



# MERCHANT TAYLORS' SCHOOLS

## **Privacy Notice**

May 2018

Subject to continuous review

## 1. INTRODUCTION

- 1.1. Merchant Taylors' Schools, Crosby (the "School"), comprises Merchant Taylors' Primary School (MTPS), Merchant Taylors' Junior Boys, Merchant Taylors' Senior Girls and Merchant Taylors' Senior Boys and Merchant Taylors' Schools Crosby Services Ltd. The Schools (charity registration number 312699) are a charitable company limited by guarantee (Company number 3598439).
- 1.2. We take our responsibilities as a data controller seriously and are committed to using the personal data we hold in accordance with the law. This privacy notice provides detailed information about how we process personal data. Please read it carefully and, if you have questions regarding your personal data or its use, please contact the Schools by email on [I.hill@merchanttaylors.com](mailto:I.hill@merchanttaylors.com); by telephone on 0151 949 9326; or, by post at Merchant Taylors' Schools, 186 Liverpool Road, Crosby, Liverpool, L23 0QP.

## 2. TYPES OF PERSONAL DATA WE PROCESS

We process personal data about prospective, current and past: pupils and their parents; staff, suppliers and contractors; donors, friends and supporters; and other individuals connected to or visiting the Schools.

The personal data we process takes different forms – it may be factual information, expressions of opinion, images or other recorded information which identifies or relates to a living individual. Examples include:

- names, addresses, telephone numbers, e-mail addresses and other contact details;
- family details;
- admissions, academic, disciplinary and other education related records, information about special educational needs, references, examination scripts and marks;
- attendance data;
- education and employment data;
- images, audio and video recordings;
- financial information (eg for bursary assessment or for fundraising; bank details for the purpose of processing fees);
- Medical information
- courses, meetings or events attended.
- car details (about those who use our car parking facilities);
- 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;
- references given or received by the school about pupils, and relevant information provided by previous educational establishments and/or other professionals or organisations working with pupils;
- correspondence with and concerning staff, pupils and parents past and present; and
- images of pupils (and occasionally other individuals) engaging in school activities, and images captured by the school's CCTV system (in accordance with the school's policy on taking, storing and using images of children);

As a school, we need to process special category personal data (eg concerning health, ethnicity, religion or biometric data) and criminal records information about some individuals (particularly pupils and staff). We do so in accordance with applicable law (including with respect to safeguarding or employment) or by explicit consent.

### **3. COLLECTING, HANDLING AND SHARING PERSONAL DATA**

We collect most of the personal data we process directly from the individual concerned (or in the case of pupils/children, from their parents). In some cases, we collect data from third parties (for example, referees, previous schools, the Disclosure and Barring Service, or professionals or authorities working with the individual) or from publicly available resources.

Personal data held by us is processed by appropriate members of staff for the purposes for which the data was provided. We 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. We do not transfer personal data outside of the European Economic Area unless we are satisfied that the personal data will be afforded an equivalent level of protection.

In the course of school business, we share personal data (including special category personal data where appropriate) with third parties such as the school doctors, the school's professional advisors and relevant authorities (eg the Local Children Safeguarding Board, DBS, NCTL, UK Visas and Immigration, HM Revenue and Customs, Department for Education and Department for Work and Pensions).

Some of our systems are provided by third parties, eg hosted databases, school website, school calendar, school post and Firefly or cloud storage providers. This is always subject to contractual assurances that personal data will be kept securely and only in accordance with our specific directions.

We share personal data about Old Boys and Old Girls with the Old Boys' Association ("the OBA") and the Old Girls' Association ("the OGA") respectively. We do not otherwise share or sell personal data to other organisations for their own purposes.

### **4. PURPOSES FOR WHICH WE PROCESS PERSONAL DATA**

The school expects that the following uses will 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;
- For the purposes of donor due diligence, and to confirm the identity of prospective donors and their background and relevant 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 the 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 school;
- To safeguard pupils' welfare and provide appropriate pastoral care;

- To monitor (as appropriate) use of the school's IT and communications systems in accordance with the school's IT: acceptable use policy;
- To make use of photographic images of pupils in school publications, on the school website and (where appropriate) on the school's social media channels in accordance with the school's policy on taking, storing and using images of children;
- For security purposes, including CCTV in accordance with the school's CCTV policy;
- To carry out or cooperate with any school or external complaints, disciplinary or investigation process; and
- Where otherwise reasonably necessary for the school's purposes, including to obtain appropriate professional advice and insurance for the school.

In addition, the school will on occasion 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 will 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 or other relevant information where it is in the individual's interests to do so: for example for medical advice, for social protection, safeguarding, and cooperation with police or social services, for insurance purposes or to caterers or organisers of school trips who need to be made aware of dietary or medical needs;
- To provide educational services in the context of any special educational needs of a pupil;
- In connection with employment of its staff, for example DBS checks, welfare, union membership or pension plans;
- As part of any school or external complaints, disciplinary or investigation process that involves such data, for example if there are SEN, 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.

## **5. KEEPING IN TOUCH AND SUPPORTING THE SCHOOL**

Fundraising helps us to achieve our strategic objective of remaining independent. We fundraise from individuals, companies and foundations who want to support our charitable purposes and do so in accordance with the Fundraising Promise and Fundraising Code of Practice. We do not use third-party profiling companies but we analyse publicly available data about potential donors (eg from LinkedIn, Companies House, Charity Commission, Who's Who, articles in publications) to create a profile of interests and preferences so that we can make appropriate requests.

We keep in touch with Old Boys and Old Girls, current or former parents or other members of the school community. We will use your contact details to keep you updated about our charitable activities and invite you to events of interest by email and by post. We ask you to let us know your data preferences so that we can ensure our communications are relevant to you. You can update your data preferences at any time using [this link](#) or the link on our emails. Your data preferences will not affect our contact with you as a current parent, or donor to the Schools.

## **6. 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 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 us by email on [l.hill@merchanttaylor.com](mailto:l.hill@merchanttaylor.com).

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"). The school has a schedule of retention periods that comply with the relevant statutory and common law requirements.

## **7. YOUR RIGHTS**

You have various rights under Data Protection Law to access and understand the personal data we hold about you, and in some cases to ask for it to be erased or amended or for us to stop processing it, but subject to certain exemptions and limitations.

You always have the right to withdraw consent, where given, or otherwise object to receiving generic or fundraising communications. Please be aware however that the Schools 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 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 one of our societies). If you would like to access or amend your personal data, or would like it to be transferred to another person or organisation, or have some other objection to how your personal data is used, please make your request in writing to us at [l.hill@merchanttaylor.com](mailto:l.hill@merchanttaylor.com).

We will 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. We will be better able to respond quickly to smaller, targeted requests for information. If the request is manifestly excessive or similar to previous requests, we 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 privilege. We are also not required to disclose any pupil examination scripts (though examiners' comments may fall to be disclosed), nor any confidential reference given by the school for the purposes of the education, training or employment of any individual.

## **8. PUPIL DATA**

The rights under Data Protection legislation belong to the individual to whom the data relates. However, we 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, we 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 school'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, we may be under an obligation to maintain confidentiality unless, in our 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 is required by law.

Pupils can make subject access requests for their own personal data, provided that they have sufficient maturity to understand the request they are making. Our pupils are generally assumed to have this level of maturity. A person with parental responsibility will generally be entitled to make a subject access request on behalf of pupils, but 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 their behalf. Moreover (if of sufficient maturity) their consent or authority may need to be sought by the parent making such a request.

## **9. CHANGE OF DETAILS**

We try to ensure that all personal data held in relation to an individual is as up to date and accurate as possible. Please us at [l.hill@merchanttaylor.com](mailto:l.hill@merchanttaylor.com) of any significant changes to important information, such as contact details, held about you.

## **10. MERCHANT TAYLORS' SCHOOLS CROSBY SERVICES**

Acting as a financial trading arm to Merchant Taylors' School, Liverpool, this limited company will hold personal data relevant to their operational activities. It shall hold necessary data belonging to adults and children who have attended the Schools' facilities (or declared an interest to attend), or had a working partnership with the limited company. All marketing communication distributed will have undertaken the necessary consent requirements. Third parties or 'processors' acting on behalf of the company will act in accordance with Data Protection Law. Queries about the gathering, storage, use and disposal of data in relation to the limited company should be made in writing to [IRSC@merchanttaylor.com](mailto:IRSC@merchanttaylor.com)

## **11. THIS POLICY**

Our privacy notice should be read in conjunction with our other policies and terms and conditions which make reference to personal data, including our Parent Contract, our Safeguarding Policy, Health & Safety Policies, Acceptable Use Policies and IT Policies.

We will update this Privacy Notice from time to time. Any substantial changes that affect how we process your personal data will be notified on our website and to you directly, as far as practicable. If you believe that we have not complied with this policy or have acted otherwise than in accordance with Data Protection Law, you should notify the Data Protection Officer on [l.hill@merchanttaylor.com](mailto:l.hill@merchanttaylor.com).

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 us before involving them.