



Ashbridge
INDEPENDENT SCHOOL & NURSERY

PRIVACY NOTICE 2018

**CHILDREN ATTENDING ASHBRIDGE INDEPENDENT SCHOOL AND NURSERY
INCLUDING ASHBRIDGE ON RIBBLE NURSERY, ASHBRIDGE NURSERY AT MAXY FARM
AND THE FLEDGLINGS NURSERY**

**PARENTS/CARERS/GUARDIANS OF CHILDREN ATTENDING
ANY OF THE ABOVE SETTINGS**

EMPLOYEES OF ASHBRIDGE SCHOOL LTD

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PURPOSE OF THIS DOCUMENT

Ashbridge Independent School and Nursery including Ashbridge on Ribble Nursery, Ashbridge Nursery at Maxy Farm and The Fledglings Nursery (“the School/ Nursery” or “we”) are committed to protecting the privacy and security of personal information relating to you and/or your child(ren).

This privacy notice describes how we collect and use personal information about employees of the School/Nursery (“Employees”), children attending the School/Nursery (“Child” or “Children”) and the parents/carers/guardians of the Children (“Parents”), in accordance with the General Data Protection Regulation (GDPR).

The School/Nursery **Ashbridge School Ltd** is a “data controller”. This means that under General Data Protection Regulations (“GDPR”) we are responsible for deciding how we hold and use personal information. We are required under data protection legislation to notify Employees and Parents of the information contained in this privacy notice.

Whilst this Privacy Notice applies to Employees, Children and Parents, it does not form part of any contract of employment or other contract to provide services. We may update this notice at any time but if we do so, we will provide and share an updated copy of this notice as soon as reasonably practical.

It is important that Employees and Parents read and retain this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information, to ensure awareness of how and why we are using such information and what rights are held under the data protection legislation.

DATA PROTECTION PRINCIPLES

We will comply with data protection law. This says that the personal information we hold must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have described and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes that the data was collected for.
6. Kept securely.

Change of purpose

We will only use Your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use Your personal information for an unrelated purpose, we will notify the Employee, Child or Parent, as is appropriate in the circumstances, and we will explain the legal basis which allows us to do so.

Please note that we may process an Employee’s, a Child’s or a Parent’s personal information without

their respective knowledge or consent, as relevant to the circumstances, in compliance with the above rules, where this is required or permitted by law.

If Employees and Parents fail to provide personal information

If Employees and Parents fail to provide certain information when requested, we may not be able to perform the respective contracts we have entered into, or we may be prevented from complying with our respective statutory and legal obligations to Employees, Children and Parents.

HOW WE USE PARTICULARLY SENSITIVE PERSONAL INFORMATION

"Special categories" of particularly sensitive personal information require higher levels of protection. We have further justification for collecting, storing and using this type of personal information as part of our statutory duties. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data. We may process special categories of personal information in the following circumstances:

1. In limited circumstances, with Employee or Parent explicit written consent.
2. Where we need to carry out our statutory or legal obligations or exercise rights in connection with Employee employment.
3. Where it is needed in the public interest, such as for equal opportunities monitoring or in relation to our occupational pension scheme.

Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect an Employee, a Child or a Parents' interests (or someone else's interests) and the Employee, Child or Parent as is appropriate is not capable of giving consent, or where the Employee or Parent has already made the information public.

THE KIND OF INFORMATION WE HOLD

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are "special categories" of more sensitive personal data which require a higher level of protection, such as information about a person's health or sexual orientation.

HOW WE WILL USE PERSONAL INFORMATION

We will only use personal information when the law allows us to. Most commonly, we will use personal information in the following circumstances:

1. Where we need to perform and fulfil the contract we hold.
2. Where we need to comply with a legal obligation.
3. Where it is necessary for our legitimate interests and as part of our statutory obligations (or those of

a third party) and the individual's interests and fundamental rights do not override those interests.

We may also use personal information in the following situations, which are likely to be rare:

1. Where we need to protect the interests of the Employee/Parent/Child (or someone else's interests).
2. Where it is needed in the public interest or for official purposes.

INFORMATION HELD ABOUT CHILDREN

Type of information held

We will collect, store, and use the following categories of personal information about Children:

- Name
- Date of birth
- Home address and address of any other person the Child normal resides with
- Dietary requirements
- Attendance information
- Birth certificates
- Photographs and video clips of the Child
- Emergency contact details should Parents be unavailable and the emergency contact's contact details
- Learning Journal and/or personal file for each Child containing the work of the Child whilst at the School/Nursery which may contain:
 - observations about the Child's development whilst at the School/Nursery from Employees of the School/Nursery;
 - specific examples of the Child's progress, photographs demonstrating the Child's development whilst at the School/Nursery;
 - consent for trips, photographs and videos, Acceptable Use Policy (school only), Home - School/Nursery Principles;
 - medication and accident records;
 - personal details of the Child (e.g. their date of birth);
 - Information from home relating to a child's routine, needs and persons present in their life; and
 - progress reports
- Records relating to individual Children e.g. care plans, common assessment frameworks ("CAF"), speech and language referral forms and SEND information
- Records of any reportable death, injury, disease or dangerous occurrence
- Observation, planning and assessment records which contain personal information
- Behaviour records and serious incident information
- Written reports, notes from Parents' Meetings and parental feedback

We may also collect, store and use the following "special categories" of more sensitive personal information:

- Information about a Child's race or ethnicity, spoken language and nationality.
- Information about a Child's health, including any medical condition, health and sickness records.
- Information about a Child's accident or incident reports including reports of pre-existing injuries.
- Information about a Child's incident forms / child protection referral forms / court orders / child protection case details / reports.

Situations in which the School/Nursery will use personal information relating to Children

We need all the categories of information in the list above (see Children section within the Paragraph entitled 'The Kind of Information We Hold About You') primarily to allow us to perform our statutory obligations (including our legal obligations to Children).

The situations in which we will process personal information of Children are listed below.

- Upon consent from the Parents, Personal Data of Children will be shared with schools for progression into the next stage of their education.
- Upon consent from the Parents, photographs and videos of Children will be shared within the online parent portal.
- Personal information of Children will be shared with local authorities without the consent of Parents where there is a child protection and/or safeguarding concern.
- The personal information of Children will be shared with local authorities for funding purposes.
- In order to fulfil our statutory obligation and registration requirements we will share information with Ofsted (all settings) and ISI (Ashbridge School and Nursery including Ashbridge on Ribble Nursery only). We will do this in order to:
 - Ensure we meet the needs of the Children
 - Enable the appropriate funding to be received
 - Report on a Child's progress whilst attending the School/Nursery
- These statutory bodies will also have access to:
 - Safeguarding records
 - Complaint records
 - Attendance patterns

How information is collected:

We collect personal information about Children from when the initial enquiry is made by, through the enrolment process and throughout a Child's attendance at School/Nursery.

INFORMATION HELD ABOUT PARENTS

Type of information held:

We will collect, store, and use the following categories of personal information about Parents:

- Name

- Home address
- Telephone numbers, and personal email addresses.
- National Insurance number.
- Bank account details and records relating to monies owed to us.
- Date of birth and passport or driving licence number if required for funding forms
- Details of complaints or concerns and information on how they have been resolved

We may also collect, store and use the following “special categories” of more sensitive personal information:

- Information about a Parent’s spoken language and nationality.
- Conversations with Parents where Employees of the School/Nursery deem it relevant to Child Protection or the prevention of radicalisation or other aspects of the governments Prevent strategy.
- Details relating to court orders, guardianship records and information relating to parental responsibility.

How information is collected:

We collect personal information about Parents from when the initial enquiry is made by, through the enrolment process and throughout their Child’s attendance at School/Nursery.

Situations in which the School/Nursery will use personal information of Parents

We need all the categories of information in the list above (see Parents section within the Paragraph entitled ‘The Kind of Information we Hold About You’) primarily to allow us to fulfil our contracts and to enable us to comply with statutory and legal obligations. The situations in which we will process personal information of Parents are listed below.

- The personal information of Parents will be shared with local authorities without the consent of Parents for funding purposes.
- To manage and report on a Child’s attendance.
- To be able to contact a Parent or a Child’s emergency contact about their Child.
- To ensure School/Nursery fees are paid.
- To send communications and information relating to the School/Nursery including information relating to trips, events etc and relevant updates.
- To send weekly newsletters (of which parents can opt out of).

INFORMATION HELD ABOUT EMPLOYEES

Type of Information held:

We will collect, store, and use the following categories of personal information about Employees:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses.
- Date of birth.

- Gender.
- Marital status and dependants.
- Next of kin and emergency contact information.
- National Insurance number.
- Bank account details, payroll records and tax status information.
- Salary, annual leave, pension and benefits information.
- Start date and leaving date and, if different, the date of an Employee's continuous employment.
- Location of employment or workplace.
- Copy of or details of type of driving licence including endorsements (where applicable).
- Recruitment information (including copies of right to work documentation, references, qualification certificates and other information included in a CV or cover letter or as part of the application process).
- DBS clearance, children's barred list checks and suitability to work with children information (where applicable).
- Employment records (including job titles, work history, working hours, holidays, training records and professional memberships).
- Personnel files and training records including performance information, contact and monitoring information, disciplinary and grievance information, and working time records.
- Information about your use of our information and communications systems.
- Records of any serious incidents relating or referring to an individual.
- Records of any accidents at work, including reportable death, injury, disease or dangerous occurrence.
- Photographs and video clips.

We may also collect, store and use the following "special categories" of more sensitive personal information:

- Information about an Employee's nationality.
- Information about an Employee's health, including any medical condition, accident, health and sickness records, including:
 - details of any absences (other than holidays) from work including time on statutory parental leave and sick leave; and
 - where an Employee leaves employment and the reason for leaving is related to their health, information about that condition needed for pensions and permanent health insurance purposes.

How information is collected:

We collect personal information about Employees through the application and recruitment process, either directly from candidates or background check provider. We may sometimes collect additional information from third parties including former employers, or other background check agencies.

We will collect additional personal information in the course of employee-related activities throughout

the period of when an Employee works for us.

Situations in which we will use Employee personal information

We need all the categories of information in the list above (see Employee section within the Paragraph entitled 'The Kind of Information We Hold About You') primarily to allow us to fulfil our contracts with Employees and to enable us to comply with legal obligations. The situations in which we will process Employee personal information are listed below.

- Making a decision about an Employee's recruitment or appointment.
- Checking an Employee is legally entitled to work in the UK. Paying an Employee and, if an Employee is an Employee or deemed Employee for tax purposes, deducting tax and National Insurance contributions (NICs).
- Administering the contract we have entered into with an Employee.
- Providing any Employee benefits to Employees.
- Enrolment into a pension arrangement in accordance with our statutory automatic enrolment duties.
- Liaising with the trustees or managers of a pension arrangement operated by a group company, your pension provider and any other provider of employee benefits.
- Conducting performance and/or salary reviews, managing performance and determining performance requirements.
- Assessing qualifications for a particular job or task, including decisions about promotions.
- Gathering evidence for possible grievance or disciplinary hearings.
- Making decisions about an Employee's continued employment, engagement.
- Making arrangements for the termination of our working relationship.
- Education, training and development requirements.
- Dealing with legal disputes involving Employees, including accidents at work.
- Ascertaining an Employee's fitness to work.
- Managing sickness absence.
- Complying with health and safety obligations.
- To prevent fraud.
- To monitor an Employee's use of our information and communication systems to ensure compliance with our IT policies.
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution.
- Equal opportunities monitoring.
- To safeguard children and other employees.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of an Employee's personal information.

The School/Nursery's obligations as an employer relating to sensitive information

We will use particularly sensitive personal information of Employees in the following ways:

- We will use information relating to leaves of absence, which may include sickness absence or family related leaves, to comply with employment and other laws.
- We will use information about the physical or mental health of an Employee, or their disability status, to ensure Employee health and safety in the workplace and to assess the fitness of Employees to work, to provide appropriate workplace adjustments, to monitor and manage sickness absence and to administer benefits including statutory maternity pay, statutory sick pay, pensions and permanent health insurance.
- We will use information about an Employee's race or national or ethnic origin, religious, philosophical or moral beliefs, or an Employee's sexual life or sexual orientation, to ensure meaningful equal opportunity monitoring and reporting.

Do we need Employee consent?

We do not need the consent of Employees if we use special categories of personal information in accordance with our written policy to carry out our legal obligations or exercise specific rights in the field of employment law. In limited circumstances, we may approach Employees for their written consent to allow us to process certain particularly sensitive data. If we do so, we will provide Employees with full details of the information that we would like and the reason we need it, so that Employees can carefully consider whether they wish to consent. Employees should be aware that it is not a condition of their contract with the School/Nursery that they agree to any request for consent from us.

Information about criminal convictions

We may only use information relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection policy.

Less commonly, we may use information relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect the interests of and Employee (or someone else's interests) and the Employee is not capable of giving consent, or where an Employee or a Parent, as is relevant to the circumstances, has already made the information public.

We will only collect information about criminal convictions if it is appropriate given the nature of the role and where we are legally able to do so, which includes but is not limited to Disclosure and Barring Service ("DBS") checks. Where appropriate, we will collect information about criminal convictions as part of the recruitment process or we may be notified of such information directly by you in the course of you working for us. We will use information about criminal convictions and offences in the following ways:

- To conduct a DBS check on each Employee, to record the date of the DBS check, the number of the DBS check and the name of the body conducting the DBS check.

We are allowed to use your personal information in this way to carry out our statutory obligations. We have in place an appropriate policy and safeguards which we are required by law to maintain when processing such data.

INFORMATION RELATING TO CHILDREN, PARENTS AND EMPLOYEES

CCTV, IMAGES AND VIDEOS

CCTV runs throughout the premises, except in toilets and changing areas, and data is stored to be accessed only when required.

Photographs and videos are regularly taken at events and performances which may be used on our website, in promotional material, in the media or through social media channels and parents and employees may be visible in these.

Photographs and videos of children are regularly taken during the school and nursery day which may be used as part of a child's online learning journal. Children may be in group images or video, or the background of images or video which may be visible to other parents through their own child's learning journal.

DATA SHARING

We may have to share Employee, Child or Parent data with third parties, including third-party service providers.

We require third parties to respect the security of data shared with them and to treat it in accordance with the law.

Why might the School/Nursery share Employee, Child or Parent personal information with third parties?

We will share personal information with third parties where required by law, where it is necessary to administer the working relationship or where we have another legitimate interest in doing so.

Which third-party service providers process my personal information?

"Third parties" includes third-party service providers (including contractors and designated agents), local authorities, regulatory bodies, schools and other entities within our group. The following third-party service providers process personal information about you for the following purposes:

- Local Authorities – for funding and monitoring reasons (e.g. equal opportunities and uptake of funded hours)
- Regulatory bodies (eg OFSTED and ISI) and/or the LEA – for ensuring compliance and the safety and welfare of the children
- Other schools and nurseries – to provide a successful transition by ensuring information about the child's progress and current level of development and interests are shared

We will share personal data regarding an Employee's participation in any pension arrangement operated by a group company with the trustees or scheme managers of the arrangement in connection with the administration of the arrangements.

How secure is information held with third-party service providers?

All our third-party service providers are required to take appropriate security measures to protect personal information in line with our policies. We do not allow our third-party service providers to use personal data for their own purposes. We only permit them to process personal data for specified purposes and in accordance with our instructions.

When might information be shared with other third parties?

We may share personal information with other third parties, for example in the context of the possible sale or restructuring of the business. In this situation we will, so far as possible, share anonymised data with the other parties before the transaction completes. Once the transaction is completed, we will share personal data with the other parties if and to the extent required under the terms of the transaction.

We may also need to share personal information with a regulator or to otherwise comply with the law.

DATA RETENTION

How long will information be used for?

We will only retain an individuals' personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any statutory, legal, accounting, or reporting requirements. Details of retention periods for different aspects of your personal information are available in our retention policy which is available on request. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of personal data, the purposes for which we process personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise personal information so that it can no longer be associated with an individual, in which case we may use such information without further notice to the individual. Once an Employee, or a Child benefiting from the School/Nursery's services or a Parent, is no longer employed or in a contract to provide service with the School/Nursery as is appropriate, we will retain securely or destroy your personal information in accordance with our data retention policy.

RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION

Duty to inform us of changes

It is important that the personal information we hold about individuals is accurate and current. We require Parents and Employees to inform us of personal information changes during your working relationship with us.

Rights in connection with personal information

Under certain circumstances, by law an individual has the right to:

- **Request access** to their own personal information (commonly known as a "data subject access request"). This enables them to receive a copy of the personal information we hold and to check that we are lawfully processing it.

- **Request correction** of the personal information that we hold. This enables any incomplete or inaccurate information we hold to be corrected.
- **Request erasure** of their own personal information. This enables Employees or Parents to ask us to delete or remove personal information where there is no good reason for us continuing to process it. There is also the right to ask us to delete or remove personal information where the right to object to processing has been exercised.
- **Object to processing** of their own personal information where we are relying on a legitimate interest (or those of a third party) and there is something about particular situation which makes them want to object to processing on this ground. There is also a right to object where we are processing personal information for direct marketing purposes.
- **Request the restriction of processing** of their own personal information. This enables Employees or Parents, as is appropriate, to ask us to suspend the processing of their personal information, for example accuracy or the reason for processing it is requested to be established.
- **Request the transfer** of personal information relating to them to another party.

If an individual wants to review, verify, correct or request erasure of their personal information, object to the processing of their personal data, or request that we transfer a copy of their personal information to another party, please contact a member of the SMT in writing.

No fee usually required

This is no fee to access personal information we hold (or to exercise any of the other rights) as included above.

What we may need from individuals

We may need to request specific information from the individual to help us confirm identity and ensure the right to access the information (or to exercise any 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.

RIGHT TO WITHDRAW CONSENT

In the limited circumstances where consent is initially given to the collection, processing and transfer of personal information for a specific purpose, there is a right to withdraw consent for that specific processing at any time. To withdraw consent, please contact Charlotte Bingham Brindle – charlotte.binghambrindle@ashbridgeschool.co.uk. Once we have received notification that consent has been withdrawn, we will no longer process personal information for the purpose or purposes originally agreed to, unless we have another legitimate basis for doing so in law or for statutory compliance.

CHANGES TO THIS PRIVACY NOTICE

We reserve the right to update this privacy notice at any time, and we will provide Employees and Parents with a new privacy notice when we make any substantial updates. We may also notify Employees and Parents in other ways from time to time about the processing, storage or use of your personal information, or procedures for doing so.

If you have any questions about this Privacy Notice, please contact Charlotte Bingham Brindle, Communication and Compliance Officer – charlotte.binghambrindle@ashbridgeschool.co.uk