

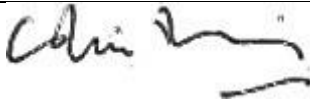


**MOUNT HOUSE
SCHOOL**

INSPIRING EVERY INDIVIDUAL

SCHOOL POLICIES

DATA PROTECTION

Review	Date	By
Last Reviewed	February 2021	
Next Review	February 2022	

Data Protection Policy

Mount House School collects and uses personal and sensitive information (referred to in the Data Protection Act 2018 as 'personal data') about its current, prospective and former students and their parents or guardians, its current, prospective and former staff, its suppliers and contractors, and other individuals connected to the school, as part of its everyday operations. This may include visiting music or sports teachers, contractors, agencies or self-employed individuals contracted by the school to provide a service.

This personal data is gathered in order to enable the provision of education and other associated functions. In addition, the school may be required by law to collect, use and share certain information.

This policy sets out the basis on which the school processes personal data, securely and in accordance with the General Data Protection Regulation (GDPR) 2018, the Data Protection Act (DPA) 2018, and other related legislation.

This policy applies to all personal information however it is collected, used, recorded, stored and disposed of, both on paper or electronic.

The School as Data Controller

Mount House School is registered under the UK Data Protection Act 2018 ("the DPA"), Registration Number ZA271489. It is the specific policy of Mount House School to:

- take all appropriate and reasonable steps to ensure the rights of Mount House School students, parents and guardians, staff, suppliers, contractors and governors ("Data Subjects") with respect to their personal data are protected;
- to take all reasonable steps to ensure that personal data held by Mount House School in relation to a Data Subject is both accurate and secure; and
- to comply with the DPA 2018, GDPR 2018, and other related legislation.

For the purposes of the DPA, Mount House School is the Data Controller of all personal data that is held about the school's data subjects. The members of staff responsible for data protection are the school's Bursar and the Network Manager. The school is also committed to ensuring that its staff are aware of data protection policies, legal requirements and adequate training is provided to them. The requirements of this

policy are mandatory for all staff employed by the school and any third party contracted to provide services within the school. This policy will be published both externally on the school website, as well as internally.

Mount House School takes its responsibilities as a data controller seriously and is committed to using the personal data it holds in accordance with the law. This policy provides detailed information about how the school processes personal data. If you have questions regarding your personal data or its use, please contact the school Bursar or Network Manager, by telephone on 0208 4496889 or, by post to Mount House School School, Camlet Way, Hadley Wood, Herts, EN4 0NJ.

Data Protection Principles

The GDPR states there are six Data Protection Principles that the school needs to follow when collecting, processing and storing individuals' personal data:

1. lawfulness, fairness and transparency;
2. purpose limitation - only collecting personal data for a specific purpose, clearly stating what that purpose is, and only collecting data for as long as necessary to complete that purpose.
3. data minimisation – only processing the personal data that they need to achieve the school's processing purposes;
4. accuracy - "every reasonable step must be taken" to erase or rectify data that is inaccurate or incomplete;
5. storage limitation - deleting personal data when it is no longer necessary, or lawful, to continue to hold it;
6. integrity and confidentiality - personal data must be "processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures."

Personal Data Processed by the School

- Personal data processed by the school can take different forms – it may be factual information (such as names, ages and home addresses), expressions of opinion about a data subject, images of or including data subjects or other recorded information which identifies or relates to a living individual.

- Personal data processed by the school includes a data subject's contact details and:
 - for staff and contractors - additional information required for their employment or appointment including images, audio and video recordings;
 - for students - admissions, academic, disciplinary and other education related records, information about special educational needs, references, examination scripts and marks, images, audio and video recordings and biometric data;
 - for parents and/or guardians - employment details, family circumstances and financial information.
- The processing of personal data may include obtaining, recording, holding, disclosing, destroying or otherwise using that data. Every school is required, as part of its operation, to process a wide range of personal data.
- Sensitive personal data about an individual processed by the school includes data concerning their sexual life, racial or ethnic origin, religious beliefs, criminal records and proceedings, trade union membership and relevant medical information (including details of a data subject's physical or mental health). Sensitive personal data is processed only where necessary for the provision of education and educational support and ancillary services to a student or for a person's employment.
- The school collects the personal data it processes directly from the data subject (or in the case of a student, their parents or guardians) and from third parties (for example, referees, previous schools, TRA and the Disclosure and Barring Service).

Purposes for which Personal Data may be processed

Personal data (including sensitive personal data, where appropriate) is processed by the school in accordance with the Data Protection Act for the following purposes:

- The provision of education including the registration of prospective students and administration of the admissions process; administration of the school curriculum and timetable; administration of students' entries to public examinations, reporting upon and publishing the results; providing references for students (including after a student has left); and preparation of information for inspections by the Independent Schools Inspectorate.
- The provision of educational support and ancillary services including the provision of pastoral care, welfare, health care services and maintenance of discipline; provision of careers and library services; administration of sports fixtures and teams, school trips; the implementation of the school's IT Acceptable Use Policy.

- The general administration of the school including the compilation of student records; the administration of invoices, fees and accounts; the management of the school's property; the management of security and safety arrangements (including the use of CCTV); the administration and implementation of the school's rules and policies for students and staff; and other reasonable purposes related to the school's operations.
- The protection and promotion of the school's legitimate interests and objectives including the publication of its own websites, its internal communication system and virtual learning environment, the prospectus and other publications; and communicating with the body of current and former students and/or their parents or guardians.
- The administration of its staff, agents and suppliers including the recruitment of staff/engagement of contractors (including compliance with DBS procedures); administration of payroll, pensions and sick leave; review and appraisal of staff performance; conduct of any grievance, capability or disciplinary procedures; implementation of the school's IT Acceptable Use Policy, and the maintenance of appropriate human resources records for current and former staff; and providing references.
- The fulfilment of the school's contractual and other legal obligations

The school will only process personal data for the purpose(s) for which it was originally collected, or for purpose(s) which have subsequently been notified to the data subject. The school will not process it for any other purpose without the data subject's permission, unless it is permitted to do so under the DPA 2018 and GDPR 2018.

Personal data will only be disclosed to those people who need to access the data to process it for the purpose(s) for which it was acquired. The school adopts appropriate security measures to ensure that personal data is kept secure and not processed without proper authority. Data is kept for no longer than is necessary, in line with statutory retention timescales where applicable. If you would like details on retention periods for specific information, please contact the school for further information.

For specific detail about how we collect/process/share personal data, please refer to either the school's Data Privacy Notice (Students and Parents) on the school website www.mounthouse.org.uk, and the Data Privacy Notice (Employees).

Sensitive Personal Data

- The school may, from time to time, be required to process sensitive personal data relating to a student, a parent, a legal guardian, education guardian or staff member.
- Sensitive personal data is information as to racial or ethnic origin, political opinions, religious beliefs, trade union membership, physical/mental health or condition, sexual life, criminal offences and sentences imposed.
- Sensitive personal data will generally be processed only where one of the following conditions applies:
 - The Data Subject has given explicit consent; or
 - The information has already been made public by the Data Subject; or
 - There is a medical or statutory requirement to process the data, for example, a statutory requirement to safeguard and promote the welfare of the Data Subject or any statutory requirement to notify a suspicion of money laundering, or co-operate with the authorities in other ways.
- Such data will not be copied or shared with any third party other than with the express, written permission of the Head or Bursar. Provision of access will be restricted solely to data which is needed for the individual to fulfil their contract of service with the school properly and to the best of their ability, and does not contravene the terms of this policy, the Data Protection Act 2018 (“the Act”) or the Computer Misuse Act.

Data Processing during the Covid-19 outbreak.

Following the outbreak of Covid-19, the school is required to collect and process new types of information about individuals (students, parents, staff, visitors and other family members of all these), including whether individuals are displaying symptoms of the virus, the health status of individuals within the same household, the results of any Covid-19 testing, and the various locations individuals have visited since the outbreak started. For further details regarding the school's obligations regarding this data under current data protection legislation, please see Appendix 1.

Third Parties with whom the School may need to Share your Personal Data

- From time to time Mount House School may pass personal data (including sensitive personal data where appropriate) to third parties, including local authorities, other public authorities, independent school bodies such as the

Independent Schools Inspectorate and the Independent Schools Council, health professionals and the school's professional advisers, and other contractors appointed to process data on behalf of the school:

- To enable the relevant authorities to monitor the school's performance;
 - To compile statistical information (normally used on an anonymous basis);
 - To secure funding for the school (and, where relevant, on behalf of individual students);
 - To safeguard students' welfare and provide appropriate pastoral (and, where relevant, medical and dental) care for students;
 - Where specifically requested by students and/or their parents or guardians;
 - Where necessary in connection with learning and co-curricular activities undertaken by students;
 - To enable students to take part in national and other assessments and to monitor students' progress and educational needs;
 - To obtain appropriate professional advice and insurance for the school;
 - Where a reference or other information about a student or ex-student is requested by another educational establishment or employer to whom they have applied;
 - Where otherwise required by law; and
 - Otherwise where reasonably necessary for the operation of the school, and the education of the students.
- Mount House School may also, unless a Data Subject requests otherwise, share personal data about former students with any association, society or club set up to establish or maintain relationships with alumni of the school, who may contact alumni from time to time by post, email, social media and SMS about the school and its activities.
 - All these third parties are data controllers in respect of the personal data they receive, and must themselves comply with the DPA.

Rights of Access to Personal Data

- As Data Subjects, under DPA 2018 individuals have a general right to be given access to personal data held about them, unless an exemption applies (see below).
- In most cases, Mount House School is entitled to rely on parental consent to process data relating to students unless, in the particular circumstances, it is

unreasonable to rely on the parents' consent. This could arise, for example, if there is a conflict of interests between parents and a student or if disclosure of information would interfere with a student's lawful right to confidentiality.

- Mount House School will only grant a student direct access to their personal data if the school reasonably believes that the student understands the nature of the request, and that access would not be likely to cause damage or distress to the student or other students.
- An individual wishing to access their personal data held by Mount House School should put their request in writing to the school, using a Subject Access Request form available from the school office. The school will respond to a request for access to records within one month of receiving the request (or earlier if practicable).
- For these purposes, a request which arrives while the school is closed for holidays will be treated as having been received when the school next re-opens.
- The identity of the requestor must be established before the disclosure of any information, and checks should also be carried out regarding proof of relationship to the child.
- The DPA provides that certain data is exempt from the right of access, including:
 - Information which identifies other individuals.
 - Information which we reasonably believe likely to cause damage or distress.
 - Data prepared solely or mainly to request or give legal advice.
 - Examination scripts written by a student.
 - Data that does not concern a living individual.
 - Data that is not part of a manual or electronic filing system.
 - Data that may be evidence in criminal proceedings.
 - (In some cases) documents protected by copyright.
- Mount House School will also treat as confidential any reference in the school's possession which has been prepared or given to UCAS, and any reference for current or prospective education, training or employment of a student or staff member.
- Mount House School acknowledges that an individual may have a right of access to a reference which the school receive about them from another source. Such reference will only be disclosed, however, if:
 - Disclosure will not identify the source of the reference; or
 - The referee has given consent; or
 - Disclosure is reasonable in all the circumstances.

Publication of Personal Data

- Mount House School will, from time to time, make use of personal data relating to students, their parents or guardians in the following ways:
 - In a Mount House School prospectus, and other promotional literature or materials;
 - In Mount House School website and social media channels
 - In Mount House School advertising (offline and online)
 - To Promote initiatives considered beneficial to members of the school community.
 - In communications sent to former members of the school to inform them of events and activities.
- A parent, or a student with sufficient maturity and understanding, who wishes to limit or object to a student's image or data being used in the school's promotional material, in any of these ways, should notify the Head of Marketing, Admissions and Communications in writing.

Responsibilities and Obligations of Staff Members and Directors of Mount House School

- Full-time and part-time employees of Mount House School have access to the School's personal data; visiting music or sports teachers, contractors, agencies or self-employed individuals do not.
- All staff members and directors of Mount House School have a responsibility to ensure that they process any data in relation to a Data Subject's files in accordance with this Data Protection Policy, and in particular to ensure that it is adequate, relevant and not excessive, and also accurate and up-to-date. Individuals should notify the school of any significant changes to important information, such as contact details, that the school holds about them.
- Staff members must also not pass any home contact details (staff, student or parent) to other parties, without the consent of the Data Subject, or parent/guardian of the Data Subject as applicable.
- All staff members and governors must ensure that any data they need to access is kept secure, both while stored or in transit.

Third Party Data Processors

- Mount House School may appoint individuals not directly employed by the school to act on their behalf as Data Processors. This may include, but is not limited to, individuals, companies and organisations supplying, installing and/or maintaining computing and IT systems and infrastructure.
- In these cases, the levels of access, security and processing will be specified by Mount House School as part of the contract and personal data cannot be used outside these terms.
- Data moved via third party web/cloud-based services should be encrypted.
- Data that is the subject of this policy should not be stored outside Mount House School IT systems unless express written authority has been given by the school. We ensure that any third parties who are hosting systems on behalf of Mount House School, including those in the cloud – e.g Evolve, Show My Homework, MyConcern, SchoolCloud etc., – are fully registered with the ICO and follow all the necessary requirements of the DPA, and GDPR from May 2018.

Staff Photographs

- Staff photographs will be used for security purposes internally within the Mount House School organisation, as well as for external promotional purposes (for example in the school prospectus or website). Any staff member who wishes to limit their image being used in Mount House School promotional material should notify the school in writing.

Accuracy of Personal Data Held by Mount House School

Mount House School will do all that is reasonable to ensure that personal data held in relation to an individual is as accurate and up to date as possible

- Individuals must notify the Bursar of any changes to information held about them.
- A Data Subject has the right to request that inaccurate information about them is erased or corrected.
- If an individual believes that the school has not complied with this policy or has acted otherwise than in accordance with the Act, they should notify the school.

Appendix 1 - Data Processing by the School during the Covid-19 outbreak.

Following the outbreak of Covid-19, the school is required to collect and process new types of information about individuals (students, parents, staff, visitors and other family members of all these), including whether individuals are displaying symptoms of the virus, the health status of individuals within the same household, the results of any Covid-19 testing, and the various locations individuals have visited since the outbreak started.

A large proportion of this new information being collected falls within the categories of "personal data" and as much as it pertains to individuals' health, it also falls within the sub-category of "special categories of personal data" (SCD) (eg whether individuals have self-isolated, and their body temperatures) the use of which is subject to strict compliance with the General Data Protection Regulation ("GDPR") and the UK Data Protection Act 2018.

The GDPR requires that the school only collects as much Covid-related personal data and / or SCD as is strictly necessary for the purposes being pursued. In addition, the school will ensure that this personal data and/or SCD collected are stored only for as long as necessary. Personal data and SCD will be adequately safeguarded, and the more sensitive the data that are being processed, the more robust the applicable security/confidentiality measures will be to protect such data.

The school's legal bases for processing personal data relating to Covid-19 during this period are as follows:

- Legitimate interests: it is necessary for the school to process personal data relating to staff, students and parents (and other individuals) for the purposes of its legitimate interests in managing continuity of education provision, and the well-being of all the individuals concerned.
- Contractual necessity: the processing of personal data relating to the coronavirus disease is necessary for the school's performance of its obligations to employees under the employment contract to ensure the health, safety and well-being of employees, and to students/parents under the parent contract whereby it do all that is reasonable to safeguard and promote your child's welfare to at least the standard required by law.
- Legal obligation: the school has legal obligations relating to health and safety, which includes covering certain health-related (covid-19) personal data processing activities.
- Preventative or occupational medicine: the school will be acting on the advice of Public Health England and other medical advisors relating to the processing of SCD relating to COVID-19 if it is necessary for the purposes of preventative or occupational medicine.
- Public interest in the area of public health: the school will be acting on the advice of Public Health England and other medical advisors relating to the processing of SCD relating to COVID-19.

There are a number of other issues that the school will consider from a data protection perspective, including:

- Disclosure of Covid-19 cases: as part of the obligation to ensure the health and safety of all individuals, the school may inform the school body about COVID-19 cases when they occur. This information will be limited as much as possible, and an individual's anonymity will be maintained as far as possible. If it is necessary to disclose the name of the individual who has contracted Covid-19 (and this is otherwise permitted by applicable law) to enable others to take appropriate protective steps, the individual who has contracted the virus will first be informed of the intended disclosure;
- Third-party data sharing: it will be necessary to share the new personal data and/or SCD being collected with third parties (e.g., IT service or healthcare providers) for data processing purposes, or in relation to certain contractual obligations (e.g., under insurance contracts). Care will be taken when doing so, and where appropriate, data processing agreements compliant with the requirements of the GDPR will be entered into with the relevant third parties.

February 2021