

## Privacy Notice for Holiday Activity Clubs

**This Privacy Notice is applicable to all staff and attendees of Abbot's Hill Holiday Activity Clubs plus their parents/guardians.**

This Privacy Notice takes account of relevant laws and regulations including:

- The Data Protection Act 1998 and related statutory instruments (until 25 May 2018)
- The General Data Protection Regulation (from 25 May 2018)
- The Data Protection Bill (Currently before Parliament)
- The Privacy and Electronic Communications Regulations 2003 (as amended) (PECR) (to continue after 25 May 2018 until replaced)
- The Protection of Freedoms Act 2012 (biometrics and CCTV)

### WHO WE ARE

Abbot's Hill Limited operating as Abbot's Hill School, based at Bunkers Lane, Hemel Hempstead HP3 8RP (Registered Charity number 311053) is the school's "data controller" for the purposes of data protection legislation. The school is registered with the Information Commissioner's Officer ("ICO") under the reference number Z5766966.

### WHAT THIS PRIVACY NOTICE IS FOR

This policy is intended to provide information about how and why the school's Holiday Activity Clubs will collect personal data about individuals including: its staff; the children who attend the clubs and their parents, carers or guardians (referred to in this policy as "parents") and what we do with that data.

This information is provided because data protection legislation gives individuals rights to understand how their data is used. Staff, parents and pupils are all encouraged to read this Privacy Notice to understand the school's obligations to its entire community and the decisions individuals can make about their own data.

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.

Anyone who works for, or acts on behalf of, the school (including staff, volunteers 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 school has appointed the Bursar as the Data Protection Lead ("DPL") and the ICT Network Manager as the Data Compliance Officer ("DCO"). There is no legal requirement for the school to appoint a Data Protection Officer.
- The Bursar will deal with all your requests and enquiries concerning the school's uses of your personal data (see section on Your Rights below) and, in conjunction with the DCO, endeavour to ensure that all personal data is processed in compliance with this policy and data protection legislation.
- The Bursar can be contacted via the following email address: [pabursar@abbotshill.herts.sch.uk](mailto:pabursar@abbotshill.herts.sch.uk) or by telephone on 01442 839107.



## **WHY THE SCHOOL NEEDS TO PROCESS PERSONAL DATA FOR HOLIDAY ACTIVITY CLUBS**

Personal data is information that identifies a person as an individual and which relates to him / her. Please see also the section below titled "Types of Personal Data Processed by the School".

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

Some of this activity the school will need to carry out in order to fulfil its legal rights, duties or obligations.

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.

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

This will include by way of example:

- names, 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 the school for Holiday Activity Clubs;
- other financial information collected from parents or from third parties;
- information about any special needs;
- personnel files, including in connection with employment or safeguarding;
- where appropriate, information about individuals' health and welfare including information about medical treatment, and contact details for their next of kin;
- references given or received by the school;
- correspondence with and concerning staff, children and parents; and
- images of pupils (and occasionally other individuals) engaging in Holiday Activity Club activities, and images captured by the school's CCTV system (in accordance with the school's Data Protection Policies);

## **HOW THE SCHOOL COLLECTS DATA FOR HOLIDAY ACTIVITY CLUBS**

Generally, the school receives personal data from the individual directly (including, in the case of club attendees, from their parents). This may be via a form, or simply in the ordinary course of interaction or communication (such as email).

## **WHO HAS ACCESS TO PERSONAL DATA AND WHO THE SCHOOL SHARES IT WITH**

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

- professional advisers (e.g. lawyers, insurers, PR advisers and accountants);
- debt collection agents (for the purpose of recovering unpaid school fees)
- government authorities (e.g. HMRC, DfE, police or the local authority);
- appropriate regulatory bodies and education providers.



# Abbot's Hill

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 Director of Holiday Clubs and other appropriate staff, or otherwise in accordance with express consent; and
- pastoral or safeguarding files.

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

Staff, children and parents 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.

Finally, in accordance with data protection legislation, 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.

## **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 pupil 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.

If you have any specific queries about how our Data 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**

The school may use the contact details of parents of children attending Holiday Activity Clubs to keep them updated about the activities of the school and the school's Holiday Activity Clubs including by letter, email and by post.



## YOUR RIGHTS

- Rights of access, etc.

Individuals have various rights under data protection legislation to access and understand personal data about them held by the school, and in some cases ask for it to be deleted or rectified 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 data protection legislation 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 (and parents need to be aware this may include their own children, in certain limited situations), 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).

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 (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.

- Child requests

Children attending Holiday Activity Clubs 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 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 aged 12 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.

- Consent

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 include biometrics, certain types of uses of images and certain types of fundraising activity. 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 alumni or parents' association has been requested).

- Whose rights?

The rights under data protection legislation 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 club attendees – for example, via a form. Parents and children attending clubs 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 child's age and understanding – to seek the child'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.

However, where a child attending a club 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 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 pupil or other pupils, or if required by law.

All relevant parties are required to respect the personal data and privacy of others, and to comply with the Data Protection 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 Director of Holiday Clubs 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 data protection legislation): 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 Holiday Activity Club staff will be made aware of this policy.

## **THIS POLICY**

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.

## **QUERIES AND COMPLAINTS**

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

[pabursar@abbotshill.herts.sch.uk](mailto:pabursar@abbotshill.herts.sch.uk) or by telephone on 01442 839107.

If an individual believes that the school has not complied with this policy or acted otherwise than in accordance with data protection legislation, they should contact the Director of Holiday Clubs 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.

**April 2019**