Generally, if the School still considers the processing of the personal data to be reasonably necessary, it is entitled to continue. All such requests will be considered on their own merits.

Requests by or on behalf of pupils

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 (see section **Whose Rights?** below). A pupil of any age may ask a parent or other representative to make a subject access request on his/her behalf.

Indeed, while a person with parental responsibility will generally be entitled to make a subject access request on behalf of younger pupils, the law still considers the information in question to be the child's. For older pupils, the parent making the request may need to evidence their child's authority for the specific request. Requests not considered to be in the child's best interests may sometimes be refused.

Pupils at Wolverhampton Grammar School aged 13 and above are generally assumed to have this level of maturity, although this will depend on both the child and the personal data requested, including any relevant circumstances at home. Slightly younger children may however be sufficiently mature to have a say in this decision, depending on the child and the circumstances.

Parental requests etc.

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, in accordance with the Parent Contract. 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.

Consent

Where the School is relying on consent as a means to process personal data, any person may withdraw this consent at any time (subject to similar age considerations as above). Examples where we do rely on consent are: biometrics, certain types of uses of images, certain types of fundraising activity and for electronic communication for marketing purposes. Please be aware however that the School may not be relying on consent but 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 otherwise exist under some form of contract or agreement with the individual (e.g. the Parent Contract, or because a purchase of goods, services or membership of an organisation such as the Alumni or Friends' Association has been requested).

Whose rights?

The rights under Data Protection Law belong to the individual to whom the data relates. However, the School will often rely on parental authority or notice for the necessary ways it processes personal data relating to pupils e.g. under the parent contract, or via a form. Parents and pupils should be aware that this is not necessarily the same as the School relying on strict consent (see section on Consent above).

Where consent is required, it may in some cases be necessary or appropriate given the nature of the processing in question, and the pupil's age and understanding to seek 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, the School will assume that pupils' consent is not required for ordinary 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. That is 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 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, or if required by law.

Pupils are required to respect the personal data and privacy of others, and to comply with the School's Acceptable Use Policy for Pupils and the School Rules. Staff are under professional duties to do the same as covered under the IT Acceptable Use Policy for Staff and the Staff Code of Conduct.

DATA ACCURACY AND SECURITY

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 please notify the School of any significant changes to important information, such as contact details, held about them and on an annual basis confirm the accuracy of the contact and medical details held as detailed in the Parent Contract.

An individual has the right to request that any out-of-date, irrelevant or inaccurate information about them is erased or corrected (subject to certain exemptions and limitations under Data Protection Law): please see above for details of why the School may need to process your data, of who you may contact if you disagree.

The School will take 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. All staff and Directors will be made aware of this policy and their duties under Data Protection Law and receive relevant training.

THIS PRIVACY NOTICE

The School will update this Privacy Notice from time to time. Any substantial changes that affect your rights will be provided to you directly as far as is reasonably practicable.

QUERIES AND COMPLAINTS

Any comments or queries on this policy should be directed to Shona Hemmings, the Finance Director using the following contact details: bursar@wgs-sch.net or in writing to the School. Pupils in particular are encouraged to seek an explanation of any area within this policy which is not clear to them.

If an individual believes that the School has not complied with this policy or acted otherwise than in accordance with Data Protection Law, they should utilise the School's Complaints Policy and should also notify the Bursar. You can also make a referral to or lodge a complaint with the Information Commissioner's Office (ICO), although the ICO recommends that steps are taken to resolve the matter with the School before involving the regulator.

Please also refer to the following policies:

Health and Safety Policy - Staff network and website	Safeguarding Policy - Staff network and website
Staff Code of Conduct - Website and Employment Manual	Security, Access Control and Workplace Safety - Staff network and website
Taking, Using and Storing of Images of Children Policy - Staff network and website	Privacy Notice for Staff - Website and Employment Manual
Privacy Notice for Alumni, Friends and Supporters - Staff network and website	Privacy Notice for Hirers, Visitors and Contractors - Staff network and website
CCTV Policy - Staff network and website	

Monitoring and Evaluation of this policy

The School monitors and evaluates its Privacy Notice through the following activities:

- Record keeping of training records for staff in data protection
- Review of regulatory compliance by F&GP Committee
- Review of concerns and complaints registers by SMT and Board of Directors
- Review of safeguarding register by Head and Designated Safeguarding Director

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September 2023

Next Review:
September 2024