Data Protection Policy

Executive Summary

The General Data Protection Regulation "Data Protection Law" sets out the principles that should be followed when dealing with information about individuals. This Policy reflects these data protection principles and regulates the use of such information.

Table of Contents

---

1. Introduction

It is important that individuals read this Policy to ensure they are aware of the nature of the information that the School holds about individuals and reasons why the School needs to process this information, and to

ensure they understand their responsibilities when dealing with information about others. Any breach of this policy will be taken seriously and may result in disciplinary action.

This policy must be complied with not only by staff and pupils, but also by individuals working in the School in other capacities, such as consultants, contractors, etc.

The policy impacts on a variety of people and the types of information that the School may be required to handle includes details of (not an exhaustive list):

- Current, past and future pupils;
- Parents of these pupils;
- Individual contacts of Suppliers;
- Individual contacts of Customers;
- Individual contacts at Local authorities and other agencies or government departments;
- Current, past and prospective staff;
- Individual donors; and
- Other individuals that we communicate with.

The personal information, which may be held on paper or on a computer or other media, is subject to certain legal safeguards specified in the GDPR and Data Protection Act 2018. The GDPR and Data Protection Act 2018 imposes restrictions on how the School may use the personal information.

This Policy is provided by way of guidance only and does not form part of an individual's contract with the School. The School may issue further guidance or amendments to this Policy from time to time and / or in line with legal developments or policy change.

2. Data Collection and Processing

The School shall process relevant personal data regarding staff and pupils and their parents and / or guardians as part of its operation and may process other personal data as listed above. The School shall process such personal data in accordance with this Policy. "Processing" includes obtaining, handling, storage, transportation, recording, holding, disclosing, destroying or otherwise using personal data.

The Eastbournian Society (and its constituents) also processes data on behalf of Eastbourne College Incorporated (registered charity 307071) including, without limitation, for the following purposes:

- inviting members to social and other events
- putting members in contact with other Eastbournian Society members
- sharing contacts for career opportunities
- contacting them for fund-raising opportunities and donations
- contacting members for contributions to Eastbournian Society publications
- accessing databases to canvass for donations and inviting individuals to fundraising events
- publishing names of donors in Eastbournian Society publications

The School and any person or staff member who processes personal data on behalf of the School or for the School on behalf of the Eastbournian Society shall:

- Only process personal data fairly and lawfully;
- Only process for limited purposes and in an appropriate way, always specify one or more purposes when collecting personal data then only use that data for those purposes;
- Only collect personal data that is adequate, relevant and not excessive for the purposes specified;
- Keep personal data accurate and up-to-date;
- Keep personal data only as long as is necessary for the purpose;

- Process personal data in accordance with the rights of the people who are the subject of the data.

Keep the personal data secure and adopt technical and organisation measures to prevent:

- unauthorised or unlawful processing of personal data;
- accidental loss or destruction of, or damage to, personal data;
- transfer of personal data to people or organisations situated in countries without adequate protection.

3. Privacy Officer

The Schools have appointed Joseph Burge as Privacy Officer who will deal with all your requests and enquiries concerning the school's uses of your personal data, and endeavour to ensure that all personal data is processed in compliance with this policy and Data Protection Law. Joseph may be contacted by post, telephone or email using the details below.

Eastbourne College, Old Wish Road, Eastbourne, East Sussex, BN21 4JY

+44 (0) 1323 452300

jcburge@eastbourne-college.co.uk

Whilst the Privacy Officer has overall responsibility for ensuring compliance, it is important to note that it is the responsibility of every member of staff / consultant / contractor who processes personal data on behalf of the School or for the School on behalf of the Eastbournian Society to comply with the GDPR and Data Protection Act 2018 and this Policy. Given the nature of the personal data which is being processed, the School would like to stress the importance of compliance by every member of staff / consultant / contractor.

4. Personal Data

Personal data covers both facts and opinions about an individual. It includes any information which relates to or can identify an individual. It relates to data held on computers or held manually in files. The School may process a wide range of personal data of pupils, their parents or guardians, staff and others, as part of its operation. This personal data may include (but is not limited to): names and addresses; email addresses; telephone numbers; bank details; donations; academic, discipline, admissions and attendance records; references; photographs; examination scripts and marks; and general employee information.

5. Processing of Personal Data

The day to day working of the School necessarily involves the processing of personal data. The School also needs to collect and use personal data about individuals for a variety of personnel, and pupil administration and School management purposes. These purposes include payment of salary and operation of the payroll system, collection of fees, the provision and administration of staff and pupils, carrying out appraisals, performance reviews, salary reviews and promotion assessments, etc. It is also required to fulfil our contractual regard to the Parents' Contract and other legal obligations.

The GDPR and Data Protection Act 2018 seeks to ensure that the processing of personal data is done fairly and without adversely affecting the rights of the individuals who are the subject of the data. The individuals who the School processes personal information about must be told who the data controller is (in this case Eastbourne College Incorporated or the Eastbournian Society), who the data controller's representative is (in this case the Data Protection Officer), the purpose for which the data is to be processed by the School, and the identities of anyone to whom the data may be disclosed or transferred. This information will generally be provided in the Parents' Contract documentation for personal data of pupils and parents collected on the admission of a pupil and will be provided to staff in their employment contracts and related documentation.

However, staff / consultants / contractors need to bear these points of principle in mind for the processing of other personal data or for the provision of new personal data in relation to pupils / parents and staff or where changes to the use of the personal data or to whom it is needed to be disclosed to changes from when it was first collected by the School.

Any information which falls under the definition of personal data, and is not otherwise exempt, will remain confidential and will only be disclosed to third parties with the consent of the appropriate individual or other terms of this Policy.

6. Sensitive Personal Data

The School may, from time to time, be required to process sensitive personal data regarding an individual. Sensitive personal data includes medical information and data relating to religion, race, or criminal records and proceedings. Where sensitive personal data is processed by the School, the explicit consent of the appropriate individual will generally be required in writing.

The School holds information relating to individuals' health such as records of sickness absence and medical certificates (including the School's self-certified Sickness Form and any doctor's certificates). The School may ask an individual to complete a medical questionnaire or undertake a medical examination and will therefore hold and use the resulting medical report. One of the purposes of finding out and keeping this sort of information is to administer and pay benefits related to ill-health such as the School and statutory sick pay, private medical insurance, long term disability schemes and life assurance. This information is needed to monitor and manage sickness absence and to ensure compliance with our obligations under the Disability Discrimination Act 1995 and health and safety legislation.

To enable the School to monitor the effectiveness of its Equal Opportunities Policy, individuals may be asked to complete a form, which contains sensitive personal data relating to ethnic origin, age, gender, etc. The responses are analysed on an anonymous basis and are not used for any other purpose.

The School may also record details of union membership (for purposes of deducting fees from salary and for collective consultation), CRB specific information and criminal records.

7. CCTV

Another form of personal data that the School holds is images recorded on the various CCTV cameras. All CCTV cameras are clearly labelled and are in place for the purpose of crime detection, for the security and welfare of staff and pupils and the protection of our working environment. Images are usually kept for no longer than is necessary to meet this purpose. Further details can be found in the School's CCTV policy document.

8. Storage of Personal Data

Personnel Files

Most of the types of employee information described above are kept in our personnel files. These files are located in the HR Department and access to the files is limited to staff in the HR Department. The HR Department will only allow other staff to view or copy information in the personnel file if it is essential for them to carry out their duties of employment.

Pupil Files

Parents' and pupils' information is also held by data managers in the Headmaster's Office. Prospective parents' and pupils' data is administered by the Registrar.

Some personal data described above may be kept in managers', individual teachers' or Heads of Departments' own filing system either in addition to, or instead of, being kept in the main personnel files. It is a manager, teacher or Head of Department's duty to ensure that any personal information is held securely, and that this data protection policy is complied with.

Some personal data of present and past pupils, parents and donors may also be kept in paper filing systems held by the Eastbournian Society or the School Archive. In addition, such personal data may be held in the Eastbournian Society's computer database for its processing of such data on behalf of the School, the Society and its constituents.

Computer Databases and Management Information Systems

Some or all of the sorts of personal information described above may be kept on a database, in order to facilitate the more efficient keeping and processing of the information.

Access to any such database is limited, and the School puts in place security measures to ensure the confidentiality of the information held on these systems. All security measures are regularly reviewed in line with legal and / or technological developments.

Other Means of Storage

Personal data is also held in other means of storage such as contact details in business cards, mobile telephones, diaries and paper filing systems.

Accurate and Up-to-Date Information

The School takes steps to keep the personal data it holds accurate and up-to-date. Employees must ensure they inform the relevant data manager if there are any changes to personal details. Managers must also ensure that any personal data held about others is accurate and only stored for as long as is necessary.

Personnel files, pupil and parent records and other personal data relating to staff, pupils and other individuals are kept for a reasonable time after they have left the School employment or have stopped dealing with the School. The School needs to do this in order to ensure benefits have been properly administered, to give references if requested to do so, to ensure that the School's tax and regulatory obligations have been satisfied and to deal with any tribunal or other court proceedings. The School will also retain personal information sufficient for fundraising and other charitable purposes. These records may be archived and stored by an external service provider.

The school reviews the period it holds personal data which is consistent with the principles laid out in the GDPR and Data Protection Act 2018.

9. Transferring Personal Data to Others

The School may make some personal data available to others such as lawyers, accountants, to those providing products or services to the School (such as ICT and other outsourcing providers) and to government and / or regulatory authorities.

10. Data Protection Rights

The GDPR and Data Protection Act 2018 gives staff, pupils and any other individuals about whom personal data is held, specific rights in relation to the information that is held about them. Under the GDPR and Data Protection Act 2018, a member of staff, pupil, parent (and individuals outside the School) are able to:

- The right to be informed
- The right of access

- The right to rectification
- The right to erasure
- The right to restrict processing
- The right to data portability
- The right to object
- Rights in relation to automated decision making and profiling.

A staff member or other individual may ask to see the personal data the School holds by requesting this in writing to the Privacy Officer. The School will respond to such requests as soon as it is practicable.

There should be awareness that certain data is exempt from the rights of access under the GDPR and Data Protection Act 2018. This may include information which identifies other individuals, information which the School reasonably believes is likely to cause damage or distress, or information which is subject to legal professional privilege. The School is also not required to disclose any pupil examination scripts.

The School will also treat as confidential any reference given by the School for the purpose of the education, training or employment, or prospective education, training or employment. The School acknowledges that an individual may have the right to access a reference relating to them received by the School. However, such a reference will only be disclosed if such disclosure will not identify the source of the reference or where, notwithstanding this, the referee has given their consent or if disclosure is reasonable in all the circumstances.

11. Responsibilities

As well as having rights under the GDPR and Data Protection Act 2018, all employees, pupils and parents need to comply with the data protection rules set out in this Policy and, in particular, in this section.

Personal Information

In order to assist the School in ensuring that personal information is kept up to date, it is a member of staff's responsibility to inform the HR Department and / or other relevant department of any changes.

Other People's Personal Information

It may be part of an individual's job to hold personal data about staff, pupils or other individuals, or there may be times when requests are made to supply personal data. Therefore, all employees need to take steps to ensure that they follow the guidelines set out below. Failure to follow the guidelines may result in disciplinary action, or in the case of serious misuse, referral to the Information Commissioner or the police.

Please note that the following guidelines apply equally to documents containing personal information which are kept in files as well as information which is kept in a computer database.

- All personal information must be kept securely and should remain confidential.
- Care must be taken about the personal information that is kept to ensure that real reasons exist for keeping it and to ensure that information is not kept longer than necessary.
- Any request from someone outside the School for personal data about an individual, which is not part of the normal running of the School, should be referred to the HR Department (employee) or Headmaster's office (parent or pupil). The School needs to verify the identity of the person making such a request and has to balance various considerations when deciding whether and how to respond to such a request, including compliance with the GDPR and Data Protection Act 2018.
- It is a criminal offence under the GDPR and Data Protection Act 2018 to deliberately or recklessly disclose personal data of an individual to someone outside the School without the School's and the individual's consent.
- Accessing, disclosing or otherwise using staff or employee records or other personal data without authority will be treated seriously and may result in disciplinary action being taken.

- If required to send personal data to a third party, avoid sending personal data which is confidential by email or by fax unless the link is secure and confidential. Also first ensure that the School has the appropriate authority to send the personal data to a third party eg with the consent of the appropriate individual or in accordance with terms of this Policy. Where there is any uncertainty as to whether the School has the appropriate authority, please check with the PRIVACY OFFICER.
- The School should not keep personal data about staff, pupils or individuals which is no longer needed, or which is out of date or inaccurate. Therefore, a regular review of any personal information held should take place, bearing these principles in mind.

Any uncertainty about the application of these guidelines regarding information held should be clarified through the PRIVACY OFFICER.

12. Use of Personal Information by the School

With consent, the School will, from time to time, make use of personal data relating to staff, pupils, their parents or guardians in the following ways. Any individual wishing to withdraw consent should notify the PRIVACY OFFICER in writing.

- To make use of photographic images in School publications and on the School website. However, the School will not publish photographs of individual pupils with their names on the School website.
- For fundraising, marketing or promotional purposes and to maintain relationships with pupils and parents of the School, including transferring information to any association, society or club set up for the purpose of establishing or maintaining contact with pupils or for fundraising, marketing or promotional purposes. As an example, personal data is transferred by the School to the Eastbournian Society for the purposes outlined above.

13. Security

The School will take reasonable steps to ensure that members of staff will only have access to personal data relating to staff, pupils, their parents or guardians or others where it is necessary for them to do so. All staff / consultants / contractors will be made aware of this policy and their duties under the GDPR and Data Protection Act 2018. The School will ensure that all personal information is held securely and is not accessible to unauthorised persons.

Security procedures include:

- Entry controls. Any stranger seen in entry-controlled areas should be reported.
- Secure lockable desks and cupboards. Desks and cupboards should be kept locked if they hold confidential information of any kind. (Personal information is always considered confidential).
- Methods of disposal. Paper documents should be shredded. Floppy disks, digital storage devices, CD-ROMs etc should be physically destroyed when they are no longer required.
- Equipment. Data users should ensure that individual monitors do not show confidential information to passers-by and that they lock their PC's when it is left unattended. Passwords for PC's should not be shared or transferred to other members of staff.
- Any personal data stored digitally must be encrypted or password protected.

Privacy notices are included in Appendix I of this policy.

Providing Information over the Telephone

Any member of staff dealing with telephone enquiries should be careful about disclosing any personal information held by the School. In particular they should:

- Check the caller's identity to make sure that information is only given to a person who is entitled to it. Where necessary, take the required details of the caller and ring back, this includes calls from outside agencies, eg Children's Services, the police.
- Suggest that the caller put their request in writing if they are not sure about the caller's identity and where their identity cannot be checked.
- Refer to the PRIVACY OFFICER for assistance in difficult situations. No-one should be bullied into disclosing personal information.

Policy Release

Policy Date

June 8

Next Review Date

May 7, 2024

Next Publication Date

June 7, 2024

Policy Distribution

Audience

Staff Parent Pupil External

School

Eastbourne College St Andrew's Prep

Area

Data Protection Information Services