



## PRIVACY NOTICE

### 1. INTRODUCTION

- 1.1. This Privacy Notice for Elizabeth College includes the Upper School, and the Junior School (incorporating Beechwood, Acorn House and Acorn House Pre-School, known collectively as Elizabeth College Junior School or 'ECJS') together with the Elizabeth College Foundation (Guernsey Charity Number CH91 and UK Charity Number 1120954) and the Old Elizabethan Association who liaise with alumni of the College.
- 1.2. We take our responsibilities as a data controller seriously and are committed to using the personal data we hold in accordance with the law.
- 1.3. This privacy notice provides detailed information about how we process personal data. Please read it carefully and, if you have questions regarding your personal data or its use, please contact the College's Data Protection Officer by email on [dpo@elizabethcollege.gg](mailto:dpo@elizabethcollege.gg); by telephone on 01481 712542; or, by post at The Bursary, Elizabeth College, The Grange, St Peter Port, Guernsey, GY1 2PY.

### 2. TYPES OF PERSONAL DATA WE PROCESS

- 2.1. We process personal data about prospective, current and past: pupils and their parents; staff, suppliers and contractors; donors, friends and supporters; and other individuals connected to or visiting the College.
- 2.2. 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:
  - 2.2.1. names, addresses, telephone numbers, e-mail addresses and other contact details;
  - 2.2.2. car details (about those who use our car parking facilities);
  - 2.2.3. bank details and other financial information, e.g. about those who pay fees to the College;
  - 2.2.4. past, present and prospective pupils' academic, disciplinary, admissions and attendance records (including information about any special needs), and examination scripts and marks;
  - 2.2.5. where appropriate, information about individuals' health, and contact details for their next of kin;
  - 2.2.6. references given or received by the College about pupils, and information provided by previous educational establishments and/or other professionals or organisations working with pupils; and
  - 2.2.7. images of pupils (and occasionally other individuals) engaging in school activities, and images captured by the College's CCTV system (in accordance with the College's policy on taking, storing and using images of children);
- 2.3. In addition, we 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 us by law, including as regards safeguarding and employment, or from time to time by explicit consent where required. These purposes may include:
  - 2.3.1. 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 organisers of school trips;

- 2.3.2. To provide educational services in the context of any special educational needs of a pupil;
- 2.3.3. To provide spiritual education in the context of any religious beliefs;
- 2.3.4. In connection with the employment of staff, for example DBS checks, welfare or pension plans;
- 2.3.5. 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.

### **3. COLLECTING, HANDLING AND SHARING PERSONAL DATA**

- 3.1. We collect most of the personal data we process directly from the individual concerned (or in the case of pupils, from their parents). In some cases, we collect data from third parties (for example, referees, previous schools, the Disclosure and Barring Service, or professionals or authorities working with the individual) or from publicly available resources.
- 3.2. Personal data held by us is processed by appropriate members of staff for the purposes for which the data was provided. We 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. We do not transfer personal data outside of the European Economic Area unless we are satisfied that the personal data will be afforded an equivalent level of protection.
- 3.3. In the course of school business, we share personal data (including special category personal data where appropriate) with third parties such as the school doctors or nurses, future schools and colleges, the school's professional advisors and relevant authorities (eg the Local Children Safeguarding Board, DBS, States of Guernsey Housing Control, Income Tax, Social Security, Education Sports and Culture Department). Personal data is shared with The Ladies' College as part of our Sixth Form Partnership arrangement. Some of our systems are provided by third parties, eg hosted databases, school website, school calendar, school post and my school portal or cloud storage providers. This is always subject to contractual assurances that personal data will be kept securely and only in accordance with our specific directions.
- 3.4. 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:
  - 3.4.1. medical records which are held and accessed only by the school doctor or nurse and appropriate medical staff under his/her supervision, or otherwise in accordance with express consent; and
  - 3.4.2. pastoral or safeguarding files.
- 3.5. 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.
- 3.6. 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 College's Safeguarding Policy.

- 3.7. We share personal data about Old Elizabethans with the Old Elizabethan Association (“the OEA”). We do not otherwise share or sell personal data to other organisations for their own purposes.

#### **4. PURPOSES FOR WHICH WE PROCESS PERSONAL DATA**

- 4.1. We process personal data to support the College’s operation as an independent school and in particular for:
- 4.1.1. The selection and admission of pupils;
  - 4.1.2. The provision of education to pupils including the administration of the school curriculum and timetable; monitoring pupil progress and educational needs; reporting on the same internally and to parents; administration of pupils’ entries to public examinations, reporting upon and publishing the results; providing references for pupils (including after a pupil has left);
  - 4.1.3. The provision of educational support and related services to pupils (and parents) including the maintenance of discipline; provision of careers and library services; administration of sports fixtures and teams, school trips; provision of the school’s IT and communications system and virtual learning environment (and monitoring the same) all in accordance with our IT policies;
  - 4.1.4. The safeguarding of pupils’ welfare and provision of pastoral care, welfare, health care services by school staff;
  - 4.1.5. Compliance with legislation and regulation including the preparation of information for the Committee for Education, Sports and Culture, inspections by the Independent Schools Inspectorate and submission of annual census information to the Independent Schools Council;
  - 4.1.6. Operational management including the compilation of pupil records; the administration of invoices, fees and accounts; the management of the College’s property; the management of security and safety arrangements (including the use of CCTV in accordance with our CCTV Policies and monitoring of the school’s IT and communications systems in accordance with our Acceptable Use Policy); management planning and forecasting; research and statistical analysis; the administration and implementation of the College’s rules and policies for pupils and staff; the maintenance of historic archives and other operational purposes;
  - 4.1.7. Staff administration including the recruitment of staff/ engagement of contractors (including compliance with DBS procedures); administration of payroll, pensions and sick leave; review and appraisal of staff performance; conduct of any grievance, capability or disciplinary procedures; and the maintenance of appropriate human resources records for current and former staff; and providing references;
  - 4.1.8. The promotion of the College through its own websites, the prospectus and other publications and communications (including through our social media channels); and
  - 4.1.9. Maintaining relationships with OEs and the wider school community by communicating with the body of current and former pupils and/or their parents or guardians and organising events.
- 4.2. The processing set out above is carried out to fulfil our legal obligations (including those under our Terms and Conditions supported by our School Policies as detailed on our website and staff employment contracts). We also expect these purposes to form our legitimate interests.

## **5. FUND-RAISING AND KEEPING IN TOUCH**

- 5.1. Fundraising helps us to achieve our strategic objective of remaining independent. We fundraise from individuals, companies and trusts or foundations who want to support our charitable purposes and do so in accordance with our Fundraising Code of Practice. We do not use third-party profiling companies but we analyse publicly available data about potential donors (eg from LinkedIn, Companies House, Charity Commission, Who's Who, articles in publications) to create a profile of interests and preferences so that we can make appropriate requests.
- 5.2. We keep in touch with OEs, current and former parents and other members of the school community. We will use your contact details to keep you updated about our charitable activities and invite you to events of interest by email and by post. We ask you to let us know your data preferences so that we can ensure our communications are relevant to you. You can update your data preferences at any time using the link on our emails. Your data preferences will not affect our contact with you as a current parent or OE.

## **6. HOW LONG WE KEEP PERSONAL DATA**

- 6.1. We retain personal data only for a legitimate and lawful reason and only for so long as necessary or required by law, or following specific guidance from regulatory bodies. We have adopted Records Retention Guidelines which set out the time period for which different categories of data are kept. If you have any specific queries about our record retention periods, or wish to request that your personal data is considered for erasure, please contact the Data Protection Officer (see section 1).

## **7. YOUR RIGHTS**

- 7.1. You have various rights under Data Protection Law to access and understand the personal data we hold about you, and in some cases to ask for it to be erased or amended or for us to stop processing it, but subject to certain exemptions and limitations.
- 7.2. You always have the right to withdraw consent, where given, or otherwise object to receiving generic or fundraising communications. Please be aware however that the school may have another lawful reason to process the personal data in question even without your consent. That reason will usually have been asserted under this Privacy Notice, or may 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 one of our societies).
- 7.3. If you would like to access or amend your personal data, or would like it to be transferred to another person or organisation, or have some other objection to how your personal data is used, please make your request in writing to the Data Protection Officer (see section 1).
- 7.4. We will 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. We will be better able to respond quickly to smaller, targeted requests for information. If the request is manifestly excessive or similar to previous requests, we may ask you to reconsider or charge a proportionate fee, but only where Data Protection Law allows it.
- 7.5. You should be aware that certain data is exempt from the right of access. This may include information which identifies other individuals, or information which is subject to legal privilege. We are also not required to disclose any pupil examination scripts (though examiners' comments may fall to be disclosed), nor any confidential reference given by the school for the purposes of the education, training or employment of any individual.

## **8. PUPIL DATA**

- 8.1. The rights under Data Protection legislation belong to the individual to whom the data relates. However, we 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.
- 8.2. 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.
- 8.3. In general, we 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.
- 8.4. 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, we may be under an obligation to maintain confidentiality unless, in our 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 is required by law.
- 8.5. Pupils can make subject access requests for their own personal data, provided that they have sufficient maturity to understand the request they are making. Our older pupils are generally assumed to have this level of maturity. A person with parental responsibility will generally be entitled to make a subject access request on behalf of pupils, but the information in question is always considered to be the child's at law. A pupil of any age may ask a parent or other representative to make a subject access request on their behalf. Moreover (if of sufficient maturity) their consent or authority may need to be sought by the parent making such a request.

## **9. CHANGE OF DETAILS**

- 9.1. We try to ensure that all personal data held in relation to an individual is as up to date and accurate as possible. Please notify the relevant school office or [dpo@elizabethcollege.gg](mailto:dpo@elizabethcollege.gg) of any significant changes to important information, such as contact details, held about you.

## **10. THIS POLICY**

- 10.1. Our privacy notice should be read in conjunction with our other policies and terms and conditions which make reference to personal data, including our Terms and Conditions, our Safeguarding Policy, Health & Safety Policies, Acceptable Use Policies and IT Policies available on our website [here](http://elizabethcollege.gg/information/school-policies) (<http://elizabethcollege.gg/information/school-policies>).
- 10.2. We will update this Privacy Notice from time to time. Any substantial changes that affect how we process your personal data will be notified on our website and to you directly, as far as practicable.
- 10.3. If you believe that we have not complied with this policy or have acted otherwise than in accordance with Data Protection Law, you should notify the College's Data Protection Officer (see section 1). You can also make a referral to or lodge a complaint with the Office of the Data Protection Commissioner's Office, although the Commissioner recommends that steps are taken to resolve the matter with us before involving them.