



PRIVACY NOTICE - OLDER PUPILS

Policy applies to older pupils	
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Author:	Mr Michael Stewart

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05.23 v1	16.05.2023	All	Notice updated and sections re-drafted.	Mr Michael Stewart

Clifton High School is committed to child protection and safeguarding children and young people and expects all staff, visitors and volunteers to share this commitment.

1. Who this Privacy Notice applies to

This Privacy Notice is intended to provide information about how the School will use (or 'process') the personal data of older pupils at Clifton High School (referred to in this policy as 'pupils' or 'you').

For the purposes of this Privacy Notice, older pupils are classed as those current, past or prospective pupils who reach their 13th birthday in the current academic year, which runs from September to August.

References to the School (or 'we') in this policy are references to Clifton High School and where applicable it may also include the Clifton High School Foundation.

2. Child Protection and Safeguarding

Child protection and safeguarding requirements always supersede data protection legislation. If information needs to be shared in the interests of child protection and safeguarding, this Privacy Notice can never be used as a reason not to do so.

Pupils are reminded that the School is under duties imposed by law and statutory guidance (including Keeping Children Safe in Education (**KCSIE**)) 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. Copies of the School's Child Protection and Safeguarding policies can be found on the School website. Pupils should speak to the Designated Safeguarding Lead if they have any questions or concerns.

School Office 0117 973 0201
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KCSIE also requires that, whenever a child leaves the School to join another school or college, their child protection file is promptly provided to the new organisation. The School will retain a copy of the file in accordance with its retention policy for material related to safeguarding matters.

3. About this Privacy Notice

The School collects, uses, holds and shares ('processes') personal data relating to you as a current, past or prospective pupil. This makes the School a data controller of your personal information, and this Privacy Notice is intended to help you understand how and why we collect personal information about you, and what we do with that information. It also explains what your rights are in relation to your personal data.

Pupils are encouraged to read this Privacy Notice and understand their rights and the School's obligations.

This Privacy Notice applies alongside any other information the School may provide to you about a particular use of personal data, and applies in addition to the School's other relevant terms and conditions and policies, including:

- the School's Terms and Conditions, which your parents agree to
- the Data Protection policy and the Data Retention and Disposal policy
- the Child Protection and Safeguarding policies, and pastoral and health and safety policies
- the CCTV policy
- the Taking, Storing and Using Photographs or Video policy
- IT policies, including the Acceptable Use of ICT Agreements and the Online Safety policy.

4. What is personal data?

Personal data is information that the School holds about you that identifies you as an individual and includes information such as your name, date of birth and address as well as things like examination results, medical details, unique pupil number and behaviour records. We will also hold information such as your religion or ethnic group for the purposes of meeting your educational needs, or to monitor the School's commitments set out in its Equality, Diversity and Inclusion policy. CCTV, photos and video recordings of you are also personal information. The School's primary reason for using your personal information is to provide you with an education.

5. Responsibility for data protection

The School has appointed the Finance Director as the Data Protection Lead, whose role is to monitor that all personal data is processed in compliance with this Privacy Notice and the principles of the applicable data protection legislation. Any questions about the operation of



this Privacy Notice or any concerns that the Privacy Notice has not been followed should be referred in the first instance to the Data Protection Lead (finance@cliftonhigh.co.uk/0117 973 0201/Extension 227).

6. How we collect your information

The School usually receives personal data either from you directly, or from your parents or a person who has parental responsibility for you (for example information in a completed form, an email or in the course of an interaction or communication with you). However, in some cases your personal data will be supplied by third parties, for example another school, or other professionals or authorities working with you, or collected from publicly available resources.

7. The types of personal data we collect and process

7.1 Personal data

The personal data that the School may collect and process includes:

- contact and communications information, such as your name, addresses, telephone numbers, e-mail addresses, other contact details, and records of communications and interactions with you;
- references given or received by the School about you, and relevant information provided by previous educational establishments and/or other professionals or organisations working with you;
- your academic, disciplinary, admissions and attendance records (including information about any special needs you have) and examination scripts and marks;
- your pupil file, including information regarding your education and academic performance;
- where appropriate, information about your health and welfare;
- nationality and other immigration status information, including passport information, in relation to student visa sponsorship;
- correspondence with and concerning you and your parents; and
- images of you engaging in School activities, and images captured by the School's CCTV system (in accordance with the School's CCTV policy).

7.2 Special category personal data

The School may on occasion also need to collect and process special category personal data concerning health, racial and ethnic origin, religion and sexual orientation for example, in accordance with rights or duties imposed on us by law, or from time to time by explicit consent where required. Examples of the reasons why we collect special category personal data are set out in section 9 below.

8. The legal justification for processing your personal data

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The School needs to process your personal data as part of our daily operation. We will only process your personal data when the law allows us to, in one or more of the following circumstances, which may overlap.

8.1 Where it is necessary for our legitimate interests

The School will process your personal data where it is necessary for the School's (or sometimes a third party's) legitimate interests. This is the most common ground on which we process personal data. When we process data because it is necessary for the School's legitimate interests, it must not involve special or sensitive types of data (unless you give consent), and we must balance our legitimate interests with your privacy, interests, rights and freedoms.

The School expects that the following uses will fall within the "legitimate interests" category:

- for the purposes of pupil selection, to confirm yours and your parents' identity, and to retain a record if appropriate for the purposes of future applications or openings;
- to provide education services;
- to maintain relationships with the school community and promoting the objects of the School. This includes fundraising, using photographs of you at School and at School events;
- for the purposes of management planning and forecasting, research and statistical analysis, including that imposed or provided for by law;
- 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 you to/from any educational institution you attend or will attend;
- to safeguard yours and other pupils' health and welfare, and to 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 of ICT - pupils policy;
- to make use of photographic images of you in School publications, on the School's website and (where appropriate) on the School's social media channels in accordance with the Staff Taking, Storing and Using Photographs or Videos policy;
- for security purposes, including CCTV taken in accordance with the School's CCTV policy;
- for regulatory record keeping/compliance purposes in respect of immigration requirements, as a visa sponsor;
- 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.



8.2 Other justifications for processing your personal data

8.2.1 You give us consent

We may ask for your consent to process your personal data as an alternative to relying on legitimate interests or one of the bases below. For example, we may ask for your consent before taking or using photographs and videos if the photograph or video is more intrusive than would usually be expected and we cannot rely on legitimate interests for that use. If we ask for your consent to use your personal data you can withdraw this consent at any time.

8.2.2 We need to perform our contract with your parents

The School will process your personal data in order to fulfil our legal rights, duties and/or obligations with your parents to provide you with an education.

8.2.3 We need to comply with a legal obligation

The School may process your personal data to comply with its legal obligations, for example, in order to comply with child protection and safeguarding legislation, Keeping Children Safe in Education statutory guidance, and the School's Child Protection and Safeguarding policies.

8.2.4 We have a vital interest

The School will process your personal data if it is necessary to protect your life. For example, information relating to any medical conditions you have.

8.2.5 We need to carry out a task in the public interest

The following are examples of when we use your information to perform tasks in the public interest:

- providing you with an education;
- safeguarding and promoting your welfare and the welfare of other pupils at the School;
- facilitating the efficient operation of the School; and
- ensuring that the School complies with all of its legal obligations.

9. Special category personal data

9.1 Additional conditions required for processing

We will process special category personal data in a lawful, fair and transparent way and will process it under one of the grounds set out in section 8 of this Privacy Notice. In addition, we will only process special category personal data where one of the following conditions applies:

- you have given us your explicit consent to do so, but only in circumstances where seeking consent is appropriate;
- you have already made the data publicly available; or
- it is necessary:
 - for the purposes of carrying out obligations under social protection law;
 - to protect your vital interests (if you are not legally able to give consent);

- for the establishment, exercise or defence of legal claims, such as where any person has brought a claim or serious complaint against us or you.
- to comply with public health requirements; or
- in connection with some function in the substantial public interest.

9.2 Reasons for processing special category personal data

The reasons for collecting special category personal data include:

- to safeguard pupils' welfare and provide appropriate pastoral and medical care, and to take appropriate action in the event of an emergency, incident or accident (for example by disclosing sensitive data to paramedics, the police and social services);
- 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 educational services in the context of the School's Spiritual, Moral, Social and Cultural or Relationships and Sex Education policies;
- as part of any school or external complaints, disciplinary or investigation process that involves such data, for example if there are SEND, health or safeguarding elements; or
- for insurance purposes;
- for legal and regulatory purposes (for example child protection, diversity monitoring, health and safety and immigration/visa sponsorship compliance) and to comply with our legal obligations and duties of care.

10. Who has access to personal data and who the School shares it with

Personal data collected by the School will usually remain within the School, and will be processed by appropriate members of staff in accordance with access protocols (i.e. on a 'need to know' basis). However, some functions are outsourced, including certain IT, cloud storage, records management and monitoring activities. The School also uses a range of cloud-based learning environments and platforms to support the delivery of education. In accordance with data protection law this type of third-party data processing is subject to contractual assurances by the third party that personal data will be kept securely and processed and used in accordance with the law.

In addition, from time to time, the School will need to share personal information relating to you with third parties, such as:

- your parents or Education Guardian, to enable continued support for your schooling;
- others involved in the delivery of your education, such as visiting music teachers, external sports coaches or those delivering the French and English curriculum programme;
- online learning platform providers and exam boards;
- a School Counsellor, to support your health and wellbeing;



- local safeguarding teams and/or social services;
- appropriate contractors and professional advisers (for example lawyers, insurers, accountants);
- Stage 3 complaints panels, which will include independent panel members;
- third parties and their advisers in the event of a possible or actual merger or other restructuring of the School;
- Government authorities (for example Department for Education (including National Pupil Database), the Learning Records Service, Information Commissioner's Office, Charity Commission, Independent Schools Inspectorate and the local authority); and
- when the school is legally required to do so by a Court Order, Government body, Law enforcement agency or other authority of competent jurisdiction; for example, HM Revenue and Customs or the Police.

11. The Clifton High School Foundation (the "Foundation")

The School may share some of your personal data (including your contact details) with the Foundation when you leave Clifton High School (and are 18 years old or older), so that the Foundation can keep you updated about School activities or events of interest, and its marketing and fundraising activities.

The Foundation may contact you after you have left the School by post and/or email for marketing purposes or in order to promote and raise funds for the Foundation and, where appropriate, other worthy causes. However, you have the right to withdraw consent, where given, or otherwise object to direct marketing or fundraising. Should you wish to limit or object to any such use, or would like further information, please contact the Director of Development by email. If you withdraw consent or object to direct marketing or fundraising, the Foundation will retain some of your details to ensure that no more communications are sent to that particular address, email address or telephone number.

For further information, please see the Privacy Notice for Alumni.

12. How long your information is kept

The School will retain personal data securely, and will retain it for as long as it is needed for the purposes set out in this Privacy Notice or for as long as the law requires us to. The specific periods of time are set out in the School's Data Retention 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 Data Protection Lead using the contact details set out above. However, please bear in mind that the School will often have lawful and necessary reasons to retain some personal data 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 that fact in order to fulfil your wishes (called a "suppression record").

13. Rights

13.1 Your rights

You have the following rights:

- **To be informed about the collection and use of your personal data**
- **To obtain access to, and copies of, the personal data that we hold about you ("subject access request")**

The School will be able to respond more quickly to smaller, targeted requests for personal data made during term time. If the request is 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 in certain cases refuse the request (if permitted under data protection law).

- **To require us to correct personal data we hold if it is incorrect**

The School will endeavour to ensure that all personal data held is as up to date and accurate as possible, but you have the right to request that any out-of-date, irrelevant or inaccurate information about you is erased or corrected, and you should let the School know if you believe that data is inaccurate or not up to date. The School will not (subject to data protection law) 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.

- **To require us (in certain circumstances) to erase your personal data**

A request for a "right to be forgotten" may be refused if processing is necessary for one of a number of specific reasons, for example, to comply with a legal obligation or where it falls within a proportionate 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.

- **To restrict our data processing activities**
- **To obtain and reuse the personal data that we hold for you**
- **To object to any of our particular processing activities** where you feel this has a disproportionate impact on your rights.

You can find out more about your rights under applicable data protection legislation from the Information Commissioner's Office website available at www.ico.org.uk.

13.2 The provision of information

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13.2.1 Subject access 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. Older Pupils are generally assumed to have this level of maturity, although this will depend on their maturity, their personal circumstances at home and the personal data requested.

A pupil of any age may ask a parent or other representative to make a subject access request on their behalf, but the parent will need to evidence the pupil's authority to make the subject access request.

All information requests from, on behalf of, or concerning pupils, whether made under subject access or simply as an incidental request will be considered on a case-by-case basis, and requests not considered in pupils' best interests may sometimes be refused.

13.2.2 Educational information supplied to parents

Parents may not always have a statutory right to information under a subject access request, for example where the request is manifestly unfounded or excessive, but they 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, in accordance with the School's Terms and Conditions. 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.

13.3 Limits to your rights

13.3.1 Lawful grounds for processing and exempt data

The rights set out in section 13.1 are not absolute, and the availability of the rights will depend on the lawful grounds on which we are processing your personal data (as set out in section 8).

In addition, the rights listed in 13.1 are limited to your own personal data, and certain data is exempt. 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, or where a duty of confidence is owed by a legal adviser).

13.3.2 Examination scripts



The School is not required to disclose pupil examination scripts (or other information consisting solely of pupil test answers, which potentially includes mock exam scripts or other types of exams/tests used to assess performance, although markers' comments may still be disclosable if they constitute pupil personal data). The School is also not required to provide examination or other test marks ahead of their ordinary publication date, nor share any confidential reference held by the School that was (or will be) given for the purposes of the education, training, appointment or employment of any individual.

These exemptions may necessarily apply also in the context of teacher-assessed grades, where required in the absence of formal public examinations due to pandemic conditions.

13.4 Responding to the exercise of your rights

The School will aim to respond to any requests as soon as is reasonably possible and in any event within statutory time-limits, which is generally one month, but fulfilling more complex or multiple requests, for example those involving third party information, may take two to three months longer.

14. Security

The School will take appropriate technical and organisational steps to ensure the security of personal data, including policies around the use of technology and devices, and access to school systems.

All staff are made aware of this policy and their duties under data protection legislation and receive relevant training.

15. Queries and complaints

Any comments or queries about this Privacy Notice should be directed to the Finance Director using the following contact details: finance@cliftonhigh.co.uk / 0117 973 0201 / Extension 227.

If you believe that the School has not complied with this Privacy Notice, or acted otherwise than in accordance with data protection law, you should speak to your tutor, or notify the Data Protection Lead. 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.