



## Privacy Notice – Pupils, Parents, Friends of the School and Visitors v 1.2

This Privacy Notice is intended to provide information about how the School will use (or “process”) personal data about certain individuals. Before submitting personal data to the School, please ensure you have fully understood this notice and any other Privacy Notice which may apply to you.

A simplified version of the notice is also available for children.

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 School’s obligations to its entire community. [However, the school has a separate Data Protection Policy and Privacy Notice applicable to its employees and other staff.]

### Who we are

Town Close School is an independent, co-educational school for pupils between the ages of three and thirteen which operates as a charity. It is governed by a board of Trustees, Town Close Educational Trust Ltd. The registered address for the company is:

Town Close School  
14 Ipswich Road  
Norwich  
NR2 2LR  
Telephone: 01603 620180  
Email: admin@townclose.com  
Registered company number: 940118  
Registered charity number: 311293

Town Close Educational Trust Ltd is the data controller and this notice applies throughout the School. References to ‘Data Protection law’ include the General Data Protection Regulation, direct marketing law and any applicable UK Data Protection Act.

### Other linked organisations

Activate (the School’s holiday scheme)  
The Town Close Association (for alumni and friends of the School)

## **Who this Privacy Notice is for**

This notice applies to:

- Governors, staff, supply staff, contractors, volunteers and anyone else working on behalf of the School (staff)
- current and prospective pupils (pupils)
- past pupils and friends of the School (all those who have formed an association with the School) (alumni)
- parents, carers or guardians of pupils and alumni (parents)

References to employment or staff in this notice should not be taken to imply or confer any relationship of employment where there is none.

This Privacy Notice 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 Notice 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;
- any policies or notices applicable to staff concerning the handling of personal data
- the School's policy on taking, storing and using images of children;
- the School's policy on the use of CCTV;
- the School's policy on the retention of records;
- the School's safeguarding, pastoral, or health and safety policies, including as to how concerns or incidents are recorded; and
- the School's IT Acceptable Use and iPad Acceptable Use Policies

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

The School has appointed the Bursar who will deal with all your requests and enquiries concerning the School's use of your personal data (see section on Your Rights below) and will endeavour to ensure that all personal data is processed in compliance with this Privacy Notice and Data Protection Law.

The Bursar can be contacted in writing at 14 Ipswich Road, Norwich, Norfolk, NR2 2LR, by telephone on 01603 620180 or by emailing [bursar@townclose.com](mailto:bursar@townclose.com).

## **Why the School needs to process personal data**

In order to carry out its ordinary duties to staff, pupils and parents, the School needs to 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 will fall within that category of its (or its community's) "**legitimate interests**":

- For the purposes of pupil assessment, to confirm the identity of prospective pupils and their parents and to retain a record, if appropriate, for the purposes of future applications or openings;
- To provide education services, including musical education, physical training or spiritual development, career services, and extra-curricular activities to pupils, and monitoring pupils' progress and educational needs, including where such services are provided remotely (either temporarily or permanently);
- 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 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 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 in accordance with the school's IT Acceptable Use Policy;
- 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 carry out or cooperate with any school or external complaints, disciplinary 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 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;
- In connection with employment of its staff, for example DBS checks, welfare, union membership or pension plans;
- In connection with anyone volunteering to help the School, for example DBS checks;
- 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 and health and safety) and to comply with its legal obligations and duties of care.

### **Types of personal data processed by the School**

By way of example this will include but not be limited to:

- 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, e.g. about parents (or others) who pay fees to the School, and anti-money laundering information we are required to collect by law;
- 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 (eg right to work / study), including copies of passport information
- where appropriate, information about individuals' health and welfare, and contact details for their next of kin;
- references given or received by the School 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
- 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);

- details of the years pupils attended the School, information about how individuals are connected with the school community and details of any gifts or donations which have been made.

### **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 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 School shares it with**

Occasionally, the School – including its Trustees/Governing Body - will need to share personal information relating to its community with third parties, such as:

- the Parent Teacher Association (PTA)
- appropriate contractors, such as visiting music teachers;
- professional advisers (e.g. lawyers, insurers, PR advisers and accountants);
- examinations boards;
- government authorities (e.g. HMRC, DfE, CAF/CASS, police, Home Office, a relevant public health /NHS body and/or local authority,);
- Stage 3 complaints panels which will include independent panel members and
- appropriate regulatory bodies (e.g. the Independent Schools Inspectorate, the Charity Commission The Teaching Regulation Agency or the Information Commissioner).
- any third party providers eg of cloud storage or IT systems but, in accordance with Data Protection Law this type of external data processing is always subject to contractual assurances that personal data will be kept securely and used only in accordance with the School's specific directions.

If you are a parent and a member of the Parent Teacher Association (PTA), the School may share your contact details with the PTA. The PTA will be a separate data controller and the school is not responsible for the PTA's processing of personal data.

Occasionally the school Governors will need to process parent or pupil information, such as when a complaint is raised (and in accordance with the School Complaints Procedure, this may also require the involvement of independent panel members).

## Access to Sensitive Data

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 and
- pastoral or safeguarding files.

**Medical data.** The School needs to process such information to comply with statutory duties and to keep pupils and others safe, but the School will ensure only authorised staff can access information on a need-to-know basis. This may include wider dissemination if needed for school trips or for catering purposes. Express consent will be sought where appropriate.

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. A limited amount of medical information, for example relating to allergies, may also be communicated to a wide range of staff. This is to ensure the School provides the necessary care and education that the child requires.

**Safeguarding Data.** 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 is likely to include file notes on personnel or safeguarding files, low-level concerns records kept about adults and in some cases referrals to relevant authorities such as the Local Area Designated Officer or police. For further information about this, please see the School's Safeguarding Policy.

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.

## 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 to keep that information.

There will be occasions where it is relevant or necessary to keep personal data for long periods of time. For example, incident reports and safeguarding files may need to be kept indefinitely, in accordance with specific legal requirements. Individual records are treated on a case by case basis.

When joining Town Close School individuals form a lifelong relationship with the school community. As such, the School will continue to process some data for the purposes of maintaining the Town Close Association over the lifetime of the individual, unless there are good reasons not to (please see Your Rights below).

If you have any specific queries about how our retention policy is applied, or wish to request that personal data you no longer believe to be relevant is considered for erasure, please contact the Bursar. However, please bear in mind that the School will often have lawful and necessary reasons to hold on to some personal data even following such request.

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

### **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 will 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 Town Close Association and the PTA;
- 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;
- Collect information from publicly available sources about parents' and former pupils' occupation and activities in order to maximise the School's fundraising potential when appropriate.
- Should you wish to limit or object to any such use, or would like further information about them, please contact the Bursar in writing. You always have the right to withdraw consent, where given, or otherwise object to direct marketing or fundraising. However, the School is nonetheless 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

Individuals (both pupils and parents) 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 School 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 Bursar.

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 generally one month in the case of requests for access to information, but actually fulfilling more complex or multiple requests may take 1-2 months longer).

The School will be better able to respond quickly to smaller, targeted requests for information made during term time. If the request for information is manifestly excessive or similar to previous requests, the School may ask you to reconsider, or require a reasonable fee for the administrative costs of complying with the request or, or in certain cases refuse the request (but only where Data Protection Law allows it and in accordance with 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 GDPR rights (including the right of access) are limited to your own personal data, and certain data is exempt. 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 owed by a legal advisor.

The School is also 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 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 Notice. Generally, if the School still considers the processing of the personal data to be reasonably necessary, it is entitled to continue. 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. 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. Requests not considered to be in the child's best interests may sometimes be refused.

Pupils 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. Slightly younger children may, however, be sufficiently mature to have a say in this decision, depending on the child and the circumstances.

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. 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, court orders or pastoral issues.

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). Please be aware, however, that the School may not be relying on consent but 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 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 alumni association or PTA has been requested).

## **Whose rights**

The rights under Data Protection Law belong to the individual to whom the data relates. However, the School 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 School 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 either alongside or in place of parental 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. That is 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 IT Acceptable Use and iPad Acceptable Use Policies and the School rules. Staff are under professional duties to do the same covered under the relevant staff policy or in the Staff Code of Conduct and Handbook.

### **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 notify the Bursar or other relevant person within the 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 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 and 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 Notice and their duties under Data Protection Law and receive relevant training.

### **This Privacy Notice**

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 Notice should be directed to the Bursar at [bursar@townclose.com](mailto:bursar@townclose.com).

If an individual believes that the School has not complied with this Notice or acted otherwise than in accordance with Data Protection Law, they should utilise the School's complaints procedure and should also notify the Bursar. You can also make a referral to or lodge a complaint with the Information Commissioner's Office (ICO) at [www.ico.org.uk](http://www.ico.org.uk), although the ICO recommends that steps are taken to resolve the matter with the School before involving the regulator.

*Last review: March 2022*

*Next review: March 2023*