

# Cobham Montessori School

Education for life

## Privacy Notice for Pupils & Parents of Cobham Montessori School

Cobham Montessori School is committed to protecting the privacy and security of personal information. This privacy notice describes how we collect and use personal information about parents and pupils.

### Who Collects This Information?

Cobham Montessori School is the “data controller” for the use of personal data in this privacy notice. This means that we are responsible for deciding how we hold and use personal information about pupils and parents.

### The Categories of Information That We Collect, Process, Hold and Share

We may collect, store and use the following categories of personal information:

- Personal information such as name, address, date of birth, identity authentication information, gender and contact information;
- Emergency contact and family lifestyle information such as names, relationship, occupation, family circumstance, phone numbers and email addresses;
- Characteristics (such as language, nationality, religion and country of birth);
- Attendance details (such as sessions attended, number of absences and reasons for absence);
- Financial Information related to payment of fees, bursaries and EYFE grant funding;
- Performance, assessment and planning information;
- Behavioural information (including exclusions);
- Special categories of personal data (including, ethnicity, relevant medical information (as described hereafter), special educational needs information);
- Relevant medical & dietary information such as doctors’ information, child health, dental health, allergies, medication and dietary requirements;
- Images of pupils engaging in school activities;
- Information about the use of our IT, communications and other systems, and other monitoring information;
- Relevant Child Protection information.

### The Lawful Bases on Which We Use This Information

We will only use your information when the law allows us to. Most commonly, we will use your information on the following lawful bases: The colour coded abbreviations are used to identify the basis/bases on which we rely for each of the identified purposes. In some cases we rely on more than one legal basis for a particular use of personal information. In addition, we may move from one legal basis to another as circumstances change. For example, as a safeguarding matter becomes more serious, we may start to rely on the Legal Obligation to share personal information with the Local Authority.

**Consent ‘C’**: where the individual (or parent of a young child) has given clear consent to process their personal data for a specific purpose;

**Contract ‘CO’** where the processing is necessary for a contract with or on behalf of the individual;

**Legal Obligation ‘LO’:** where the processing is necessary to comply with the law (not including contractual obligations) i.e where the School needs to use parents’ or pupils’ information in order to comply with a legal obligation, for example to report a concern about a child’s wellbeing to Children’s Services. We will also have to disclose information to third parties such as the courts, the local authority or the police where legally obliged to do so

**Vital interests ‘VI’:** where the processing is necessary to protect someone’s life; In limited circumstances we may use personal information to protect a parent’s or pupil’s vital interests or the vital interests of someone else (e.g. if they are seriously hurt).

**Legitimate Interests ‘LI’:** where the processing is necessary for our legitimate interests or the legitimate interests of a third party, unless there is a good reason to protect the individual’s personal data which overrides those legitimate interests. We won’t rely on this basis when parent’s or pupil’s interests and fundamental rights override our legitimate interests. Specifically, the School has a legitimate interest in:

- Providing children with an education;
- Complying with our agreement with parents for their child to be at the School.
- Keeping the school premises safe.
- Making sure that the School is well managed and that we protect the School’s reputation.
- Safeguarding and promoting a pupil’s welfare and the welfare of other children.
- Promoting the objects and interests of the School. This includes using photographs of a pupil in promotional material such as on our website and in the prospectus.
- Ensuring that all relevant legal obligations of the School are complied with (for example in relation to inspections).
- Using information in connection with legal disputes.
- Facilitating the efficient operation of the School.

In addition, personal information may be processed for the legitimate interests of others. For example, we may use information about a pupil when investigating a complaint made by another pupil.

**Public Interest ‘PI’:** Performance of a task carried out in the public interest (or carrying out public tasks) The processing is necessary to perform a task in the public interest or for official functions, and the task or function has a clear basis in law. This applies where what we are doing is for the benefit of people generally. The following are examples of where this applies:

- providing education;
- safeguarding and promoting the welfare of children;
- facilitating the efficient operation of the School; and
- ensuring that we comply with all of our legal obligations including the requirements of The Education Act 1996: for Departmental Censuses 3 times a year. More information can be found at:

<https://www.gov.uk/education/data-collection-andcensuses-for-schools>.

The School must also comply with an additional condition where it processes special categories of personal information. These special categories include: personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, genetic information, biometric information, health information, and information about sex life or orientation. We do not process any biometric information.

**Substantial Public Interest ‘SPI’:** The School is allowed to use special categories of personal information where doing so is necessary in the substantial public interest. This is similar to "public interest" above. For example, the School will use information about a child’s health to look after them.

We may also use other types of special category personal data about a pupil to provide them with an education, to look after a pupil and their classmates or when the School is inspected.

**Employment and Social Protection and Social Security Law ‘ESP’:** There will be times when the School needs to use personal information because we are an employer. Also, the School will use personal information to comply with social protection law (e.g. to look after a pupil) and social

security laws. Social protection law is concerned with preventing, managing, and overcoming situations that adversely affect people's wellbeing.

**Legal Claims 'LC'** The processing is necessary for the establishment, exercise or defence of legal claims. This allows us to share information with our legal advisors and insurers. This applies whenever sharing special category data is necessary in relation to legal claims.

**Medical Purposes 'MP'** This includes medical treatment and the management of healthcare services.

## How and Why We Collect and use Parent and Pupil Information

We process personal data to support the school's operation and in particular for:

- The selection and admission of pupils including authentication of identity and compliance with UK Visas and Immigration; **LI PI SPI C LO**
- The provision of education to pupils including the administration of the school curriculum and timetable; monitoring pupil progress and educational needs; reporting on the same internally and to parents; administration of pupils' entries to examinations, reporting upon and publishing the results; receiving and providing references for pupils (including after a pupil has left); **LI PI SPI**
- The identification and provision of educational support and related services to pupils (and parents) including the maintenance of discipline; administration of sports events, school trips; provision of the school's IT and communications system (and monitoring the same) all in accordance with our IT policies; **LI PI SPI**
- The safeguarding of pupils' welfare and provision of pastoral care, welfare, health care services by school staff **LI PI SPI MP ESP**
- The preparation, implementation and/or review of a pupil's Education and Health Care Plan; **LI PI LO**
- The research into and development of effective teaching and learning methods and best practice; **LI PI SPI**
- Compliance with legislation and regulation including the preparation of information for inspections by Ofsted and submission of annual census information to the Department for Education; **LI PI SPI LO**
- Operational management including the compilation of pupil records; the administration of invoices, fees and accounts; the management of the school's budgets, funding and property; the management of security and safety arrangements (including monitoring of the school's IT and communications systems in accordance with our Acceptable Use Policy); management planning and forecasting; research and statistical analysis; the administration and implementation of the school's rules and policies for pupils, parents and staff; the maintenance of historic archives and other operational purposes; **LI PI SPI CO**
- The promotion of the school through its own websites, the prospectus and other publications and communications (including through our social media channels); **LI PI SPI**
- Maintaining relationships with the wider school community by communicating with the body of current and former pupils and/or their parents or guardians and organising events. **LI PI SPI**
- Communicating with parents regarding pupil progress and achievement and regarding school updates, information and events; **LI PI SPI**
- Assessing performance and to set targets; **LI PI SPI**
- To carry out statistical analysis for diversity purposes; **LI PI SPI**
- Other Legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with legal obligations and duties of care; **LI PI SPI LO**
- Enabling relevant authorities to monitor the school's performance and to intervene or assist with incidents as appropriate; **LI PI SPI LO**
- Making use of photographic images of pupils in school publications, on the school website and on social media channels; **LI PI SPI**

- Security purposes
- Where otherwise reasonably necessary for the school's purposes, including to obtain appropriate professional advice and insurance for the school.

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## Collecting This Information

We collect parent and pupil information from a number of sources including:

**Information which you provide to us** such as: Registration Forms, New Starter Forms, Confirmation of Sessions Forms, Annual Information Update Forms, Medical and Care Plans, Consent Forms; Childcare payment details, Early Years Funding Forms, Medical Reports; Data relating to any Information which you share with us in writing or orally.

**Information which we create** such as: Daily observations of children; Photographic and video records of children's work; Samples of children's work; Written formative assessment reports; Written Summative Assessment Reports; Records of Accidents and Behavioural Incidents; Records of Administration of Prescribed Medicine; Attendance and Absence Records; Restrictive Intervention Records; References for other schools; Individual Support Plans; Records of meetings; Lesson Plans and Record Cards.

**Information from Third Parties:** We may receive information from Third Parties related to your child or family circumstances including from the Local Authority, Former Schools, Social Care and Medical professionals.

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

We need all the categories of information in the list above primarily to allow us to function as a school. Please note that we may process information without knowledge or consent, where this is required or permitted by law.

## Sharing Data

We do not share information about our pupils with anyone without consent unless otherwise required by law or required for the functioning of the school. For example, we share students' data with the DfE on a statutory basis. To find out more about the data collection requirements placed on us by the DfE please go to <https://www.gov.uk/education/datacollection-and-censuses-for-schools>

We may need to share your data with third parties where it is necessary. There are strict controls on who can see your information. We will not share your data if you have advised us that you do not want it shared unless it's the only way we can meet our operational obligations or to ensure the health and safety of the school community or we are legally required to do so.

We may share parent and/or pupil information with:

- The Department for Education (DfE) - on a statutory basis under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013;
- Ofsted;
- Other Schools that pupils have attended/will attend;
- NHS;
- Welfare services (such as social services);
- Law enforcement officials such as police, HMRC;
- Health and Safety Executive
- Local Authority Designated Officer (LADO);
- Professional advisors such as lawyers and consultants;
- Public Examination Boards such as ABRSM, LAMDA, ISEB;

- Support services (including insurance, IT support, information security, parent communication software providers);
- Peripatetic teachers who are not members of the school staff;
- Providers of learning software;
- Debt Recovery suppliers if fees are unpaid; and
- The Local Authority.

Information will be provided to those agencies securely or anonymised where practicable. Where possible, the recipient of the information will be bound by confidentiality obligations; we require them to respect the security of your data and to treat it in accordance with the law. We may transfer your personal information outside the EU. If we do, you can expect a similar degree of protection in respect of your personal information.

We store all electronic information including personal information on third party cloud-based services rather than on hard drives of the school's IT systems.

### **Storing Parent and Pupil Data**

The School keeps information about parents and pupils on computer systems, cloud-based storage and sometimes on paper. Except as required by law, the School only retains information about parents and pupils for as long as necessary in accordance with timeframes imposed by law and our internal policy. Full details on how long we keep personal data for is set out in our Data Retention policy.

### **Automated Decision Making**

Automated decision making takes place when an electronic system uses personal information to make a decision without human intervention. We are allowed to use automated decision making in limited circumstances. Parents and pupils will not be subject to automated decision-making, unless we have a lawful basis for doing so and we have notified you.

### **Security**

We have put in place measures to protect the security of your information (i.e. against it being accidentally lost, used or accessed in an unauthorised way).

### **The National Pupil Database (NPD)**

The NPD is owned and managed by the Department for Education and contains information about pupils in schools in England. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the Department. It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, local authorities and awarding bodies. We are required by law, to provide information about our pupils to the DfE as part of statutory data collections such as the school census and early years' census. Some of this information is then stored in the NPD. The law that allows this is the Education (Information About Individual Pupils) (England) Regulations 2013. To find out more about the NPD, go to <https://www.gov.uk/government/collections/national-pupil-database>

The department may share information about our pupils from the NPD with third parties who promote the education or well-being of children in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department has robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested: and
- the arrangements in place to store and handle the data

To be granted access to pupil information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data. For more information about the department's data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data> For information about which organisations the department has provided pupil information, (and for which project), please visit the following website:

<https://www.gov.uk/government/publications/national-pupil-database-requests-received>

To contact DfE: <https://www.gov.uk/contact-dfe>

## Requesting Access to Your Personal Data

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's education record, please contact the Data Protection Officer in writing.

Depending on the lawful basis you may also have the right to:

**Object to processing** of personal data that is likely to cause, or is causing, damage or distress;

**Prevent processing** for the purposes of direct marketing;

**Object to decisions** being taken by automated means;

In certain circumstances, **have inaccurate personal data rectified, blocked, erased or destroyed**; and

**Seek redress** either through the ICO or through the courts.

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner's Office at <https://ico.org.uk/concerns/>.

If you want to exercise any of the above rights, please contact the Data Protection Officer in writing. We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

For further information on how to request access to personal information held centrally by DfE, please see the 'How Government uses your data' section of this notice.

## Withdraw Consent

In circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time.

To withdraw your consent, please contact the Data Protection Officer in writing. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

## Contact

We have appointed a Data Protection Officer (DPO) to oversee compliance with data protection and this privacy notice. If you have any questions about how we handle your personal information then you can contact the DPO Shona Dolan on [shonadolan@cobhammontessori.co.uk](mailto:shonadolan@cobhammontessori.co.uk)

You have the right to make a complaint at any time to the Information Commissioner's Office, the UK supervisory authority for data protection issues at <https://ico.org.uk/concerns> .

### **Changes to This Privacy Notice**

We reserve the right to update this privacy notice at any time, and we will publish a new privacy notice on our website when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information. This version was last reviewed in August 2021.