

Privacy Policy

INTRODUCTION

This policy is intended to provide information about how the school will use (or “process”) personal data about you as a member of staff or wider school team, regardless of your employment status. This includes Faculty and Support staff, Governors, contractors, visiting music teachers and other peripatetic workers, casual workers, temps, and volunteers who may be employed or engaged by the school to work for it in any capacity, as well as prospective applicants for roles.

Please note that any references to “employment”, “staff” etc. in this Notice are not intended to imply or confer any employment rights on you if you are a contractor, non-employed worker, or job applicant, even if the Notice is relevant to how we process your personal data.

This information is provided because the UK GDPR gives individuals rights to understand how their data is used. Marymount staff are all encouraged to read this Privacy Policy and understand the School’s obligations.

This Privacy Policy 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 Policy also applies in addition to the School’s other relevant terms and conditions and policies, including:

- any contract between the school and its staff;
- 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 as to how concerns or incidents are recorded; and
- the school’s IT policies, including its Acceptable Use policy, eSafety policy, WiFi policy, Remote Working policy and Bring Your Own Device policy.

Why the School needs to process personal data

In order to carry out its ordinary duties to staff, students and families, the school needs to process a wide range of personal data about individuals 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 families 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.

- **Applications and offers**
 - For the purposes of staff selection (and to confirm the identity of prospective staff);
 - To administer job applications and, where relevant, offering a role at the School;
 - To give and receive information and references about staff to/from any educational institution where the staff were employed or where it is proposed they are employed; and to provide references to potential employers of past staff;

- **Educational provision, security and safeguarding**
 - To provide education services, including musical education, physical training or spiritual development, career services, and extra-curricular activities to students, and monitoring students' progress and educational needs;
 - To safeguard students' 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 acceptable use policies;
 - For security purposes, including biometrics and CCTV in accordance with the school's biometrics and CCTV policies;
 - For staff safeguarding purposes, including fire lists and evacuation lists;
- **Human resources**
 - For the performance of the school's contract with employees and volunteers;
 - To monitor attendance and performance in work, including in performance appraisals;
 - To offer opportunities for continued professional development (CPD);
 - To receive feedback from staff where relevant;
 - To administer benefits (including pensions) and pay salaries in connection with work;
- **Community relations**
 - Maintaining relationships with the school community, including direct marketing, event attendance and participation, or fundraising activity;
 - To make use of photographic and video images of staff in school publications, on the school website and (where appropriate) on the school's social media channels;
 - Promote the School to prospective parents and others, including by publishing the work product(s) created while employed by or otherwise engaged to work for the school;
 - 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 taking donations, e.g. Direct Debit details;
- **External and legal obligations**
 - 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 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.

Types of personal data processed by the School

We may collect the following types of personal data about you (and your family members and 'next of kin', where relevant):

- **Contact and communications information, including:**
 - your contact details (including email address(es), telephone numbers and postal address(es);
 - contact details (through various means, as above) for your family members and 'next of kin', in which case you confirm that you have the right to pass this information to us for use by us in accordance with this Privacy Policy;
 - records of communications and interactions we have had with you;

- **Biographical, educational and social information, including:**
 - your name, title, gender, nationality and date of birth;
 - your image and likeness, including as captured in photographs taken for work purposes;
 - details of your education and references from your institutions of study;
 - lifestyle information and social circumstances;
 - your interests and extra-curricular activities;
- **Financial information, including:**
 - your bank account number(s), name(s) and sort code(s) (used for paying your salary or invoices and processing other payments);
 - your tax status (including residence status);
 - Gift Aid declaration information, where relevant (for example, where we help you to administer donations to charity from your pre-taxed earnings or if you make a donation to the school);
 - information related to pensions, national insurance, or employee benefit schemes;
- **Work related information, including:**
 - details of your work history and references from your previous employer(s);
 - your personal data captured in the work product(s), notes and correspondence you create while employed by or otherwise engaged to work for the school;
 - details of your professional activities and interests;
 - your involvement with and membership of sector bodies and professional associations;
 - information about your employment and professional life after leaving the school, where relevant (for example, where you have asked us to keep in touch with you);
- **and any other information relevant to your employment or other engagement to work for the school.**

Special category personal data

Where this is necessary for your employment or other engagement to work for us, we may also collect special categories of data, and information about criminal convictions and offences, including:

- information revealing your racial or ethnic origin;
- trade union membership, where applicable;
- information concerning your health and medical conditions (for example, where required to monitor and record sickness absences, dietary needs, or to make reasonable adjustments to your working conditions or environment);
- biometric information, for example where necessary for school security systems;
- information concerning your sexual life or orientation (for example, in the course of investigating complaints made by you or others, for example concerning discrimination); and
- information about certain criminal convictions (for example, where this is necessary for due diligence purposes, or compliance with our legal and regulatory obligations);

The school will on occasion need to process this special category personal data 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. However, this will only be undertaken where and to the extent it is necessary for a lawful purpose in connection with your employment or other engagement to work for the school. These reasons will include:

- To safeguard students' 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;
- 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 operate on biometric data, such as for security and other forms of student identification (registration and access 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.

How the School collects data

Generally, the school receives personal data from the individual directly. This may be via a physical or electronic form, an online portal, or simply in the ordinary course of interaction or communication (such as email or written assessments).

We may collect your personal data in a number of ways, for example:

- from the information you provide to us before making a job application, for example when you come for an interview;
- when you submit a formal application to work for us, and provide your personal data in application forms and covering letters, etc.; and
- from third parties, for example the Disclosure and Barring Service (DBS) and referees (including your previous or current employers or school), or (if you are a contractor or a substitute) your own employer or agent, in order to verify details about you and/or your application to work for us; and
- In some cases personal data will be collected from publicly available resources.

More generally, during the course of your employment with us, as a member of staff, we will collect data from or about you, including:

- when you provide or update your contact details;
- when you or another member of staff completes paperwork regarding your performance appraisals;
- in the course of fulfilling your employment (or equivalent) duties more generally, including by filling reports, note taking, or sending emails on school systems;
- in various other ways as you interact with us during your time as a member of staff, and afterwards, where relevant, for the various purposes set out below.

Who has access internally

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 School Nurses and appropriate boarding and medical staff under their supervision, or otherwise in accordance with express consent]; and
- pastoral or safeguarding files.

Sharing with third parties

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

- suppliers of services used by the School to provide its services (e.g. Office 365, student management systems, email supply systems)
- professional advisers (e.g. lawyers, insurers, PR advisers and accountants);
- government authorities (e.g. DBS, HMRC, DfE, police or the local authority); and
- appropriate regulatory bodies (e.g. TRA, the Independent Schools Inspectorate, the Charity Commission or the Information Commissioner).

We may also share information about you with other employers in the form of a reference, where we consider it appropriate, or if we are required to do so in compliance with our legal obligations. References given or received in confidence may not be accessible under your GDPR rights.

In accordance with the UK GDPR, 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.

Legal safeguarding obligations

Staff 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.

International transfers

Some of the personal data we process about you may be transferred to, and stored at, a destination outside the UK, for example where you live outside the UK, or where the student is going on a school trip outside the UK or where personal data is processed by one of our suppliers who is based outside the UK or who uses data storage facilities outside the UK. A number of the School's IT systems are provided by third parties who are based or use servers outside the UK (e.g. providers of hosted databases, websites, school post system, school portal, cloud storage and management information systems).

While some countries have adequate protection for personal data under applicable laws, in other countries steps will be necessary to ensure appropriate safeguards apply to it. These include imposing contractual obligations of adequacy or requiring the recipient to subscribe to or be certified with an international framework of protection. Under the UK GDPR, data transfers to the EEA are recognised as continuing to offer adequate protection so additional transfer mechanisms are not required for UK to EEA data flows.

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. Typically, the legal recommendation for how long to keep ordinary staff and student personnel files is up to 7 years following departure from the school. However, incident reports and safeguarding files will need to be kept much longer, in accordance with specific legal requirements. Please see our Record Retention Policy for more details.

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 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 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. The school may also:

- With consent, share personal data about individuals with Marymount organisations set up to help establish and maintain relationships with the school community, such as the Marymount Society, London
- Unless the relevant individual objects, collect information from publicly available sources about individuals’ occupation and activities, in order to maximise the School’s fundraising potential.
- Unless the relevant individual objects, contact individuals by post and email in order to promote and raise funds for the school [and, where appropriate, other worthy causes];

We may use profiling and screening techniques (using publicly available data about you or information that you have provided to us) to target our fundraising resources effectively and to ensure communications are relevant and timely. They can help us to make appropriate requests of donors and potential donors, thus enabling us to raise more funds, sooner, and more cost-effectively than we otherwise would.

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, etc.

Individuals have various rights under the UK GDPR 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 one month 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 similar to previous requests, the school may ask you to reconsider, or require a proportionate fee (but only where the UK GDPR 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, 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).

The school is also not required to disclose any student examination scripts (or other information consisting solely of student 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.

We will sometimes have compelling reasons to refuse specific requests to amend, delete or stop processing your personal data: for example, a legal requirement, or where it falls within a legitimate interest identified in this Privacy Policy. All such requests will be considered on their own merits.

Consents

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). Examples where we do rely on consent are biometrics and certain types of uses of images. 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 Policy, 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 alumnae or Parents' Association has been requested).

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 please notify the School Secretary 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 the UK GDPR): please see above for details of why the school may need to process your data, of 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 policy and their duties under the UK GDPR and receive relevant training.

Queries and complaints

The School will update this Privacy Policy from time to time. Any substantial changes that affect your rights will be provided to you directly as far as is reasonably practicable.

Any comments or queries on this policy should be directed to the Bursar using the following contact details:

Telephone: 020 8949 0571 or e-mail: bursar@marymountlondon.com

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 utilise the school 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), although the ICO recommends that steps are taken to resolve the matter with the school before involving the regulator.

Approved: November 2021
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