



Privacy Policy

Who we are

The Data Controller is St Peter's School, York which is a registered charity (no: 1141329) and a company limited by guarantee (no: 06927030). The Data Controller is also responsible for St Peter's School Commercial Ltd, a trading company owned wholly by St Peter's School, York which exists to operate lets of the school premises and gift the net proceeds to the School. For the purposes of this policy "The School" will apply to the three school divisions and the commercial company.

The person at St Peter's responsible for the co-ordination of Data Protection at School is [Matt Carr](#) the Chief Operating Officer.

What is this policy for?

This policy is intended to provide information about how St Peter's will use (or "process") personal data about individuals including: our staff; our current, past and prospective pupils; their parents, carers or guardians (referred to in this statement as "parents"), some third parties such as our neighbours (local residents) and our contractors.

- Members of staff, governors, volunteers and job applicants are also directed to a more comprehensive privacy statement relating to employment/HR [here](#)
- Alumni- see detailed privacy statement [here](#)
- The School has also produced an addendum to the policy in light of the current pandemic which can be found [here](#)

This information is provided because Data Protection Law provides individuals with rights to understand how their personal data is used. Pupils, parents, members of staff, governors, volunteers and contractors are all encouraged to read this Privacy Notice.

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

- any contract between the School and its staff or the parents of pupils;
- the School's data protection policy for staff and information security policy;
- the School's policy on taking, storing and using images of children;
- the School's CCTV and biometrics policy;
- the School's retention of records policy;
- the School's safeguarding, pastoral, and health and safety policies, including as to how concerns or incidents are recorded and the code of conduct for staff; and

- the School's IT policies, including its Staff Acceptable Use Policy and Staff Social Media Policy.

Anyone who works for, or acts on behalf of, the school (including staff, volunteers, governors and contractors) should also be aware of this privacy notice and comply with the School's policies.

Responsibility for Data Protection

St Peter's School has appointed the Chief Operating Officer, Matt Carr, 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.

The Chief Operating Officer can be contacted at School on 01904 527401 / dp@stpetersyork.org.uk or St Peter's School, York, Clifton, York. YO30 6AB.

Why the School needs to process personal data

In order to carry out its ordinary duties to members of staff, pupils, parents, contractors and some third parties the school may process a wide range of personal data about individuals (including current, past and prospective staff, pupils or parents) as part of its daily operation.

Some of this activity the school will need to carry out in order to fulfil its legal rights, duties or obligations – including those under a contract with its staff, or 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 may 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, sports or spiritual development, career services, and extra-curricular activities to pupils, and monitoring pupils' progress and educational needs;
- To provide effective communication with all parties referenced in this policy;
- To facilitate effective communication within the school via handbooks and shared information management systems;
- 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 diversity, gender pay gap analysis and taxation records);
- 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;
- 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 CCTV in accordance with the school's CCTV policy;
- To give and receive references about past, present or prospective staff or any other individual who is likely to have unsupervised contact with children.
- For the administration of the employee / employer relationship 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 may 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 may 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 where it is in the individual's interests to do so: for example for medical advice, social services, insurance purposes, or to pastoral staff and organisers of school trips;
- 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;
- In connection with employment of its staff, for example DBS checks, welfare or pension plans or union membership
- To run any of its systems that operate on biometric data, such as for security, time and attendance 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.

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;
- Car details (about those who use our car parking facilities);
- Biometric information for the purposes of staff time and attendance systems, which will be collected and used by the school in accordance with the school's biometrics policy;
- Bank details and other financial information, e.g. about parents who pay fees to the school or to pay salaries for members of staff;
- 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;
- 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; and
- 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);
- Information received during the recruitment of staff including references, qualifications and employment history;
- Correspondence with pupils, parents, staff contractors and third parties;
- Staff employment records – e.g. training, development review;
- Bursary applications.

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 verbal, email or written assessments).

However, in some cases personal data may be supplied by third parties (for example, from another member of the school community, another school, another employer or other professionals or authorities working with that individual).

Who has access to personal data and who the School shares it with

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);
- Government authorities (e.g. HMRC, DfE, police or the local authority);
- The Joint Council for Qualifications (JCQ), and
- Appropriate regulatory bodies (e.g. the Independent Schools Inspectorate, the Independent Schools Council, the Health and Safety Executive)

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 - medical records will only be accessed by the school's medical staff responsible for the care of a child. However, that information may also be shared with others such as the school doctor or school staff where it is in the interests of the child or necessary for us to fulfil our duty of care or otherwise in accordance with express consent;

Pastoral or safeguarding files – will only be accessible on a “need to know” basis to certain school staff members. However, that information may also be shared with others such as the school doctor or LADO where it is in the interests of the child or necessary for us to fulfil our duty of care or otherwise in accordance with express consent.

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 may 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 and Child Protection Policy](#).

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.

Finally, in accordance with Data Protection Law, some of the school's processing activity is carried out on its behalf by third parties, such as IT systems, web developers or cloud storage providers. This is always subject to contractual assurances that personal data will be kept securely and only in accordance with the school's specific directions. The school may use some products or services (or parts of them) that may be hosted/stored on the cloud or servers operated outside the European Economic Area ("EEA"). Where this is the case, we will take steps to ensure that those providers use the necessary level of protection for the data we hold. Our service providers operate data protection measures at standards which are compliant with the requirements of and standards expected under UK GDPR.

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 ordinary staff and pupil personnel files is up to 7 years following departure from the school. The files will be kept securely (either electronically or in hard copy). However, incident reports and safeguarding files will need to be kept much longer, in accordance with specific legal requirements. The independent inquiry into child sexual abuse (IICSA) has emphasised the need to keep some types of pupil records indefinitely.

If you have any specific queries about how this policy is applied, or wish to request that personal data that you no longer believe to be relevant is considered for erasure, please contact the Chief Operating Officer. However, please bear in mind that the school may have lawful and necessary reasons to hold on to some data.

The School's storage and retention policy ensures:

- All information held is justifiable, by reference to its purpose;
- Transparency and accountability for what is held;
- Subject access requests can be accommodated properly;
- Data can be amended, deleted or transferred promptly upon any justified request; Access is appropriate to the data held (particularly any sensitive data).

Keeping in touch and supporting the School

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, 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 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 Old Peterite Association and School Parent and Teacher Committees.

- 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 Matt Carr at dp@stpetersyork.org.uk in writing. You always have the right to withdraw consent, where given, or otherwise object to direct marketing or fundraising. However, the school may need nonetheless to retain some of your details (not least to ensure that no more communications are sent to that particular address, email or telephone number).

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 for the school to stop processing it, but subject to certain exemptions and limitations.

Any individual wishing to access (called a subject access request) or amend their personal data, or wishing it to be transferred to another person or organisation, or who has some other objection to how their personal data is used, should put their request in writing to the Chief Operating Officer, Matt Carr, dp@stpetersyork.org.uk.

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. 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, the school may ask you to reconsider or charge a proportionate fee but only where Data Protection Law allows.

Requests that cannot be fulfilled

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 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, 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 legitimate interest identified in this Privacy Policy. All such requests will be considered on their own merits.

Pupil Requests

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. Indeed, while a person with parental responsibility will generally be entitled to make a subject access request on behalf of younger pupils, the information in question is always considered to be, legally, the child's.

A pupil of any age may ask a parent or other representative to make a subject access request on his/her behalf. Moreover (if of sufficient age) their consent or authority may need to be sought by the parent making such a request. Pupils at St Peter's 13-18 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. Pupils at 8-13 may however be sufficiently mature to have a say in this decision.

Whose rights - Pupils and Parents

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 Terms and Conditions. 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 and instructions from Court orders.

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 of where we do rely on consent are the use of certain types of images, some school trips and certain types of fundraising activity. Please be aware however that the School may not be relying on consent but have another lawful reason (e.g. contract) to process the personal data in question even without consent.

That reason will usually have been asserted under this Privacy Policy, or may otherwise exist under some form of contract or agreement with the individual (e.g. an employment or parent contract, or because a purchase of goods, services or membership of an organisation such as one of our alumni or parents' associations been requested).

The rights under Data Protection Law 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, 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, 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 ICT acceptable user guidelines and the school rules. Staff are under professional duties to do the same covered under the relevant staff policies.

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 (Relevant School Office for pupils and parents; HR department for staff and Development; Alumni office for past pupils and St Peter's 13-18 school office for all others) of any significant changes to important information, such as contact details, held about them.

An individual has the right to request that any out-of-date, irrelevant or inaccurate or 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 governors will be made aware of this policy and their duties under Data Protection Law and receive relevant training.

This Policy

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 the Chief Operating Officer at dp@stpetersyork.org.uk or by calling the School on 01904 527401.

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 complaints procedure and should also notify the Chief Operating Officer at dp@stpetersyork.org.uk . An individual 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.

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