



King's College

TAUNTON

Privacy Notice

*This policy applies to
King's College Prep School and King's College Taunton*

Policy Date: September 2023

Responsibility

Individual: Director of Finance and Operations

Review Cycle: (2 Yearly - in line with ISBA guidance)

Next scheduled review: September 2025

Last interim review: May 2023

King's Schools Taunton (KST), with King's College and King's College Prep, are Woodard Schools and so part of the largest group of Church of England schools in England and Wales. King's College was founded as King Alfred's College School on 26 October 1880, the anniversary of the death of King Alfred. KST is registered with the Charity Commission as charity number 1103346 and with Companies House as company registration number 05084301. The charity is a limited liability company and wholly owned subsidiary of The Woodard Corporation (charity number 1096270). The charitable company is incorporated in England and Wales. KST has a subsidiary company, WST Enterprises Limited (company registration number 05181894) and also KST International Limited (company registration 09749938). The principal activity of the trading company is letting school premises and facilities. The principal activity of KCSI Limited is the promotion of education overseas. This Privacy Notice is intended to cover the activities of KST (the schools), WST Enterprises Limited (WST) and King's College Schools International Limited (KCSIL).

WHAT THIS PRIVACY NOTICE IS FOR

This policy is intended to provide information about how the schools, WST, and KSTIL will use (or "process") personal data about individuals including: its staff; its current, past and prospective pupils; and their parents, carers or guardians (referred to in this policy as "parents") and clients of WST AND KSTIL.

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 schools' obligations to its entire community - Parents, pupils, former parents, OAs, friends, staff, and former staff of King's Schools as well as any others who have links with the schools.

This **Privacy Notice** applies alongside any other information the schools or WST or KSTIL 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 schools', WST's, and KSTIL's other relevant terms and conditions and policies, including:

- Any contract between the schools and their staff or the parents of pupils;
- The schools' policy on taking, storing and using images of children;
- The schools' CCTV policy;
- The schools' document retention policy;
- The schools' safeguarding, pastoral and health and safety policies, including as to how concerns or incidents are recorded;
- The schools' IT policies, including its Acceptable Use of ICT, mobile phones and other electronic devices policy; and
- Any contract between WST or KSTIL and its client(s)

Anyone who works for, or acts on behalf of, the schools or WST or KSTIL (including staff, volunteers, governors and service providers) should also be aware of and comply with this Privacy Notice and the schools' data protection policy for staff, which also provides further information about how personal data about those individuals will be used.

A consultation is currently underway to reform aspects of UK data protection law post-Brexit, including an intention to ease some of the more burdensome compliance obligations on UK controllers: this notice and guidance will therefore be kept under review for any necessary updates as and when the changes to legislation are finalised.

RESPONSIBILITY FOR DATA PROTECTION

- KST have appointed the Director of Finance and Operations as Privacy and Compliance Officer who will deal with all your requests and enquiries concerning the schools', WST's or KSTIL's use 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
- Enquiries can be submitted via email to informationrequest@kings-taunton.co.uk or by writing to the Privacy & Compliance Officer, KST, 20 Holway Avenue, Taunton, Somerset TA1 3AR.

WHY THE SCHOOLS NEED TO PROCESS PERSONAL DATA

In order to carry out its ordinary duties to staff, pupils and parents, the schools, WST, and KSTIL need to process a wide range of personal data about individuals (including current, past and prospective staff, pupils or parents or, in the case of WST AND KSTIL, clients) as part of its daily operation.

Some of this activity the schools, WST, and KSTIL will need to carry out in order to fulfil their legal rights, duties or obligations – including those under a contract with staff, or parents of pupils.

Other uses of personal data will be made in accordance with the schools' legitimate interests, or the legitimate interests of others, provided that these are not outweighed by the impact on individuals, and provided it does not involve special or sensitive types of data.

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

- For the purposes of pupil selection, to confirm the identity of prospective pupils and their parents and retain a record if appropriate for the purposes of future applications or openings. This may include any necessary credit checks, whether with previous schools or other third party sources;
- To provide education services, including musical, LAMDA education, physical training or spiritual development, career services, and co-curricular activities to pupils, and monitoring pupils' progress and educational needs;
- Maintaining relationships with alumni and the schools' communities, 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 schools' 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' health and welfare and provide appropriate pastoral care;
- To monitor (as appropriate) use of the schools' IT and communications systems in accordance with the schools' IT acceptable use policy;
- To make use of a Single image of individual pupils for their electronic (and hard copy where appropriate) personal file on School MIS;
- To make use of photographic images of pupils in school publications, on the schools' website and (where appropriate) on the schools' social media channels in accordance with the schools' policy on taking, storing and using images of children;
- For security purposes, including CCTV in accordance with the schools' CCTV policy, contained within the Access to Premises and Security Policy;
- For regulatory record keeping / compliance purposes in respect of immigration requirements, as an employer and/or visa sponsor;

- To carry out or cooperate with any school or external complaints, disciplinary or investigation process; and
- Where otherwise reasonably necessary for the schools' purposes, including to obtain appropriate professional advice and insurance for the school.
- To maintain records of gifts or loans of historical material and to preserve information about the context or contents of archives or historical items.

In addition, the schools will on occasion need to process **special category personal data** (concerning health, ethnicity, religion 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;
- In connection with employment of its staff, for example, DBS checks, welfare, union membership or pension plans, and in a pastoral, complaint or disciplinary context;
- To run any of its systems that operate with data, such as for security and other forms of pupil identification (access systems);
- 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, health and safety and immigration / visa sponsorship compliance) 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);
- Bank details and other financial information, for example about parents who pay fees to the school, and any anti-money laundering information we are required to collect by law, or organisations/individuals, using other services provided by the school;
- Past, present and prospective pupils' academic, disciplinary, admissions and attendance records (including information about any special needs), and examination scripts and marks;
- Personnel files, including in connection with academics, employment or safeguarding;

- Nationality and other immigration status information for example, right to work / study, including copies of passport information, including full copies of passports;
- Where appropriate, information about individuals' health and welfare, and contact details for their next of kin;
- References given or received by the schools 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
- Single image of pupils for their electronic (and hard copy where appropriate) personal file on School MIS;
- Images of pupils (and occasionally other individuals) engaging in school or related activities, and images captured by the schools' CCTV system (in accordance with the schools' policy on taking, storing and using images of children).
- Location tracking - by taking a register we are able to track a pupils' movements through the day; in addition, at King's College Taunton, their location can be traced by looking at their SALTO data (what doors they have been through) and their Wi-Fi data can pin them down to currently around 10m (less as we increase density). This is a legitimate interest for supporting the safeguarding of our children.

HOW THE SCHOOLS COLLECT DATA

Generally, the schools receive 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).

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 SCHOOLS SHARE IT WITH

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

- Professional advisers (e.g. lawyers, insurers, PR advisers, debt recovery agents, bursary assessors and accountants);
- Government authorities (e.g. HMRC, DfE, police or the local authority);
- Appropriate regulatory bodies e.g.:
TRA (<https://www.gov.uk/government/organisations/teaching-regulation-agency>) or its successor; the Independent Schools Inspectorate (<https://www.isi.net>), the Charity Commission (<https://www.gov.uk/government/organisations/charity-commission>) or the Information Commissioner (<https://ico.org.uk>)

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

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

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

For legitimate reasons, personal data including contact details and specific medical details may be taken from the school for the purposes of a school trip. This will be stored in a 'trip folder' which would include 'hard copies'. For specific trips, particularly overseas and organised by a third party, it would be usual for the organiser to obtain specific consent to this data being shared as appropriate with travel agents, for example, to enable the trip and for essential contact/medical information to be taken on the trip.

Staff, pupils and parents are reminded that the schools are 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 them, in some cases regardless of whether they are proven, if they meet a certain threshold of seriousness in their nature or regularity. This is likely to include file notes on personnel or safeguarding files, and in some cases referrals to relevant authorities such as the Local Authority Designated Officer (LADO) or police. For further information about this, please view the schools' Safeguarding Policy.

Finally, in accordance with Data Protection Law, some of the schools' processing activity is carried out on its behalf by third parties, this type of external data processing is subject to assurances that data will be kept securely and used only in accordance with the schools' directions. This may include Cloud providers offering HR, Accounting, IT, Cloud Storage, Monitoring, Mailing, Contract Management Systems, Education Software;

HOW LONG WE KEEP PERSONAL DATA

The schools retain personal data only in line with how long it is necessary to keep for a legitimate and lawful reason. Details of how long individual types of records are kept, including details of legislative compliance, is specified in the schools' record retention schedules.

The schools will implement all recommendations and requirements of the Independent Inquiry into Child Sexual Abuse in relation to the retention of records.

If you have any specific queries about how our retention policy is applied, or wish to request that personal data that you no longer believe to be relevant is considered for erasure, please send your request to informationrequest@kings-taunton.co.uk. However, please bear in mind that the schools will often have lawful and necessary reasons to hold some personal data even following such request.

A limited and reasonable amount of information will be kept for long term information 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").

A selection of personal data is retained permanently for archiving purposes in the public interest or to facilitate historical research in the schools' Archives. The Archives exist to preserve material relating to the origins and development of their School as well as to the activities and achievements of its staff and pupils. Personal data may be contained in paper and digital records as well as photographs, audio-visual material, uniform, artwork, and objects.

Further details of an Archives' collecting remit and user access can be found in their Archive and Historical Collections Policy. Access to historical personal data is only granted in line with the Codes of Practice and advice notices issued by The National Archives and The Archives & Records Association UK.

KEEPING IN TOUCH AND SUPPORTING THE SCHOOL

The schools, WST, and KSTIL will use the contact details of parents, alumni and other members of the schools' 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 schools will also:

- Share personal data about parents and/or alumni, as appropriate, with organisations set up to help establish and maintain relationships with the schools' community, such as the Parents and Friends Association, Friends of King's College Prep School, and the Old Aluredian Club.
- Contact parents and/or alumni (including via the organisations above) by post and email in order to promote and raise funds for the schools and, where appropriate, other worthy causes
- Collect information from publicly available and web-based sources about parents' and former pupils' occupations and activities, in order to maximise the schools' fundraising potential
- Should you wish to limit or object to any such uses, or would like further information about them, please email the schools via development@kings-taunton.co.uk. You always have the right to withdraw consent, where given, or otherwise object to direct marketing or fundraising. However, the schools are 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)

YOUR RIGHTS

- Rights of access, etc.

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 schools to stop processing it – but subject to certain exemptions and limitations.

Any individual wishing to access 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 Privacy and Compliance Officer.

The schools 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 one month in the case of requests for access to information).

The schools 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 schools may ask you to reconsider, or require a reasonable fee for the administrative costs of complying with the request, or in certain cases refuse the request (but only where Data Protection Law allows it, and in

accordance with the relevant regulatory guidance).

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 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, or where a duty of confidence is owned by a legal adviser).

The schools are also not required to disclose any pupil examination scripts (or other information consisting solely of pupil test answers, potentially including mock exam scripts or other types of exams / tests used to assess performance – although markers' comments may still be disclosable if they constitute pupil personal data). The school is also not required to provide examination or other test marks ahead of any ordinary publication date, nor share any confidential reference given by the schools 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 any past or future pandemic conditions.

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 Notice. 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 (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.

Pupils at Senior School or 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. Older Prep School 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 schools 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 schools will in most cases aim to provide the same information to each person with parental responsibility, but may need to consider 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 schools are 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: e.g. certain types of uses of images and certain types of fundraising activity. Please be aware however that the schools may not be relying on consent but have another lawful reason to process the personal data in question even without 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. an employment or parent contract, or because a purchase of goods, services or membership of an organisation such as an alumni or parents' association has been requested).

- Whose rights?

The rights under Data Protection Law belong to the individual to whom the data relates. However, the schools will often rely on parental authority or notice for the necessary ways it processes personal data relating to pupils, for example, under the parent contract, or via a form. Parents and pupils should be aware that this is not necessarily the same as the schools 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 schools 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 schools' 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 schools may be under an obligation to maintain confidentiality unless, in the schools' opinion, there is a good reason to do otherwise, for example, where the schools believe 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

schools' IT Acceptable Use Policy and the schools' rules. Staff are under professional duties to do the same covered under the relevant staff policy.

DATA ACCURACY AND SECURITY

The schools 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 relevant office at each school 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 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 schools may need to process your data, and whom you may contact if you disagree.

The schools will take appropriate technical and organisational steps to ensure the security of personal data about individuals, including policies on the 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 schools 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 Director of Finance and Operations using the following contact details: informationrequest@kings-taunton.co.uk or Privacy and Compliance Officer, KST, 20 Holway Avenue, Taunton, Somerset TA1 3AR.

If an individual believes that the schools have not complied with this policy or acted otherwise than in accordance with Data Protection Law, they should use the schools' complaints procedure and should also notify the appropriate Head. 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 schools before involving the regulator.