

LANDON SCHOOL

PRIVACY NOTICE FOR PUPILS AND PARENTS

This policy, which applies to the whole school, is publicly available on the school website and upon request a copy (which can be made available in large print or other accessible format if required) may be obtained from the School Office.

Document Details:

Scope: All who work, volunteer or supply services to our school have an equal responsibility to understand and implement this policy and its procedures both within and outside of normal school hours, including activities away from school. All new employees and volunteers are required to state that they have read, understood and will abide by this policy and its procedural documents and confirm this by signing the *Policies Register*.

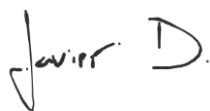
Legal Status: Complies with The Education (Independent School Standards) (England) Regulations currently in force.

Monitoring and Review: These arrangements are subject to continuous monitoring, refinement, and audit by the Headteacher. The Proprietor and Advisory Board will undertake a full annual review of this document, inclusive of its implementation and the efficiency with which the related duties have been implemented. This review will be formally documented in writing. Any deficiencies or weaknesses recognised in arrangements or procedures will be remedied immediately and without delay. All staff will be informed of the updated/reviewed arrangements and it will be made available to them in writing or electronically.

Signed:

Reviewed: **October 2023**

Next Review: **October 2024**



Mr Javier de la Fuente
Headteacher



Mr Andy Thompson
Proprietor who is the Chair of the Advisory Board

Introduction: This notice is intended to provide information about how Landon School will use (or "process") personal data about individuals including its current, past and prospective pupils and their parents, carers or guardians (referred to in this policy as "parents"). 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 Landon School obligations to its entire community. This Privacy Notice applies alongside any other information Landon School may provide about a particular use of personal data, for example when collecting data via an online form.

This Privacy Notice also applies in addition to Landon School other relevant terms and conditions and policies, including:

- any contract between the school and its staff or the parents of pupils;
- the school's policy on taking, storing and using images of children;
- the school's CCTV and/or biometrics policy;
- the school's retention of records policy;
- the school's safeguarding, pastoral, or health and safety policies, including how concerns/incidents are recorded;
- the school's IT policies, including its Acceptable Use policy, eSafety policy, WiFi policy, Remote Working policy and Bring Your Own Device policy.

Anyone who works for, or acts on behalf of Landon 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.

Landon School is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. It is our aim that all pupils fulfil their potential.

The Proprietor at Landon School (info@landonschool.hu) will deal with all your requests and enquiries concerning the school's uses of your personal data and endeavour to ensure that all personal data is processed in compliance with this policy and Data Protection Law

The categories of pupil information that we process include:

- personal identifiers and contacts (such as name, unique pupil number, contact details and address);
- characteristics (such as ethnicity, language);
- safeguarding information (such as court orders and professional involvement);
- special educational needs (including the needs and ranking);
- medical and administration (such as doctors' information, child health, dental health, allergies, medication and dietary requirements);
- attendance (such as sessions attended, number of absences, absence reasons and any previous schools attended);
- assessment and attainment (such as post 16 courses enrolled for and any relevant results);
- behavioural information (such as exclusions and any relevant alternative provision put in place);
- medical and contact information for trips and activities;
- catering and school meal management;
- identity management/authentication.

This list is not exhaustive, to access the current list of categories of information we process please contact our DPO.

Why we collect and use pupil information:

For the purposes of:

- providing the child with an education
- allocating the correct teaching resource
- providing any additional support
- ensuring the safety of pupils whilst in our care

We collect and use pupil information, for the following general purposes:

- a) To support pupil learning;
- b) To safeguard all children
- c) To monitor and report on pupil attainment progress
- d) To provide appropriate pastoral care
- e) To assess the quality of our services
- f) To keep children safe (food allergies, or emergency contact details)
- g) To meet the statutory duties placed upon us for DfE data collections

Processing data: In order to carry out its ordinary duties to staff, pupils and parents, Landon 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 Landon 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.

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, e.g. about parents who pay fees to 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;
- where appropriate, information about individuals' health and welfare, and contact details for their next of kin;

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- 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 single point CCTV system (in accordance with the school's policy on taking, storing and using images of children).

Landon School expects that the following uses will fall within that category of its (or its community's) "**legitimate interests**":

- For the purposes of pupil selection (and to confirm the identity of prospective pupils and their parents)
- 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
- 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
- To carry out or cooperate with any school or external complaints, disciplinary or investigation process
- Where otherwise reasonably necessary for the school's purposes, including to obtain appropriate professional advice and insurance for the school

In addition, Landon 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 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;
- to run any of its systems that may operate on biometric data, such as for security and other forms of pupil identification (lockers, lunch etc.);
- 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.

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Collecting pupil information: Generally, Landon School receives personal data from the individual directly (including, in the case of pupils, from their parents). This may be via the use of Microsoft Forms, data check sheets or Common Transfer File (CTF) or secure file transfer from previous school, 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.

Pupil data is essential for Landon School's operational use. Whilst the majority of pupil information you provide to us is mandatory, some of it requested on a voluntary basis. In order to comply with the data protection legislation, we will inform you at the point of collection, whether you are required to provide certain pupil information to us or if you have a choice in this.

Storing pupil data: Landon School has a Retention of Documents policy which can be found on Landon School's website. We hold pupil data securely for the set amount of time shown in our data retention schedule. Landon School will retain personal data securely and only in line with how long it is necessary to keep for a legitimate and lawful reason. Typically, the legal recommendation for how long to keep ordinary pupil personnel files is up to 7 years following departure from Landon School. However, incident reports and safeguarding files will need to be kept much longer, in accordance with specific legal requirements as set out in the Landon School's *Retention of Documents policy*. 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 contact the Proprietor. However, please bear in mind that Landon 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 alumni and, even where you have requested we no longer keep in touch with you, and we will need to keep a record of the fact in order to fulfil your wishes (called a "suppression record").

Why we share pupil information: We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so. Occasionally, Landon School will need to share personal information relating to its community with third parties, such as:

- professional advisers (e.g. lawyers, insurers, PR advisers and Joint Proprietors);
- government authorities (e.g. HMRC, DfE, police or the local authority);
- appropriate regulatory bodies e.g. [NCTL](#), the [Independent Schools Inspectorate](#), the [Charity Commission](#) or the Information Commissioner); and
- schools that the pupils attend after leaving us.

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 held and accessed only by the Landon School nurse and appropriate medical staff under his/her supervision, or otherwise in accordance with express consent; and
- pastoral or safeguarding files.

SEND: 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. Some children in the school receive learning support. Information specifically about them (such as learning support plans, Educational Psychologist reports etc.) which are kept on the shared area and in a locked filing cabinet.

Safeguarding: 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, and in some cases referrals to relevant authorities such as the LADO or police. For further information about this, please view the school's *Safeguarding Policy*.

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Tracking pupil progress: Years 3 – 6 use software called 'EFL' to monitor children's progress. The data is stored on the cloud and is protected by a school specific key and individual user names and passwords. Teachers can access Target Tracker at home using their key and their individual user name and password. There is a 'no names' option for sharing data with governors etc. to study trends across the school. Individual teachers have mark books and, as professionals, may keep their own notes and records about children's progress; this is held securely along under the teachers' control or in the school's shared secure area and in accordance with the school's policies.

Reporting: There is an annual published schedule for reporting at Landon School. All reporting data is stored securely on iSAMs and is available to download on the Landon School Parent Portal.

Finally, in accordance with Data Protection Regulations, some of Landon 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.

Department for Education: The Department for Education (DfE) collects personal data from Landon School via various statutory data collections (DfE School census). We are required to share information about our pupils with the Department for Education (DfE) either directly or via Hillingdon Council for the purpose of those data collections. All data is transferred securely and held by DfE under a combination of software and hardware controls, which meet the current government security policy framework. For more information, please see 'How Government uses your data' section.

Alumni: Landon School will use the contact details of parents, alumni and other members of the Landon School community to keep them updated about the activities of Landon School, or alumni and parent events of interest, including by sending updates and newsletters, by email and by post. Unless the relevant individual objects, Landon School will also:

- Share personal data about parents and/or alumni, as appropriate, with organisations such set up to help establish and maintain relationships with the Landon School community, such as the parent's association;
- Contact parents and/or alumni by post and email in order to promote and 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 Proprietor 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).

Requesting access to your personal data: Under data protection legislation, parents and pupils have the right to request access to information about them that we hold, 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 Mr Andy Thompson (Proprietor).

You also have the right to:

- ask us for access to information about you that we hold;
- have your personal data rectified, if it is inaccurate or incomplete;
- request the deletion or removal of personal data where there is no compelling reason for its continued processing;
- restrict our processing of your personal data (i.e. permitting its storage but no further processing);
- object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics;
- not be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you.

Rights of access, etc.: Landon School will endeavour to respond to any 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). Landon School 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, Landon School may ask you to reconsider, or require a proportionate fee (but only where Data Protection Law allows it).

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 Landon School, or documents prepared in connection with a legal action).

Landon 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 Landon 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. 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 Landon 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.

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. Landon School may consider there are lawful grounds for sharing information 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, Landon 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.

All information requests from, on behalf of, or concerning pupils – whether made under subject access rights or simply as an incidental request – will therefore be considered on a case by case basis.

Consent: Where Landon 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). Examples of where we do rely on consent are: certain types of uses of images, or certain types of fundraising activity.

Please be aware however that Landon School may not be relying on consent but 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 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, Landon 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 permission form. Parents and pupils should be aware that this is not necessarily the same as L a n d o n S c h o o l relying on strict consent (see section on Consent above).

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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. This will depend on the interests of the child, the parents' rights at law or under their contract, and all the circumstances.

In general, Landon 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 Landon School 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, Landon School may be under an obligation to maintain confidentiality unless, in Landon School opinion, there is a good reason to do otherwise; for example, where Landon 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 ICT: Acceptable Use policies and the school rules. Staff are under professional duties to do the same covered under the ICT Code of Conduct policy.

If you have a concern or complaint about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>. For further information on how to request access to personal information held centrally by DfE, please see the 'How Government uses your data' section of this notice.

Data Accuracy and Security: Landon 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 please notify the school Office team 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, of who you may contact if you disagree.

Landon 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 policy and their duties under Data Protection Law and receive relevant training.

Withdrawal of consent and the right to lodge a complaint: Where we are processing your personal data with your consent, you have the right to withdraw that consent. If you change your mind, or you are unhappy with our use of your personal data, please let us know by contacting our DPO through the school office.

Last updated: 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. We recommend that you revisit this information from time to time. This version was last updated in September 2021.

Contact: If you would like to discuss anything in this privacy notice, please contact: Mr Andy Thompson (Proprietor). If an individual believes that the school has not complied with this policy or acted otherwise than in accordance with Data Protection Law, they should use Landon School Complaints Procedure and should also notify the Proprietor. 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 school before involving the regulatory body.

APPENDIX: How Government uses your data

The pupil data that we lawfully share with the DfE through data collections:

- underpins school funding, which is calculated based upon the numbers of children and their characteristics in each school;
- informs 'short term' education policy monitoring and school accountability and intervention (for example, school GCSE results or Pupil Progress measures);
- supports 'longer term' research and monitoring of educational policy (for example how certain subject choices go on to affect education or earnings beyond school).

Data collection requirements: To find out more about the data collection requirements placed on us by the Department for Education (for example; via the school census) go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

The National Pupil Database (NPD): Much of the data about pupils in England goes on to be held in the National Pupil Database (NPD). The NPD is owned and managed by the Department for Education and contains information about pupils in schools in England. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the Department. It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, local authorities and awarding bodies. To find out more about the NPD, go to <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

Sharing by the Department: The law allows the Department to share pupils' personal data with certain third parties, including:

- schools and local authorities;
- researchers;
- organisations connected with promoting the education or wellbeing of children in England;
- other government departments and agencies;
- organisations fighting or identifying crime.

For more information about the Department's NPD data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>. Organisations fighting or identifying crime may use their legal powers to contact DfE to request access to individual level information relevant to detecting that crime. For information about which organisations the Department has provided pupil information, (and for which project) or to access a monthly breakdown of data share volumes with Home Office and the Police please visit the following website: <https://www.gov.uk/government/publications/dfe-external-data-shares>.

How to find out what personal information DfE hold about you: Under the terms of the Data Protection Act 2018, you are entitled to ask the Department:

- if they are processing your personal data;
- for a description of the data they hold about you;
- the reasons they're holding it and any recipient it may be disclosed to;
- for a copy of your personal data and any details of its source.

If you want to see the personal data held about you by the Department, you should make a 'subject access request'. Further information on how to do this can be found within the Department's personal information charter that is published at the address below:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

To contact DfE: <https://www.gov.uk/contact-dfe>.