



4 - 18 yrs Co-educational Independent Day School

# Privacy Notice for Pupils

## Who are we?

Arnold Lodge School is the 'data controller'. This means we are responsible for how personal information is processed and for what purposes. Arnold Lodge School collects a lot of data and information about our pupils so that we can run effectively as a school. This privacy notice explains how and why we collect pupils' data, what we do with it and what rights parents and pupils have.

Under data protection law, individuals have a right to be informed about how the school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store, use and share personal information about pupils at our school.

## The personal data we hold

Personal information relates to a living individual who can be identified from that information. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession.

We hold some personal information about pupils to make sure we can help pupils learn and look after pupils at school.

For the same reasons, we get information about pupils from some other places too – like other schools, the local council and the government.

Personal information that we may collect, use, store and share (when appropriate) about pupils includes, but is not restricted to:

- A pupil's contact details
- A pupil's test/examination results
- A pupil's attendance records
- Details of any behaviour issues or exclusions

We may also collect, use, store and share (when appropriate) information about pupils that falls into "special categories" of more sensitive personal data. This includes, but is not restricted to:

- Information about a pupil's characteristics, like their ethnic background or any special educational needs
- Information about any medical conditions a pupil may have
- Photographs and CCTV images

## Special Category Data

For 'special category' data (more sensitive personal information), we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in UK data protection law:

- We have obtained explicit consent to use a pupil's information in a certain way.
- We need to use a pupil's information under employment, social security or social protection law.
- We need to protect an individual's vital interests (i.e. protect a pupil's life or someone else's life), in situations where a pupil is physically or legally incapable of giving consent.
- The information has already been made obviously public by a pupil
- We need to use it to make or defend against legal claims
- We need to use it for reasons of substantial public interest as defined in legislation
- We need to use it for health or social care purposes, and it's used by, or under the direction of, a professional obliged to confidentiality under law
- We need to use it for public health reasons, and it's used by, or under the direction of, a professional obliged to confidentiality under law
- We need to use it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the use is in the public interest.

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in UK data protection law. Conditions include:

- We have obtained a pupil's parents/carers consent to use it in a specific way
- We need to protect an individual's vital interests (i.e. protect a pupil's life or someone else's life), in situations where a pupil is physically or legally incapable of giving consent
- The data concerned has already been made obviously public by a pupil
- We need to use it as part of legal proceedings, to obtain legal advice, or to make or defend against legal claims
- We need to use it for reasons of substantial public interest as defined in legislation

## Why we use this data

We will use a pupil's personal information to:

- a) Get in touch with you and your parents when we need to
- b) Check how you're doing in exams and work out whether you or your teachers need any extra help
- c) Track how well the school as a whole is performing
- d) Look after your wellbeing

## **Use of your personal data in automated decision making and profiling**

We do not currently put a pupil's personal information through any automated decision making or profiling process. This means we don't make decisions about a pupil using only computers without any human involvement.

If this changes in the future, we will update this notice in order to explain the processing to you, including your right to object to it.

## **Our lawful basis for using this data**

While the majority of information we collect from you is mandatory, there is some information that you can choose whether or not to provide to us.

Whenever we seek to collect information from a pupil, we make it clear whether they must provide this information (and if so, what the possible consequences are of not complying), or whether they have a choice.

Where the personal data we collect about pupils is sensitive personal data, we will only process it where:

- we have explicit consent;
- processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent; and / or
- processing is necessary for reasons of substantial public interest, which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.

Please see our Data Protection Policy for a definition of sensitive personal data.

We use the pupil data to support our functions of running a school, in particular:

- to decide who to admit to the school.
- to maintain a waiting list.
- to support pupil learning.
- to monitor and report on pupil progress.
- to provide appropriate pastoral care.
- to assess the quality of our services.
- to comply with the law regarding data sharing.
- for the protection and welfare of pupils and others in the school.
- for the safe and orderly running of the school.
- to promote the school.
- to communicate with parents/carers.
- in order to respond to investigations from our regulators or to respond to complaints.
- in connection with any legal proceedings threatened or commenced against the school.

## **Categories of pupil information that we collect, hold and share include:**

- Personal information (such as name, unique pupil number and address).
- Characteristics (such as ethnicity, language, medical conditions, nationality, country of birth).
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Behaviour records, including exclusions (if relevant) records about attainment, assessment information, information about special needs (if relevant).

From time to time and in certain circumstances, we might also process personal data about pupils, some of which might be sensitive personal data, including information about criminal proceedings and /or convictions, information about sex life and sexual orientation, child protection and safeguarding.

This information is not routinely collected about pupils and is only likely to be processed by the school in specific circumstances relating to particular pupils, for example, if a child protection issue arises or if a pupil is involved in a criminal matter. Where appropriate, such information may be shared with external agencies such as the child protection team at the Local Authority, the Local Authority Designated Officer and/or the Police. Such information will only be processed to the extent that it is lawful to do so and appropriate measures will be taken to keep the data secure.

We collect information about pupils when they join the school and update it during their time on the roll as and when new information is acquired.

## **Collecting pupil information**

Whilst the majority of pupil information provided to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform a pupil and/or parent/carer whether they are required to provide certain pupil information to us or if the pupil has a choice in this.

Where appropriate, we will ask for parents/carers and/or pupils for consent to process personal data where there is no other lawful basis for processing it, for example where we wish to use photos or images of pupils on our website or on social media to promote school activities, or if we want to ask for permission to use pupil information for marketing purposes. Parents/pupils may withdraw consent at any time.

When pupils are deemed to be old enough to make their own decisions in relation to their personal data, we will also ask the pupil for their consent in these circumstances. This will usually be around the age of 13. Although parental consent is unlikely to be needed, we wish to take a collaborative approach so we will keep parents informed when we are approaching pupils for consent up to the age of 13.

Pupils with the maturity to make their own decisions about their personal data may withdraw consent

if consent has previously been given.

In addition, our school uses CCTV cameras around the school site for security purposes and for the protection of staff and pupils. CCTV footage may be referred to during the course of disciplinary procedures (for staff or pupils) or to investigate other issues. CCTV footage involving pupils will only be processed to the extent that it is lawful to do so. Please see our CCTV policy for more details.

### **Storing pupil data**

Personal data we collect is stored in line with our Data Protection Policy.

When this information is no longer required, we will delete your information in accordance with our Data Protection Policy. A copy of this is available on request.

Procedures are also in place to deal with suspect data security breaches and parents/carers and pupils will be notified of a suspected breach where we have a legal obligation to do so.

### **Who we share data with**

We do not share information about pupils with any third party without consent unless the law and our policies allow us to do so.

Where it's legally required, or necessary (and it complies with UK data protection law), we may share personal information about a pupil with:

- Our local authority Warwickshire County Council – to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about exclusions.
- Government departments or agencies
- Our youth support services provider.
- Our regulator the Independent Schools Inspectorate
- Suppliers and service providers:
  - Financial organisations
  - Our auditors
  - Survey and research organisations
  - Health authorities
  - Security organisations
  - Health and social welfare organisations
  - Professional advisers and consultants
  - Charities and voluntary organisations
  - Police forces, courts, tribunals

## National Pupil Database

We have to provide information about pupils to the Department for Education (a government department) as part of data collections such as the school census.

Some of this information is then stored in the [National Pupil Database](#), which is managed by the Department for Education and provides evidence on how schools are performing. This, in turn, supports research.

The database is held electronically so it can easily be turned into statistics. The information it holds is collected securely from schools, local authorities, exam boards and others.

The Department for Education may share information from the database with other organisations, such as organisations that promote children's education or wellbeing in England. These organisations must agree to strict terms and conditions about how they will use pupil data.

You can find more information about this on the Department for Education's webpage on how it collects and shares research data.

You can also [contact the Department for Education](#) if you have any questions about the database.

## Transferring data internationally

Transfers of personal data out of the UK to 'third countries' or international organisations are restricted by the UK GDPR (as per the UK Data Protection Act 2018 and related regulations). The UK is an adequate country for EU GDPR purposes under a European Commission adequacy decision issued under the EU GDPR in June 2021.

## Pupils rights

### How to access personal information we hold about pupils

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold ("Subject Access Request"). Where a child does not have the maturity to make their own requests for personal data, parents may do so on their behalf in a primary school setting.

To make a request for a pupil's personal data, or be given access to a child's educational record, contact the DPO or please email [DPO@arnoldlodge.com](mailto:DPO@arnoldlodge.com) although any written request for personal data will be treated as a Subject Access Request.

Under data protection legislation, pupils, and in some circumstances, parents, have the right to request access to information about them that we hold ("Subject Access Request"). From the age of 13, we generally regard pupils as having the capacity to exercise their own rights in relation to their personal data. This means that where we consider a pupil to have sufficient maturity to understand their own rights, we will require a Subject Access Request to be made by the pupil and not their parent(s)/carer(s) on their behalf. This does not affect any separate statutory right parents might have to access information about their child.

Subject to the section below, the legal timescales for the school to respond to a Subject Access Request is one calendar month. As the School has limited staff resources outside of term time, we encourage parents / pupils to submit Subject Access Requests during term time and to avoid sending a request

during periods when the school is closed or is about to close for the holidays where possible. This will assist us in responding to the request as promptly as possible. For further information about how we handle Subject Access Requests, please see our Data Protection Policy.

The term “parent” is widely defined in education law to include the natural or adoptive parents (regardless of whether parents are or were married, whether a father is named on a birth certificate or has parental responsibility for the pupil, with whom the pupil lives or whether the pupil has contact with that parent), and also includes non-parents who have parental responsibility for the pupil, or with whom the pupil lives. It is therefore possible for a pupil to have several “parents” for the purposes of education law.

If a subject access request is made, and if we do hold information about a pupil, we will:

Give the pupil a description of it

- Explain why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from the pupil
- Explain who it has been, or will be, shared with
- Inform whether any automated decision-making is being applied to the data, and any consequences of this.
- Provide a copy of the information in an intelligible form.

A pupil may also have the right for their personal information to be transmitted electronically to another organisation in certain circumstances.

A Pupil also has the right to

- Say that they don’t want their personal information to be used.
- Stop it being used to send a pupil marketing materials
- Say that they don’t want it to be used for automated decisions (decisions made by a computer or machine, rather than by a person)
- In some cases, have it corrected if it’s inaccurate.
- In some cases, have it deleted or destroyed, or restrict its use.
- Withdraw their consent, where they previously provided consent for their personal information to be collected, processed and transferred for a particular reason.
- In some cases, be notified of a data breach.
- Make a complaint to the Information Commissioner’s Office
- Claim compensation if the data protection rules are broken and this harms pupils in some way.

If you would like to make a request, please contact our data protection officer by email at [DPO@arnoldlodge.com](mailto:DPO@arnoldlodge.com).



## Your other rights regarding your data

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. Individuals have the right to:

- Object to the use of their personal data if it would cause, or is causing, damage or distress.
- Prevent their data being used to send direct marketing.
- Object to the use of their personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing.
- Claim compensation for damages caused by a breach of the data protection regulations.

To exercise any of these rights, please contact our data protection officer.

## Contact Us

Please email [DPO@arnoldlodge.com](mailto:DPO@arnoldlodge.com) in respect of all matters relating to data protection issues, and to make referrals, where necessary, to the Data Protection Officer.

Our DPO is the School DPO Service and is contactable via [schooldpo@warwickshire.gov.uk](mailto:schooldpo@warwickshire.gov.uk) or alternatively you may write to;

School Data Protection Officer  
Warwickshire Legal Services  
Warwickshire County Council  
Shire Hall  
Market Square  
Warwick  
CV34 4RL

## Complaints

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with us in the first instance.

To make a complaint, please contact our DPO at [DPO@arnoldlodge.com](mailto:DPO@arnoldlodge.com).

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online via their website [www.ico.org.uk/global/contact-us/](http://www.ico.org.uk/global/contact-us/)
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF