ST MARY'S CALNE
ST MARGARET'S CALNE

# Privacy Policy

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| Issued by: | Bursar / Operations Director |
| Last review: | Autumn 2025 |
| Next review: | Autumn 2026 |
| Governor Review: | Not required |
| Location: | Website<br>Staff Portal |

# PRIVACY POLICY

## WHO WE ARE

St Mary's School, Calne, ("the School") is a Data Controller for the purposes of data protection legislation and is a company limited by guarantee (number 00235572) and a charity (number 309482).

St Margaret' Preparatory School is part of the same company and charity and has adopted this Privacy Notice. In this Privacy Notice, references to "the School" include references to both St Mary's School and St Margaret's Preparatory School.

St Mary's School (Calne) Services Limited (Company number 04111368) is a non-charitable, wholly owned subsidiary of St Mary's School Calne and has adopted this Privacy Notice. In this Privacy Notice, references to "the School" include references to St Mary's School, St Margaret's and St Mary's School (Calne) Services Ltd

## WHAT THIS PRIVACY NOTICE IS FOR

This policy is intended to provide information about how the School will use personal data about individuals within the School community, including pupils (past, current, and prospective), parents (past, current, and prospective), carers and guardians (referred to in this policy as "parents"), Governors and staff and members and supporters of the Calne Girls Association (CGA) and Calne Foundation Trust (CFT).

This information is provided because Data Protection Law gives every individual the right to understand how their data is used. Accordingly, all within the School community are encouraged to read this Privacy Notice and understand the School's obligations to them.

This Privacy Notice applies, alongside other relevant terms and conditions and policies, including:

- Any contract between the School and its staff or the parents of students
- the School's policies relating to the treatment of images of children, retention of records and use of CCTV
- the School's Safeguarding, Pastoral and Health and Safety policies
- the School's IT policies, including Acceptable Use policy, eSafety policy and Remote Working policy
- Any terms and conditions agreed with third parties who hire the School's buildings and facilities
- Any terms and conditions agreed with contractors working at the School

This Privacy Notice does not form part of any employee's contract of employment and may be amended from time to time (see the section This Policy below for further details).

## RESPONSIBILITY FOR DATA PROTECTION

The Bursar is the Data Compliance Manager (DCM) and will deal with all requests and enquiries concerning the use of personal data and endeavour to ensure that all personal data is processed in compliance with this Policy and Data Protection Law. The School's registration number with the Information Commissioner's Office is Z6435968.

## WHY THE SCHOOL NEEDS TO PROCESS PERSONAL DATA

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

The School will need to carry out some of this activity in order to fulfil its legal rights, duties or obligations – including those under a contract with its staff, or parents of its students.

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 'legitimate interests':

- To promote the School to prospective students and parents, including through its prospectus, website and social media, mailings and all communications connected with the Admissions process and Admissions related events such as Open Mornings;
- For the purposes of student selection, to confirm the identity of prospective students and their parents, to process student registrations and all procedures necessary for the offer and acceptance of a place at the School including items such as the payment of a deposit;
- To provide education services generally including SEN, musical education, drama education, the Duke of Edinburgh Scheme, physical training/education or spiritual development, careers services, co-curricular activities to students including School trips, and monitoring and reporting on students' progress, behaviour and educational needs;
- To allow students to gain access to educational websites which require personal information to set up login details;
- To allow students and parents to gain access to restricted parts of the School's website;
- To assist prospective and current students and parents with applications for a visa to study in the UK, if required, and to assist with opening bank accounts once in the UK;
- To assist students in making applications for universities, apprenticeships, jobs or other further courses of study generally;
- To offer services, via third parties, such as student health insurance or other School related insurance products to parents and students;
- Maintaining relationships with alumnae and the School community, including direct marketing or fundraising activity;
- For the purposes of identifying potential donors, donor due diligence, and to confirm the identity of prospective donors and their background, potential and propensity to donate and relevant interests;
- To allow management and oversight of the School generally, including reporting to Governors, recording decisions made and discussions in management meetings, staff management and communication, and generally for the efficient management of the School;
- 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 students, including relating to outstanding fees or payment history, to/from any educational institution that the student attended or where it is proposed they attend, and to provide references to potential employers of past students;
- To enable students to take part in national or other assessments, and to publish the results of public examinations or other achievements of students of the School;
- To safeguard staff and students' welfare and provide appropriate pastoral care, including recording incidents of actual or alleged harassment or bullying in accordance with our Safeguarding, Anti-Bullying and IT policies, and liaising with the education guardian of an overseas student where required;
- To monitor (as appropriate) use of the School's IT and communications systems in accordance with the School's IT policy;
- To enable the fair application of School rules and policies and any appropriate rewards or sanctions, including their recording;
- To communicate with parents and to monitor the effectiveness of communications to parents, including tracking when parents open and read electronic communications;
- To make use of photographic images of students in School publications, on the School website, and (where appropriate) on the School's social media channels;
- To advertise the School as a venue for hire by outside organisations through its website and other literature, using photographic images of parts of the School including images showing student use of the facilities available;
- To take photographs or make film recordings of concerts, plays, dance shows, Speech Day and other similar events, and to offer copies of these for sale to students and parents or to distribute them for promotional purposes;
- For staff recruitment purposes, appraisal, giving and receiving of references, staff vetting purposes e.g. with regard to safeguarding, staff training, confirming staff qualifications, disciplinary and grievance purposes, and generally for all matters related to staff administration or management of the workforce;
- To secure funding for the School (and where relevant, for individual students at the School) and to make decisions about which parents should benefit from bursary assistance;
- For security and safety purposes, including images captured on CCTV in accordance with the School's CCTV policy, and data entered into the School's visitor registration system;
- To allow vehicular access to the School site using the School's Automatic Number Plate Recognition(ANPR) system;
- To allow planning for and actions taken as a result of unforeseen events which may require an emergency response;
- To carry out or cooperate with any School or external complaints, disciplinary, review 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 students' and staff 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 provide educational services in the context of any special educational needs of a student, or to provide educational services for a student with a disability or other physical, behavioural or social difficulty;
- To provide spiritual education or provide for individuals' religious observance in the context of any religious beliefs;
- In connection with employment of its staff, for example DBS checks, payment of salaries, welfare, membership of a union or of pension plans;
- 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;
- For legal and regulatory purposes (for example safeguarding, 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

The personal data we process takes different forms – it may be factual information, expressions of opinion, images or other recorded information which identifies or relates to a living individual. Examples include:

- Names, addresses, telephone numbers, car details, email addresses and other contact details.
- Bank details and other financial information, for example, about individuals who pay fees to the School.
- Past, present and prospective pupil academic, disciplinary, admissions and attendance records (including information about special needs), records of behaviour including any sanctions, and examination scripts and results.
- Personnel files concerning academic, pastoral or safeguarding issues.
- Where appropriate, information about pupil and staff health and welfare, and contact details for next of kin and guardians.
- References given or received by the School about pupils, and relevant information provided by previous schools and/or other professionals or organisations working with children.
- Correspondence with and concerning staff, students and parents past and present
- Staff attendance records, appraisals, records of disciplinary sanctions, details of previous employment and results of vetting checks
- Images of students (and occasionally other individuals) engaging in School activities, and images captured by the School's CCTV system Parents will have been requested to provide consent specifically for the processing of images at the time of enrolment – this consent can be withdrawn at any time (or withdrawn by an individual pupil, if 13 years of age or over). Please advise the DCM in writing if you wish to make a change to consent previously given.

## HOW THE SCHOOL COLLECTS AND HANDLES DATA

Generally, the School will receive personal data directly from individuals or sometimes in the case of students from their parents. This may be via a form, or simply in the ordinary course

of interaction or communication (such as email, letter or written assessments). Sometimes, personal data might be provided to the School by third parties, such as other schools or other professionals working with that individual.

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 occasionally collected from publicly available resources.

Personal data held by the School is processed by appropriate members of staff for the purposes for which that data information was provided. We take appropriate technical and organisational steps to ensure the security of this information, including policies around use of technology and devices, and access to school systems.

## WHO HAS ACCESS TO PERSONAL DATA AND WHO IS IT SHARED WITH?

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

- Professional advisors, for example medical practitioners or counsellors.
- Government authorities, such as DfE, the police or local authorities.
- Regulatory authorities, such as the Charity Commission or the Information Commissioner.
- organisations who provide online testing, or who provide or accredit co-curricular activities (e.g. the Duke of Edinburgh's Award) or who provide educational websites
- The Calne Girls' Association (CGA).
- The Calne Foundation Trust (CFT)
- St Mary's (Calne) Services Limited

For the most part, personal data collected by the school will remain within the School, and will be processed by appropriate staff only in accordance with access protocols (that is, on a 'need to know basis'). More stringent access protocols are provided for:

- Medical records (held and accessed only by the School doctor and Health Centre nursing staff).
- Pastoral and safeguarding files.

A certain amount of pupil SEN information is routinely made accessible to a wider number of staff, but only those concerned with providing the necessary care and education of any particular student.

The School is obliged by law and statutory guidance (specifically Keeping Children Safe in Education) to record or report incidents and concerns which arise or are reported to it, in some cases regardless of whether they are proven, if they meet a certain threshold of seriousness in nature or frequency. This is likely to include file notes on personal or safeguarding issues, and in some cases referrals to relevant authorities such as the Designated Officer for Allegations or the police. For further information about this, please view the school's Safeguarding Policy.

Personal data in not transferred outside of the European Economic Area unless the School is satisfied that the data will be afforded an equivalent level of protection.

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, mailing houses and 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 instructions.

## 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 legitimate and lawful reasons. Typically, the legal recommendation for how long personal files should be kept is up to seven years following departure from the School. However, incident reports and safeguarding files are kept longer, in accordance with specific legal requirements.

Specific queries about the length for which the retention policy is applied for, or requests that personal data that you no longer believe to be relevant is considered for erasure, should be addressed to the DCM. However, please remember that the School will often have lawful and necessary reasons to hold some personal data even following such a request.

A limited and reasonable amount of information will be kept for archiving purposes, for example, and even when you have requested that we no longer communicate with you, we will need to keep a record of that fact in order to fulfil your wishes (a 'suppression record').

## KEEPING IN TOUCH AND SUPPORTING THE SCHOOL

The School will use your contact details to keep you updated about events and activities of the school, the CGA and the CFT, including sending updates and newsletters by email and post. Unless you object, the School may also contact you by post or email in order to seek to raise funds for the School.

Should you wish to limit or object to any such use, or would like further information about them, please contact the Development Office in writing. You always have the right to withdraw consent, where given, or otherwise object to marketing or fundraising communications. However, the School is nonetheless likely to retain some of your details (not least to ensure that no more communications are sent to a particular address, email or telephone number).
The School will also share personal data about parents and/or alumnae, as appropriate, with organisations set up to help establish and maintain relationships with the School community, such as the CGA and the Parents' Guild of St Mary's (PGSM).

## YOUR RIGHTS

### Whose rights?

The rights under Data Protection Law belong to the individual. However, the School will often rely on parents' authority or notice in respect of the necessary ways it processes personal data relating to pupils.

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 that pupil's direct consent. Parents should be aware that in such situations they may not be consulted, depending on the interests of the pupil, your parental rights and all the relevant circumstances.

In general, the School will assume that students' 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 student's activities, progress and behaviour, and in the interests of the student'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 her personal data being disclosed to her parents, the School may be under an obligation to maintain that confidentiality unless, in the School's opinion, there is a good reason to do otherwise, for example where the School believes disclosure will not be in the best interests of any pupil(s), or if required by law.

### Rights of access, etc.

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

Individuals wishing to access or amend personal data or wishing that it be transferred to another person or organisation, or having some other objection to how personal data is used, should put their request in writing to the DCM.

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 30 days in the case of requests for access to information).

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

### Requests that cannot be fulfilled:

Parents will generally receive, as appropriate, educational and pastoral updates relating to pupils. 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 consider also all circumstances, including the express wishes of the pupil concerned.

Individuals should be aware that the right of access is limited to their 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. The School will normally treat references given or received as confidential and not disclose them; however, in exceptional circumstances this may be reconsidered.

The School is 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 ordinary publication, nor share any confidential reference given by the School itself for the purposes of education, training or employment.

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.

Student requests:
Students 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? above). A student of any age may ask a parent or other representative to make a subject access request on his/her behalf.

While a person with parental responsibility will generally be entitled to make a subject access request on behalf of younger students, the law still considers the information in question to be the child's: for older students, the parent making the request may need to evidence their child's authority for the specific request.

Students aged 12 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. Younger children may however be sufficiently mature to have a say in this decision, depending on the child and the circumstances.

- 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). An example of where we rely on consent is for the use of images of students in promotional material.

  Please be aware however that even if you have given your consent to process a particular item of data, the School may not be relying on your consent but have another lawful reason to process the personal data in question. 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 the CGA or the PGSM has been requested).

## DATA ACCURACY AND SECURITY

The School will endeavour to ensure that all personal data held is as up to date and as accurate as possible. Individuals should notify the School Office of any significant changes to important information held, such as contact details.

Individuals have the right to request that any out-of-date, irrelevant or inaccurate information held be erased or corrected (subject to certain exemptions and limitations under Data Protection Law).

The School will take appropriate technical and organisational steps to ensure the security of personal data.

## THIS POLICY

This Privacy Notice should be read in conjunction with other School policies and terms and conditions which make reference to personal data, including the Parent Contract, staff contracts, website Privacy Policy, Safeguarding Policy, Data Protection Policy, Acceptable Use and IT Policies.

## QUERIES AND COMPLAINTS

Any queries about the application of the Privacy Notice should be directed to the DCM.

If you believe that the School has not complied with any aspect of this policy or acted otherwise than in accordance with Data Protection Law, you should use the school's complaints procedures and also notify the DCM. You can also make a referral 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.