

Dean Close Services Limited

PRIVACY NOTICE

For the purposes of Data Protection legislation the Data Controller is deemed to be Dean Close Services Limited.

DCSL is wholly owned by The Dean Close Foundation.

The registered address for Dean Close Services Limited (DCSL):-

Dean Close Services Limited
Shelburne Rd
Cheltenham
GL51 6HE
Company Number 2627579

The Dean Close Foundation also includes Dean Close Senior School, Dean Close Prep School, Dean Close Pre-prep School, Dean Close St Johns and Dean Close Nurseries which are covered by a separate Privacy Notice.

WHAT THIS PRIVACY NOTICE IS FOR

This policy is intended to provide information about how the DCSL will use (or "process") personal data about individuals including: its staff; its current, past and prospective Hirers, children or adults attending courses organised or hosted by DCSL;

This information is provided because Data Protection Law gives individuals rights to understand how their data is used. Staff, Hirers and attendees are all encouraged to read this Privacy Notice and understand DCSL's obligations.

This **Privacy Notice** applies alongside any other information that DCSL may provide about a particular use of personal data, for example when collecting data via an online or paper form.

This **Privacy Notice also** applies in addition to the DCSL's other relevant terms and conditions and policies, including:

- any contract between DCSL and its staff, Hirers and attendees;
- the Safeguarding, pastoral, or health and safety policies, including as to how concerns or incidents are recorded; and
- the Acceptable Use of IT policy and eSafety policy.

Anyone who works for, or acts on behalf of, DCSL (including staff, volunteers, governors and service providers) should also be aware of and comply with the data protection policy, which

also provides further information about how personal data about those individuals will be used.

RESPONSIBILITY FOR DATA PROTECTION

DCSL has appointed the Bursar as the DPO who will deal with all your requests and enquiries concerning DCSL's use of your personal data (see section on Your Rights below) and endeavour to ensure that all personal data is processed in compliance with this policy and Data Protection Law.

The Bursar can be contacted via his PA on telephone number 01242 258086 and email address is bursary@deanclose.org.uk

WHY THE DCSL NEEDS TO PROCESS PERSONAL DATA

In order to carry out its ordinary duties to staff, Hirers and attendees, DCSL needs to process a wide range of personal data about individuals (including current, past and prospective staff, Hirers and attendees) as part of its daily operation.

Some of this activity DCSL will need to carry out in order to fulfil its legal rights, duties or obligations – including those under a contract with its staff, Hirers and attendees.

Other uses of personal data will be made in accordance with the DCSL'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.

The DCSL expects that the following uses will fall within that category of its (or its community's) "**legitimate interests**":

- 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 past Hirers and the DCSL 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 DCSL's performance and to intervene or assist with incidents as appropriate;
- To give and receive information and references about past, current and prospective Staff or Hirers, including relating to outstanding fees or payment history.
- To safeguard Staff, Hirer and attendees welfare and provide appropriate pastoral care;
- To monitor (as appropriate) use of the IT and communications systems in accordance with the DCSL's IT: acceptable use policy;

- To make use of photographic images of Hirers and attendees in DCSL publications, or on the DCSL website and (where appropriate) on the DCSL social media channels in accordance with the DCSL's policy on taking, storing and using images of children;
- For security purposes, including CCTV;
- Where otherwise reasonably necessary for DCSL purposes, including to obtain appropriate professional advice and insurance.

In addition, DCSL 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 Staff, hirers and attendees 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 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;
- To provide spiritual education in the context of any religious beliefs;
- In connection with employment of its staff, for example DBS checks, welfare, union membership or pension plans;
- As part of any DCSL 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.

TYPES OF PERSONAL DATA PROCESSED BY DCSL

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 fees for attendees;
- past, present attendee academic, disciplinary, admissions and attendance records (including information about any special needs), and examination scripts and marks;
- 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;
- correspondence with and concerning staff, hirers and attendees past and present; and

- images of hirers (and occasionally other individuals) engaging in leisure activities, and images captured by the CCTV system (in accordance with the DCSL's policy on Photography, Filming and Recording);

HOW DCSL COLLECTS DATA

Generally, DCSL receive personal data from third parties (including, in the case of attendees, from their parents). This may be via a form, or simply in the ordinary course of interaction or communication (such as email or written assessments).

However in some cases personal data will be supplied to the individual directly (for example when applying for a course run by DCSL or enquiring about hiring a facility)

WHO HAS ACCESS TO PERSONAL DATA AND WHO THE DCSL SHARES IT WITH

Occasionally DCSL 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);
- government authorities (e.g. HMRC, DfE, police or the local authority); and
- appropriate regulatory bodies

For the most part, personal data collected by DCSL will remain within the organisation 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 school doctor and appropriate medical staff under his/her supervision, or otherwise in accordance with express consent; and
- pastoral or safeguarding files.

Staff, hirers and attendees are reminded that DCSL are 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 DCSL's Safeguarding Policy.

Finally, in accordance with Data Protection Law, some of DCSL processing activity is carried out on its behalf by third parties, such as IT systems, web developers, catering contractors or cloud storage providers. This is always subject to contractual assurances that personal data will be kept securely and only in accordance with DCSL specific directions.

HOW LONG WE KEEP PERSONAL DATA

The DCSL 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 personnel files is up to 7 years following departure. However, although most personal data supplied for an individual let will be securely destroyed at the end of the let some 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 the Bursar. However, please bear in mind that DCSL will occasionally 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

DCSL will use the contact details of hirers and attendees to keep them updated about the activities of DCSL, by sending updates and newsletters, by email and by post. Unless the relevant individual objects.

YOUR RIGHTS

- Rights of access, etc.

Individuals have various rights under Data Protection Law to access and understand personal data about them held by DCSL, and in some cases ask for it to be erased or amended or have it transferred to others, or for DCSL 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.

DCSL 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).

DCSL 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, DCSL may ask you to reconsider, or require a proportionate fee (but only where Data Protection Law 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 – please see further below), or information which is subject to legal privilege (for example legal advice given to or sought by DCSL, 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.

- Consent

In the very specific circumstances where DCSL 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).

Please be aware however that DCSL may not be relying on consent but have another lawful reason to process the personal data in question even without your consent.

Indeed as previously mentioned the vast majority of DCSL's processing activity is undertaken using legitimate interest as the legal basis.

- Whose rights?

The rights under Data Protection Law belong to the individual to whom the data relates.

In general, DCSL will assume that attendees 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 attendee's activities, progress and behaviour, and in the interests of the attendees welfare. That is unless, in DCSL's opinion, there is a good reason to do otherwise.

However, where an attendee seeks to raise concerns confidentially with a member of staff and expressly withholds their agreement to their personal data being disclosed to their parents, DCSL may be under an obligation to maintain confidentiality unless, in the DCSL's opinion, there is a good reason to do otherwise; for example where DCSL believes disclosure will be in the best interests of the attendee or other attendees, or if required by law.

Attendees are required to respect the personal data and privacy of others, and to comply with the Acceptable use of IT Policy.

DATA ACCURACY AND SECURITY

DCSL 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 Bursar 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 Law): please see above for details of why DCSL may need to process your data, and who you may contact if you disagree.

DCSL 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 DCSL systems. All staff will be made aware of this policy and their duties under Data Protection Law and receive relevant training.

THIS POLICY

DCSL 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. In any event the latest version will always be on our web site.

QUERIES AND COMPLAINTS

Any comments or queries on this policy should be directed to the Bursar.

If an individual believes that DCSL has not complied with this policy or acted otherwise than in accordance with Data Protection Law, they should 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 DCSL before involving the regulator.

[16/05/2018]