



## *Privacy Notice*

### **STUDENTS AND FAMILIES**

This document is intended to provide information about how the school will use (or “process”) personal data about students and individuals including parents, carers or guardians (referred to in this policy as “families”).

We, Marymount International School London are the ‘Data controller’ for the purposes of data protection law.

This information is provided because Data Protection Legislation gives individuals the right to understand how their data is used. Those who are covered by this document are encouraged to read and understand the School’s obligations.

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 families of students;
- 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 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.

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 and the school’s Data Protection Policy, which also provides further information about how personal data about those individuals should be used.

#### **TYPES OF PERSONAL DATA PROCESSED BY THE SCHOOL**

- The types of personally identifiable data that we may collect, use, store, and share (when appropriate) about students & families include but are not limited to Personal Information, names, date of birth, unique student number, national insurance number), car details ( for parking and permit purposes)
- Contact Details and preferences: full names, postal addresses, telephone numbers, and e-mail addresses for you and your emergency contacts.



- Academic information: data scores, tracking, and internal/external testing, details of any support received.
- Attendance information: sessions attended, number of absences and absence reasons including exclusions.
- Photographs & Videos: for safeguarding & security purposes, school newsletters, media and promotional purposes.
- Closed-circuit television (CCTV) images captured in school (in accordance with the CCTV school's policy);
- Financial; payment and banking details, donations, profiling and screening information from publicly available sources (used for fundraising purposes).
- Use of the school's information and communication systems.
- Complaints and disciplinary information; correspondence

## SPECIAL CATEGORY PERSONAL DATA

The UK GDPR singles out some types of personal data as likely to be more sensitive and gives them extra protection. The types of special category personal data that we may collect, use, store, and share (when appropriate) about students and families include, but are not limited to

- Relevant medical information: NHS information, health checks, physical and mental health care, immunisation status, allergies, and medical conditions, including physical and mental health.
- Protected characteristics: ethnic background, religion or belief.
- Special educational needs information: EHCPs, statements, applications for support, care or support plans)
- Biometric information, which will be collected and used by the school in accordance with the school's biometrics policy.
- Safeguarding information

The school will ensure that they place greater levels of protection and care when processing special category data.

## 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 (including current, past and prospective staff, students or families) 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.

- Educational provision, security and safeguarding
  - To enable members of the wider community to contribute to curricular life at the school through volunteering (e.g. as a speaker for a careers event);



- 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 enable students to take part in national or other assessments, to share the results and transcripts with exam candidates and their families, and to publish the results of public examinations or other achievements of students of the school;
- To safeguard students' welfare and provide appropriate pastoral care;
- For security purposes, including biometrics and CCTV in accordance with the school's biometrics and CCTV policies;
- Community relations
  - Maintaining relationships with the school community, including direct marketing, event attendance and participation, or fundraising activity;
  - For the purposes of donor due diligence, to confirm the identity of prospective donors and their background [and relevant interests], profiling and screening from publicly available sources for fundraising purposes
  - To give and receive information and references about past, current and prospective students, including relating to outstanding fees or payment history, to/from any educational institution that the student attended or where it is proposed they attend; and to provide references to potential employers of past students;
  - To make use of photographic and video images of students and families in school publications, on the school website and (where appropriate) on the school's social media channels;
- 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.

## THE LAWFUL BASIS WE USE TO PROCESS DATA

The UK GDPR requires a legal basis to be in place when processing data that for personally identifiable information we rely on:

- Consent given by you for one or more specific purposes.
- Processing is necessary to comply with the school's legal obligations.
- Processing is necessary to protect your vital interests.
- Processing is necessary for tasks in the public interest or exercise of authority vested in the controller (the provision of education)



- Processing is necessary for the school's legitimate interests or the legitimate interests of a third party.

When we process special category information, the following lawful basis may be used:

- You have given explicit consent.
- It is necessary to fulfil the school's obligations or your obligations.
- It is necessary to protect your vital interests.
- Processing is carried out by a foundation or not-for-profit organisation (includes religious, political or philosophical organisations and trade unions).
- Reasons of public interest in the area of public health.

## HOW THE SCHOOL COLLECTS DATA

Generally, the school receives personal data from the individual directly (including, in the case of students, from their families). 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).

In some cases personal data will be supplied by third parties (for example another school, external examination boards, referees, or other professionals or authorities working with that individual); or collected from publicly available resources.

## 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.

However, a certain amount of any SEN student's relevant information will need to be provided to staff more widely in the context of providing the necessary care and education that the student requires.

## SHARING WITH THIRD PARTIES

In order to legally, effectively and efficiently function, 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. 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).

The school will ensure that appropriate checks have been undertaken and documentation is in place before any personal data is shared.



## LEGAL SAFEGUARDING OBLIGATIONS

Staff, students and families 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, 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).

We conduct due diligence on the companies we share data with and note whether they process data in the UK, EEA (which means the European Union, Liechtenstein, Norway and Iceland) or outside of the EEA.

The UK and countries in the EEA are obliged to adhere to the requirements of the GDPR and have equivalent legislation which confers the same level of protection to your personal data.

For organisations who process data outside we will assess the circumstances of how this occurs and ensure there is no undue risk and the appropriate transfer mechanism is in place.

## 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 it for a legitimate and lawful reason.

If you have any specific queries about how long personal data is retention or for our retention policy is applied please contact the Bursar.

## KEEPING IN TOUCH AND SUPPORTING THE SCHOOL

The school will use the contact details of families, alumnae 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. The school may also:

- With consent, share personal data about families with Marymount organisations set up to help establish and maintain relationships with the school community, such as the Parents' Association.
- Unless the relevant individual objects, collect information from publicly available sources about parents' and former students' occupations and activities, in order to maximise the School's fundraising potential, this process may be undertaken by a third party



- Unless the relevant individual objects, contact families and/or alumnae by post and email in order to promote and raise funds for the school [and, where appropriate, other worthy causes];

We, or our third party, 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.

## YOUR RIGHTS

### RIGHTS OF ACCESS

Individuals have a right to make a 'subject access request' to gain access to personal information that we hold about them.

If you make a subject access request, and if we do hold information about you, we will:

- Give you a description of it
- Tell you why we are holding and processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- NOT provide information where it compromises the privacy of others
- Give you a copy of the information in an intelligible form.

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

In most cases, we will respond to subject access requests within 1 month, as required under data protection legislation. However, we are able to extend this period by up to 2 months for complex requests or exceptional circumstances.

### YOUR OTHER RIGHTS REGARDING YOUR DATA

You may:

- Withdraw your consent to processing at any time (this only relates to data for which the school relies on consent as a lawful basis for processing)
- Ask us to rectify, erase or restrict the processing of your personal data, or object to the processing of it in certain circumstances and where sufficient supporting evidence is supplied
- Prevent the use of your personal data for direct marketing
- Challenge processing which has been justified on the basis of public interest, official authority or legitimate interests



- Request a copy of agreements under which your personal data is transferred outside of United Kingdom
- Object to decisions based solely on automated decision-making or profiling (decisions taken with no human involvement, that might negatively affect you)
- Request a cease to any processing that is likely to cause damage or distress
- Be notified of a data breach in certain circumstances
- Refer a complaint to the ICO
- Ask for your personal data to be transferred to a third party in a structured, commonly used and machine-readable format (in certain circumstances).

We will comply with the Data Protection legislation in regard to dealing with all data requests submitted in any format, although individuals are asked to preferably submit their request in written format to assist with comprehension.

We reserve the opportunity to verify the requesters' identity by asking for Photo ID. If this proves insufficient, then further ID may be required.

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).

If you would like to exercise any of the rights or requests listed above, please contact the bursar.

## 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 families 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).

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 (or your child's) personal data: for example, a legal requirement, or where it falls within a legitimate interest identified in this Privacy Notice. All such requests will be considered on their own merits.

## STUDENT REQUESTS

Students can make subject access requests for their own personal data, provided that, in the reasonable opinion of the school, they have sufficient maturity to understand the request they are making (see section Whose Rights? below). A student 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 students, the law still considers the information in question to be the child's: for older students, the parent making the request may need to evidence their child's authority for the specific request.

Students aged 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.

## PARENTAL REQUESTS

It should be clearly understood that the rules on subject access are not the sole basis on which information requests are handled. Families 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 students without their consent. The school may consider there are lawful grounds for sharing with or without reference to that student. Families will in general receive educational and pastoral updates about their children in accordance with the Parent Contract.

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

## 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 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 alumnae or Parents' Association has been requested).

## WHOSE RIGHTS

The rights under the UK GDPR 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 students – for example, under the parent contract, or via a form. Families and students 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 student's age and understanding – to seek the student's consent.

Families should be aware that in such situations they may not be consulted, depending on the interests of the child, the families' rights at law or under their contract, and all the circumstances.





In general, the school will assume that students' consent is not required for ordinary disclosure of their personal data to their families, e.g. for the purposes of keeping families informed about the student's activities, progress and behaviour, and in the interests of the student's welfare. That is unless, in the school's opinion, there is a good reason to do otherwise.

However, where a student seeks to raise concerns confidentially with a member of staff and expressly withholds their agreement to their personal data being disclosed to their families, 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 student or other students, or if required by law.

Students are required to respect the personal data and privacy of others, and to comply with the school's acceptable use policy and the school rules. Staff are under a professional duty to do the same covered under the acceptable use policy.

## 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 information about them be 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 the 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.

## DATA PROTECTION BREACHES

If you suspect that your or someone else's data has been subject to unauthorised or unlawful processing, accidental loss, destruction or damage, we ask that you please contact the Bursar and advise us without undue delay.

## QUERIES AND COMPLAINTS

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.

Any comments or queries on this policy should be directed to the Bursar by telephone: 020 8949 0571 or e-mail: [bursar@marymountlondon.com](mailto: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 be taken to resolve the matter with the school before involving the regulator.

Report a concern online at <https://ico.org.uk/concerns/>

Call 0303 123 1113

Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

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