

## HAFS ACADEMY GDPR POLICY

The official name of the school is Hafs Academy which is under the management of **The Hafs Academy Trust**.

**HAFS ACADEMY** takes its responsibilities as a data controller seriously and is committed to using the personal data we hold in accordance with the law.

The privacy notice provides detailed information about how HAFS ACADEMY processes personal data. Please read it carefully and, if you have any queries regarding your personal data or its use, please contact **Jamil Ahmed, The director of Education**, on 0208 555 4260, or by email on: [jahmed@hafsacademy.org.uk](mailto:jahmed@hafsacademy.org.uk)

### **What this policy is for**

This policy is intended to provide information about how the school will use (or 'process') personal data about individuals including: its staff; its current, past and prospective students; and their parents, carers or guardians (referred to in this policy as 'parents').

This information is provided in accordance with the rights of individuals under Data Protection Law to understand how their data is used. Staff, parents and students are all encouraged to read this Privacy Notice and understand the schools obligations to its entire community.

This Privacy Notice applies alongside any other information the school 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 school's other relevant terms and conditions and policies, including:

- any contract between the school and its staff or the parents of students
- the school's policy on taking, storing and using images of children;
- the school's safeguarding, pastoral, or health and safety policies, including as to how concerns or incidents are recorded; and
- the school's IT policies, including its Acceptable Use policy and E-Safety policy.

Anyone who works for, or acts on behalf of, the school (including staff, volunteers, Trustees and service providers) should also be aware of and comply with the school's privacy policy for staff, which also provides further information about how personal data about those individuals will be used.

### **Responsibility for data protection**

The school has appointed **Jamil Ahmed** who will deal with all your requests and enquiries concerning the school's uses of your personal data (see section 'Your rights' below) and endeavour to ensure that all personal data is processed in compliance with this policy and data protection law.

## Why the School needs to process personal data

In order to carry out its ordinary duties to staff, students and parents, the school may process a wide range of personal data about individuals (including current, past and prospective staff, students or parents) as part of its daily operation.

Some of this activity the school will need to carry out in order to fulfil its legal rights, duties or obligations – including those under a contract with its staff, or parents of its students.

The purposes for which the school processes personal data are:

- The selection and admission of students, and to confirm the identity of prospective students and their parents;
- The provision of education to students, including the administration of the school curriculum and timetable; monitoring student progress; reporting on progress internally and to parents; administration of student's entries to public examinations, such as GL Assessments (current) and Exam boards (in future) reporting on and publishing the results; providing references for students (including after a student has left the school);
- The provision of educational services and support and associated services to students and parents, including library services, career services, access to the IT systems, the administration of sports teams and fixtures, school trips and extra-curricular activities to students, and monitoring students' progress and educational needs;
- The provision of pastoral care, welfare and health care to safeguard students by pastoral staff To enable relevant authorities to monitor the school's performance and to intervene or assist with incidents, as appropriate;
- To enable students to take part in national or other assessments, and to publish the results of public examinations or other achievements of students of the school;
- 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 students 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 staff administration, including the recruitment of staff, administration of payroll, pensions, sick leave and pay, maternity/paternity leave and pay, shared parental leave, staff reviews, the management of any grievance, capability or disciplinary procedures, maintenance of HR records and providing references for current and former staff

Other uses of personal data will be made in accordance with the school's legitimate interests, or the legitimate interests of another, provided that these are not outweighed by the impact on individuals. The school expects that the following uses may fall within that category of its (or its community's) 'legitimate interests':

- Where otherwise reasonably necessary for the school's purposes, including

to obtain appropriate professional advice and insurance for the school;

- Maintaining relationships with alumni (in future) and the school community, including direct marketing or fundraising activity; and maintaining the school archive;
- For the purposes of donor due diligence, and to confirm the identity of prospective donors and their background;
- For security purposes, including CCTV;
- To give and receive information and references about past, current and prospective students, including relating to outstanding fees or payment history, to/from any educational institution that the student attended or where it is proposed they attend; and to provide references to potential employers of past students;
- For the purposes of management planning and forecasting, research and statistical analysis, including that imposed or provided for by law (such as gender pay gap analysis and taxation records);

In addition, the school may need to process special category personal data (concerning health, ethnicity, religion, 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 may include:

- To safeguard students' 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 where it is in the individual's interests to do so: for example, for medical advice, social services, insurance purposes or to organisers of school trips;
- To provide educational services in the context of any special educational needs of a student;
- In connection with employment of its staff, for example DBS checks, welfare or pension plans
- 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.

The school may need to transfer data abroad, and out of Europe in some cases, for the purposes of administration of school trips and for admissions to overseas colleges and universities.

## **Types of personal data processed by the School**

This will include:

- names, addresses, telephone numbers, email addresses and other contact details
- bank details and other financial information, e.g. about parents who pay fees to the school, or for bursary assessment, and for staff for payroll purposes
- information relating to family, lifestyle and social circumstances;
- past, present and prospective students' academic, disciplinary, admissions and attendance records (including information about any special needs), and examination scripts and marks;
- where appropriate, information about individuals' health, and contact details for their next of kin
- references given or received by the school about students, and information provided by previous educational establishments and/or other professionals or organisations working with students;
- images of students (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 storing and using images of children);
- employment data (see staff code of conduct policy).

## **How the School collects data**

Generally, the school receives personal data from the individual directly, including, in the case of students, 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 may be supplied by third parties, e.g. referees, previous schools, the Disclosure and Barring Service, or other professionals or authorities working with that individual; or collected from publicly available resources.

## **Who has access to personal data and who the School shares it with**

Occasionally, the school may share personal information relating to its community with third parties, such as:

- professional advisers (lawyers and accountants);
- trip and tour operators
- relevant authorities (for example, HMRC, the police or the Local Safeguarding Children Board, local authorities, DBS, school and others);
- education, training, careers and examining bodies
- family, associates and representatives of the person whose personal data we are processing;
- healthcare professionals;
- social and welfare organisations
- courts;

- voluntary and charitable organisations;
- suppliers and service providers;
- financial organisations;
- security organisations;
- press and the media.

For the most part, personal data collected by the school will remain within the school, 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, or otherwise in accordance with express consent; and
- pastoral or safeguarding files.

However, a certain amount of any SEND student's relevant information will need to be provided to staff more widely in the context of providing the necessary care and education that the student requires.

Staff, students and parents are reminded that the school is 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 may include file notes on personnel or safeguarding files, and in some cases referrals to relevant authorities such as the Local Area Designated Officer (LADO) or police. For further information on this, please view the schools Safeguarding Policy.

Finally, in accordance with data protection law, some of the school's processing activity is carried out on its behalf by third parties, such as IT systems, hosted databases, web developers or cloud storage providers. This is always subject to contractual assurances that personal data will be kept securely and only in accordance with the school's specific directions.

### **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 student personnel files is until they reach the age of 25. 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 this policy is applied, or wish to request that personal data which you no longer believe to be relevant is considered for erasure, please contact **Jamil Ahmed**, Director of Education on 020 8555 4260 , or by email on [jahmed@hafsacademy.org.uk](mailto:jahmed@hafsacademy.org.uk). However, please bear in mind that the school may have lawful and necessary reasons to hold on to some data.

### **Keeping in touch and supporting the School**

The school and any relevant other organisation will use the contact details of parents, alumni and other members of the school community to keep them updated about the activities of the school, or parent and alumni events of interest, including by sending

updates and newsletters, by email and by post. Unless the relevant individual objects, the school may also:

- Share personal data about parents and/or alumni, (in future) as appropriate, with organisations set up to help establish and maintain relationships with the school community.
- Contact parents and/or alumni (in future) by post and email in order to promote and raise funds for the school.

Should you wish to limit or object to any such use, or would like further information about them, please contact Jamil Ahmed in writing. You always have the right to withdraw consent, where given, or otherwise object to direct marketing or fundraising. However, the school may need nonetheless to retain some of your details (not least to ensure that no more communications are sent to that particular address, email or telephone number).

### **Your rights**

Individuals have various rights under data protection law to access and understand personal data about them held by the school, and in some cases ask for it to be erased or amended, or for the school 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, should put their request in writing to Jamil Ahmed.

The school 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. The school will be better able to respond quickly to smaller, targeted requests for information. If the request is manifestly excessive or similar to previous requests, the school 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 professional privilege. The school is also not required to disclose any student examination scripts, nor any confidential reference given by the school for the purposes of the education, training or employment of any individual.

Students can make subject access requests for their own personal data, provided that, in the reasonable opinion of the school, they have sufficient maturity to understand the request they are making (see section 'Whose rights' below). Indeed, while a person with parental responsibility will generally be expected to make a subject access request on behalf of younger students, the information in question is always considered to be the child's at law. A student of any age may ask a parent or other representative to make a subject access request on their behalf, and, moreover, (if of sufficient age) their consent or authority may need to be sought by the parent. Students aged 13 are generally assumed to have this level

of maturity, although this will depend on both the child and the personal data requested, including any relevant circumstances at home. Children younger than 13 may be sufficiently mature to have a say in this decision. All subject access requests from students will therefore be considered on a case by case basis.

Where the school 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).

### **Whose rights**

The rights under data protection law belong to the individual to whom the data relates. However, the school will often rely on parental consent to process personal data relating to students (if consent is required) unless, given the nature of the processing in question, and the student's age and understanding, it is more appropriate to rely on the student'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, the school will assume that students' 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 student's activities, progress and behaviour, and in the interests of the student's welfare, unless, in the school's opinion, there is a good reason to do otherwise.

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

Students are required to respect the personal data and privacy of others, and to comply with the relevant school policies and the school rules.

### **Data accuracy and security**

The school 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 notify Jamil Ahmed of any changes to information held about them.

An individual has the right to request that any inaccurate or out-of-date information about them is erased or corrected (subject to certain exemptions and limitations): please see above.

The school 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 school systems. All staff and Trustees will be made aware of this policy and their duties under data protection law and receive relevant training.

This privacy notice should be read in conjunction with our other policies and terms and conditions which make references to personal data, including the Parent Contract, safeguarding policy, acceptable use policies and IT policies.

### **Your right to object**

You have the right to object to the processing of your personal data, but only in certain circumstances. Your ability to exercise this right will depend upon the school's purposes for processing the data and its lawful basis for processing the data.

### **Data portability**

You have the right, under certain circumstances, to oblige the school to provide you with the personal data you have provided.

You also have the right to oblige school to transmit this data to another organisation.

### **Queries and complaints**

Any comments or queries on this policy should be directed to **Jamil Ahmed**, Director of Education on 020 8555 4260, or by email on: [jahmed@hafsacademy.org.uk](mailto:jahmed@hafsacademy.org.uk)

If an individual believes that the school has not complied with this policy or acted otherwise than in accordance with data protection law, they should utilise the school's complaints procedure and should also notify Jamil Ahmed.

You also have a right to make a complaint to the Information Commissioner's Office (ICO), who can be contacted at:

Information Commissioner's Office (ICO)

Wycliffe House,  
Water Lane,  
Wilmslow  
SK9 5AF

Tel: 0303 123 1113

Email: [casework@ico.org.uk](mailto:casework@ico.org.uk).

**May 2018**