



## General Privacy Notice

*A copy of this notice is published in the following areas:  
The school's website*

Date created: May 2018

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Created by: Mark Vanstone, Director of Studies

### **A. Related Truro School Policies**

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This privacy notice is intended to ensure that personal data is dealt with correctly and securely, in accordance with the General Data Protection Regulation, which takes effect on 25 May 2018, and other related legislation. It should be read along with the following policies:

- Admissions Policy;
- Complaints Policy;
- IT policies including - E-Safety Policy, School Network and Internet Acceptable Use Policy; Mobile Devices Policy; Use of Images Policy;
- Data Protection Policy.
- Data Retention Policy.
- Staff Privacy Notice.

### **B. Who we are**

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Truro School is an Independent School in Truro, Cornwall, including Truro School, Truro School Prep, Truro School Enterprises, Truro School Foundation and Truro School Former Pupils' Association, which for the remainder of this document will be referred to as Truro School. Truro School can be contacted by post at Truro School, Trennick Lane, Truro, Cornwall, TR1 1TH, by telephone on 01872 272763 or by email at enquiries@truroschoo.com. Truro School is part of the Methodist Independent Schools Trust (MIST), an educational charity operating in England and Wales. MIST's registered office is Methodist Church House, 25 Marylebone Road, London, NW1 5JR. MIST's charity registration number is 1142794 and company number is 07649422.

Truro Schools acknowledges its responsibility under the General Data Protection Regulation, which takes effect on 25 May 2018 and other related legislation (referred to in this Privacy Notice as "Data Protection Law"), as a data controller.

### **C. What is this privacy notice for?**

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This policy is intended to provide information about how the Truro School will use (or "process") personal data about individuals including: its staff; volunteers (including governors); pupils and their parents, carers or guardians (referred to in this policy as "parents"); peripatetic teaching staff; applicants; former pupils and other users of school facilities, including members of the Sports Centre; registered attendees at activity days; individuals or representatives of groups that hire facilities; individuals whose organisations are based on our premises.

This information is provided because Data Protection Law gives individuals rights to understand how their data is used. Staff, volunteers, parents, pupils, peripatetic teaching staff,

sports centre members, hirers and registered attendees at activity days are all encouraged to read this Privacy Notice and understand the Truro School's obligations.

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

- Truro School's retention of records policy;
- Truro School's safeguarding, pastoral, or health and safety policies, including as to how concerns or incidents are recorded; and
- Truro School's IT policies, including the School Network and Internet Acceptable Use policy, E-safety policy and Mobile Devices policy.

Anyone who works for, or acts on behalf of Truro School (including staff, volunteers, peripatetic teaching staff and service providers) should also be aware of and comply with this Privacy Notice and Truro School Data Protection Policy, which also provides further information about how personal data will be used. Staff are also encouraged to read the Staff Privacy Notice, which gives additional detail concerning how their personal data is processed by the school.

## **D. Responsibility for Data Protection**

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Truro School has appointed the a Data Protection Lead, the Director of Studies, who will oversee data protection within the school and endeavour to ensure that all personal data is processed in compliance with this policy and Data Protection Law. The Director of Studies can be contacted by email at [dataprotect@truroschool.com](mailto:dataprotect@truroschool.com). In addition, the Headmaster can be contacted if you have any queries concerning the storage or processing of your personal data or if you would like to make a Data Subject Access Request or request that your data should be corrected or deleted ([headmaster@truroschool.com](mailto:headmaster@truroschool.com)).

## **E. Why Truro School Needs to Process Personal Data**

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In order to carry out its ordinary duties to staff, volunteers, pupils, parents, peripatetic teaching staff, applicants, former pupils, other users of school facilities and individuals whose organisations are based on our premises, Truro School needs to process a wide range of personal data about individuals (including current, past and prospective staff and volunteers, pupils or parents) as part of its operations.

Some of this processing Truro School will need to carry out in order to fulfil its legal rights, duties or obligations – including those under a contract with its staff, or parents of its pupils.

Other uses of personal data will be made in accordance with Truro 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.

Truro School expects that the following uses will fall within that category of its "legitimate interests":

- For the purposes of management planning and forecasting, research and statistical analysis, including that imposed or provided for by law (such as tax, diversity or gender pay gap analysis);
- To enable relevant authorities to monitor performance and to intervene or assist with incidents as appropriate;
- To safeguard pupils' welfare and provide appropriate pastoral care;

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- To monitor (as appropriate) use of Truro School's IT and communications systems in accordance with Truro School's Network and Internet Acceptable Use Policy;
- To make use of photographic images of pupils in publications and on the school website and social media streams in accordance with the school Use of Images Policy;
- To carry out or cooperate with any School, MIST Head Office, Trust or external complaints, disciplinary or investigation process; and
- Where otherwise reasonably necessary for Truro School's purposes, including to obtain appropriate professional advice and insurance.

In addition, Truro School will on occasion need to process special category personal data (concerning health and religion for example) or criminal records information (such as when carrying out DBS checks) in accordance with rights or duties imposed on it by law, including as regards safeguarding and employment, or from time to time by explicit consent where required. These reasons will include:

- To safeguard pupils' welfare
- To ensure that the School's Trust Deed requirements for diversity in religious affiliation is adhered to;
- In connection with employment of its staff, or Trust volunteers, for example DBS checks, welfare or pension plans;
- As part of any Truro School, MIST Head Office or Trust complaints or external complaints, disciplinary or investigation process that involves such data, for example if there are 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.

## **F. Types of personal data processed by Truro School**

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This will include by way of example:

- names, addresses, telephone numbers, e-mail addresses and other contact details;
- bank details and other financial information, e.g. expenses paid to volunteers;
- personnel files, including in connection with academics, employment or safeguarding;
- where appropriate, information about individuals' health and welfare, and contact details for their next of kin;
- correspondence with and concerning staff, volunteers, pupils and parents past and present; and
- still and moving images of pupils and other individuals engaging in school activities, in accordance with the school Use of Images Policy.
- videos collected from security cameras located across the school site.

## **G. How Truro School collects data**

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Generally, Truro School receives personal data from the individual directly (including, in the case of pupils, from their parents). This may be via a form (e.g. an application form), or simply in the ordinary course of interaction or communication (such as email).

However, in some cases personal data will be supplied by third parties (for example MIST Head Office, other professionals or authorities); or collected from publicly available resources.

Data collected from the school web site is covered by an additional Website Privacy and Cookie Policy, which can also be found on the web site at <https://www.truroschool.com/truro-senior-school/senior-school-policies/>.

## **H. Who can access personal data and with whom do we share it**

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Occasionally, Truro School will need to share personal information with others, such as:

- professional advisers (e.g. lawyers, insurers, PR advisers and accountants);
- government authorities (e.g. HMRC, DfE, police or the local authority); and
- exam boards and the JCQ
- software service providers who provide online services and therefore are Data Processors working on behalf of the school (e.g. Capita SIMS, RM, Doodle and Microsoft)
- appropriate regulatory bodies e.g. NCTL, the Independent Schools Inspectorate, the Charity Commission or the Information Commissioner
- MIST Head Office, which provides administration to the wider Trust and therefore personal data is shared within the group's schools and volunteers within the Trust (e.g. the Directory of Group Contacts).

Personal data collected by Truro School 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 safeguarding files.

Truro 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 Child Protection and Safeguarding Policy.

Finally, in accordance with Data Protection Law, some of Truro 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 office's specific directions.

## **I. How long we keep personal data**

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Truro 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 volunteer personnel files is up to 7 years following departure from the Trust. However, incident reports and safeguarding files will need to be kept much longer, in accordance with specific legal requirements.

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 Headmaster ([headmaster@truroschool.com](mailto:headmaster@truroschool.com)). However, please bear in mind that Truro 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").

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## Your rights

Truro School is committed to ensuring that it complies with the eight rights given to data subjects under GDPR wherever possible. These rights are:

1. Right of to be informed;
2. Right of access;
3. Right of rectification;
4. Right of erasure;
5. Right to restricted processing;
6. Right of data portability;
7. Right to object; and
8. Rights in relation to automated decision making and profiling.

More information about these rights can be found on the Information Commissioner's Web site at: <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

### Rights of access – Data Subject Access Requests (DSARs)

Individuals have various rights under Data Protection Law to access and understand personal data about them held by Truro School, and in some cases ask for it to be erased or amended or have it transferred to others, or for Truro School to stop processing it – but subject to certain exemptions and limitations. You can find out more about your rights under applicable Data Protection Law from the Information Commissioner's Office website available at [www.ico.org.uk](http://www.ico.org.uk).

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 Headmaster ([headmaster@truroschoo.com](mailto:headmaster@truroschoo.com)).

Truro 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).

Truro 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, Truro School may ask you to reconsider, or require a proportionate fee (but only where Data Protection Law allows it).

### Requests that cannot be fulfilled

You should be aware that the right of access is limited to your own personal data, and certain data is exempt from the right of access. This will include information which identifies other individuals, or information which is subject to legal privilege (for example legal advice given to or sought by Truro School, or documents prepared in connection with a legal action).

Truro School is also not required to share any confidential reference given by itself for the purposes of the education, training or employment of any individual.

You may have heard of the "right to be forgotten". However, we will sometimes have compelling reasons to refuse specific requests to amend, delete or stop processing your 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.

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## **Pupil requests**

Pupils can make subject access requests for their own personal data, provided that, in the reasonable opinion of Truro School, they have sufficient maturity to understand the request they are making. A pupil of any age may ask a parent or other representative to make a subject access request on his/her behalf.

Indeed, while a person with parental responsibility will generally be entitled to make a subject access request on behalf of younger pupils, the law still considers the information in question to be the child's: for older pupils, the parent making the request may need to evidence their child's authority for the specific request.

Pupils at aged e.g. 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, depending on the child and the circumstances.

## **Parental requests**

It should be clearly understood that the rules on subject access are not the sole basis on which information requests are handled. Parents may not have a statutory right to information, but they and others will often have a legitimate interest or expectation in receiving certain information about pupils without their consent. Truro 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 from the school.

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

## **Consent**

Where Truro 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). Please be aware however that Truro 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).

## **J. Data Accuracy and Security**

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Truro School will endeavour to ensure that all personal data held in relation to an individual is as up to date and accurate as requested. Individuals must please notify the Headmaster (headmaster@truroschoo.com) 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 is erased or corrected (subject to certain exemptions and limitations under Data Protection Law): please see above for details of why Truro School may need to process your data, of who you may contact if you disagree.

Truro 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. All staff and volunteers will be made aware of this policy and their duties under Data Protection Law and receive relevant training.

## **K. This Policy**

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Truro 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.

## **L. Queries and Complaints**

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Any comments or queries on this policy should be directed to the Headmaster ([headmaster@truroschoo.com](mailto:headmaster@truroschoo.com)) or the Data Protection Lead ([dataprotect@truroschoo.com](mailto:dataprotect@truroschoo.com)).

If an individual believes that Truro School has not complied with this policy or acted otherwise than in accordance with Data Protection Law, they should utilise the School's complaints procedure and should also notify the Headmaster. 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 data controller before involving the regulator.