

DATA PRIVACY NOTICE – PARENTS & PUPILS

The Aldenham Foundation

This is the parents' and pupils' data privacy notice of The Aldenham Foundation, which is a company limited by guarantee registered in England and Wales and a charity.

Your Personal Data – What Is It?

Personal data relates to a living individual who can be identified from that data. Identification can be by the information alone or in conjunction with any other information in the data controller's possession or likely to come into such possession. The processing of personal data is governed by the General Data Protection Regulation (the "GDPR")¹ and other law, together "Data Protection Law".

Who We Are

The Aldenham Foundation is the data controller (contact details below). This means it decides how your personal data is processed and for what purposes. The Aldenham Foundation is comprised of: The Aldenham Senior School; The Aldenham Preparatory School; St Hilda's Preparatory School; and Bluebird Nursery.

What This Policy Is For

This policy is intended to provide information about how the Foundation 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 in accordance with the rights of individuals under Data Protection Law to understand how their data is used. Staff, parents and pupils are all encouraged to read this Privacy Notice and understand the Foundation's obligations to its entire community.

This Privacy Notice applies alongside any other information the Foundation 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 Foundation's other relevant terms and conditions and policies, including:

- any contract between the Foundation and the parents of pupils;
- the Foundation's policy on taking, storing and using images of children;
- the Foundation's CCTV policy;
- the Foundation's retention of records policy;
- the Foundation's safeguarding, pastoral, or health and safety policies, including as to how concerns or incidents are recorded; and

¹ REGULATION (EU) 2016/679 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation)

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- the Foundation's IT policies, including its Acceptable Use policy, Remote Working policy and Bring Your Own Device policy.

Anyone who works for, or acts on behalf of, the Foundation (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.

Responsibility for Data Protection

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

To exercise all relevant rights, queries of complaints please in the first instance contact the Bursar on 01923 851604 or via email at bursar@aldenham.com or in writing at Aldenham School, Elstree, Hertfordshire, WD6 3AJ.

You can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire. SK9 5AF.

Why the Foundation Needs to Process Personal Data

In order to carry out its ordinary duties to pupils and parents, the Foundation may process a wide range of personal data about individuals (including current, past and prospective pupils or parents) as part of its daily operation.

Some of this activity the Foundation will need to carry out in order to fulfil its legal rights, duties or obligations — including those under a contract with the parents of its pupils.

Other uses of personal data will be made in accordance with the Foundation's legitimate interests, or the legitimate interests of another, provided that these are not outweighed by the impact on individuals, and provided it does not involve special or sensitive types of data.

The school expects that the following uses may 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;

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- for the purposes of donor due diligence, and to confirm the identity of prospective donors and their background (and relevant interests). This may include wealth screening;
- for the purposes of management planning and forecasting, research and statistical analysis, including that imposed or provided for by law (such as diversity);
- to enable relevant authorities to monitor the respective 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 Foundation;
- to safeguard pupils' welfare and provide appropriate pastoral care;
- to monitor (as appropriate) use of the Foundation's IT and communications systems in accordance with the school's IT acceptable use policy;
- to make use of photographic images of pupils in Foundation publications, on the Foundation website and (where appropriate) on the Foundation's social media channels in accordance with the Foundation's policy on taking, storing and using images of children;
- for security purposes, including CCTV in accordance with the Foundation's CCTV policy; and
- where otherwise reasonably necessary for the Foundation's purposes, including to obtain appropriate professional advice and insurance for the Foundation.

In addition, the Foundation may 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 may 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 where it is in the individual's interests to do so: for example for medical advice, social services, insurance purposes or to organisers of school trips;
- 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; 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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Types of Personal Data Processed by the Foundation

This will include by way of example:

- names, dates of birth, 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 Foundation;
- past, present and prospective pupils' academic, disciplinary, admissions and attendance records (including information about any special needs), and examination scripts and marks;
- where appropriate, information about individuals' health, special educational needs, and contact details for their next of kin;
- references given or received by the Foundation about pupils, and information provided by previous educational establishments and/or other professionals or organisations working with pupils; and
- images of pupils (and occasionally other individuals) engaging in Foundation activities, and images captured by the Foundation's CCTV system (in accordance with the Foundation's policy on taking, storing and using images of children).

How the Foundation Collects Data

Generally, the Foundation receives personal data from the individual directly (including, in the case of pupils, from their parents). This may be via a form (online or paper), or simply in the ordinary course of interaction or communication (such as email or written assessments).

However, in some cases personal data may be supplied by third parties (for example another school, or other professionals or authorities working with the individual); or collected from publicly available resources. This may include information provided to the Foundation by the Bursary Administration Ltd company during the admissions process.

Who Has Access to Personal Data and Who the Foundation Shares It With

Occasionally, the Foundation will need to share personal information relating to its community with third parties, such as other schools (if a pupil is moving on), professional advisers (lawyers and accountants) or relevant authorities (HMRC, police, the local authority and the Independent Schools Inspectorate). In addition, information is shared with the Foundation Alumni Office.

For the most part, personal data collected by the Foundation 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 doctor and appropriate medical staff under his/her supervision, or otherwise in accordance with express consent]; and
- pastoral or safeguarding files.

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

Staff, pupils and parents are reminded that the Foundation 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 may include file notes on personnel or safeguarding files, and in some cases referrals to relevant authorities such as the Local Authority Designated Officer or police. For further information about this, please view the Foundation's Safeguarding Policy.

Finally, in accordance with Data Protection Law, some of the Foundation'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 Foundation's specific directions.

How Long We Keep Personal Data

The Foundation 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 the senior school (at the end of formal education) or up to one year following departure for another educational establishment. However, incident reports and safeguarding files will need to be kept longer, in accordance with specific legal requirements. If you have any specific queries about how this 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 may have lawful and necessary reasons to hold on to some data.

Keeping in Touch and Supporting the Foundation

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

- contact parents and/or alumni by post, telephone, email or other digital means in order to promote and raise funds for the Foundation (and, where appropriate, other worthy causes);
- collect information from publicly available sources about parents' and former pupils' occupation and activities, in order to maximise the school's fundraising potential;
- 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 Foundation may need, nonetheless, to retain some of your

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details (not least to ensure that no more communications are sent to that particular address, email or telephone number).

Your Rights

Individuals have various rights under Data Protection Law to access and understand personal data about them held by the Foundation, and in some cases ask for it to be erased or amended or for the Foundation to stop processing it, 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 Foundation 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 Foundation will be better able to respond quickly to smaller, targeted requests for information. If the request is manifestly excessive or similar to previous requests, the Foundation may ask you to reconsider or charge a proportionate fee, but only where Data Protection Law allows it.

You should be aware that certain data is exempt from the right of access. This may include information which identifies other individuals, or information which is subject to legal professional privilege. The Foundation is also not required to disclose any pupil examination scripts (though examiners' comments may fall to be disclosed), nor any confidential reference given by the Foundation for the purposes of the education, training or employment of any individual. The Foundation is also not required to disclose information which is owned by another authority (access would need to be sought direct).

Pupil Requests

Pupils can make subject access requests for their own personal data, provided that, in the reasonable opinion of the Foundation, they have sufficient maturity to understand the request they are making (see section Whose Rights below). Indeed, while a person with parental responsibility will generally be entitled to make a subject access request on behalf of younger pupils, the information in question is always considered to be the child's at law.

A pupil of any age may ask a parent or other representative to make a subject access request on his/her behalf. Moreover (if of sufficient age) their consent or authority may need to be sought by the parent making such a request. Pupils aged 13 and above are generally assumed to have this level of maturity, although this will depend on both the child and the personal data requested, including any relevant circumstances at home. Slightly younger children may, however, be sufficiently mature to have a say in this decision.

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

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Consent

Where the Foundation is relying on consent as a means to process personal data, any person may withdraw this consent at any time (subject to similar age considerations as above). Please be aware however that the Foundation 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. a 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, the Foundation will often rely on parental consent to process personal data relating to pupils (if consent is required) unless, given the nature of the processing in question, and the pupil's age and understanding, it is more appropriate to rely on the pupil's consent.

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

In general, the Foundation 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, unless, in the Foundation's opinion, there is a good reason to do otherwise.

However, where a pupil seeks to raise concerns confidentially with a member of staff and expressly withholds their agreement to their personal data being disclosed to their parents, the Foundation may be under an obligation to maintain confidentiality unless, in the Foundation's opinion, there is a good reason to do otherwise; for example where the Foundation 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 Foundation's IT acceptable use policy and the Foundation rules.

Data Accuracy and Security

The Foundation 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 respective school reception 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

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under Data Protection Law): please see above for details of why the Foundation may need to process your data and who you may contact if you disagree.

The Foundation 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.

This Policy

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

Queries and Complaints

Any comments or queries on this policy should be directed to the Bursar using the contact details provided under the Responsibility for Data Protection Section above.

If an individual believes that the Foundation has not complied with this policy or acted otherwise than in accordance with Data Protection Law, they should utilise the Foundation complaints procedure and should also notify the Bursar. An individual 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 Foundation before involving the regulator.

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