



PRIVACY NOTICE

This policy applies to the whole School and is published to parents and pupils.

WHO WE ARE

Yarm School was founded in 1978, and is an independent HMC school for girls and boys, aged between 3 and 18 years old. In addition, Yarm School has one wholly owned subsidiary, Yarm School Trading Limited, whose activities are to provide school uniform for pupils, and to which this policy also applies. There is also a Former Pupils' Association, which aims to communicate periodically on matters of interest with pupils who have left the School, which is also covered by this Notice.

Yarm School is constituted as a company limited by guarantee registered in England, Company Number 4451356, and is registered with the Charity Commission under Charity Number 1093434. The School operates two schools known as Yarm School (DfE number 808/6002) and Yarm Preparatory School (DfE number 808/6003). There is one Governing Body for the two schools, and further details may be found on the School Website. There are also two Privacy Officers for both Preparatory and Senior School.

Yarm School is committed to ensuring that your privacy is protected. This Privacy Notice sets out how we use any information that you give us, and forms part of the terms and conditions that we use. Any information provided by you that enables you to be identified will only be used in accordance with this Notice.

We may revise this policy from time to time. Please check this Notice periodically to ensure you are familiar with any changes. This Notice is effective from 25/05/2018, with the introduction of the General Data Protection Regulations (as may be amended or superseded from time to time).

WHAT THIS POLICY IS FOR

This policy is intended to provide information about how we will use (or "process") personal data about individuals including: its staff; its current, past and prospective pupils; and their 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 pupils are all encouraged to read this Privacy Notice and understand the school's obligations to its entire community.

This Privacy Notice, which is also available on the School's website, 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 our other relevant terms and conditions and policies, including:

- any contract between the school and its staff or the parents of pupils;
- the school's policy on taking, storing and using images of children;
- the school's CCTV policy;
- the school's retention of records policy;
- 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, Internet Safety policy, WiFi policy, Remote Working policy and Bring Your Own Device policy.

Anyone who works for, or acts on behalf of, Yarm School (including staff, volunteers, governors and service providers) should also be aware of and comply with this Privacy Notice, which also provides further information about how personal data about those individuals will be used.

RESPONSIBILITY FOR DATA PROTECTION

The School has appointed Judicium Education Ltd as having responsibility for data Privacy issues who, in conjunction with the School Manager and other members of staff as required, will deal with your requests and enquiries concerning the School's uses 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 School Manager may be emailed at: catherine.evans@yarmschool.org.

WHY WE NEED TO PROCESS PERSONAL DATA

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

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

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, and provided it does not involve special or sensitive types of data. We need all the categories of information in the list above primarily to allow us to perform our contract with you * and to enable us to comply with legal obligations **. In some cases we may use your personal information to pursue legitimate interests of our own or those of third parties ***, provided your interests and fundamental rights do not override those interests.

The situations in which we will process your personal information are listed below. We have indicated by asterisks the purpose or purposes for which we are processing or will process your personal information, as well as indicating which categories of data are involved.

- For the purposes of pupil selection, and to confirm the identity of prospective pupils and their parents *, ***;
- To provide education services safely and effectively, whether delivered on site or carried out remotely or using the School's preferred digital services. This includes curricular education, musical education, physical training or spiritual development, career services, and extracurricular activities, partnership activities with other local schools/organisations, and school trips to pupils, and monitoring pupils' progress and educational needs *, ***;
- Maintaining relationships with former pupils and our school community, including direct marketing or fundraising activity ***;
- For the purposes of management planning and forecasting, research and statistical analysis, including that imposed or provided for by law (such as diversity or gender pay gap analysis and taxation records) **, ***;
- 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 due diligence surrounding the source of parental finances to pay school fees, 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 respond to correspondence that contains your personal data **
- 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 our IT and communications systems in accordance with Yarm School's IT: acceptable use policy ***;
- To make use of academic performance data and photographic images of pupils in school and other publications including Prize Giving events, on the school website, (where appropriate) on the school's social media channels and the local press, in accordance with the school's policy on taking, storing and sharing images of children ***;
- For security purposes, including CCTV in accordance with the school's CCTV policy **, ***; 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 may 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 may 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 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 pupil;

- To provide spiritual education in the context of any religious beliefs;
- 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 our legal obligations and duties of care.

TYPES OF PERSONAL DATA PROCESSED BY US

This will include by way of example:

- names, addresses, telephone numbers, e-mail addresses and other contact details;
- car details (about employees who use our car parking facilities, and anyone who has parked on the School site and is involved in an accident or incident which requires investigation);
- bank details and other financial information, e.g. about both parents, irrespective of who pays fees to the school, or who may be held jointly liable for the purposes of performing the contract which may include taking debt recovery measures;
- past, present and prospective pupils' 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 pupils, and information provided by previous educational establishments and/or other professionals or organisations working with pupils; and
- images of pupils, and occasionally other individuals, engaging in school activities in the broadest sense, and images captured by the school's CCTV system (in accordance with the school's policy on taking, storing and using images of children);

HOW WE COLLECT DATA

Generally, we receive personal data from the individual directly (including, in the case of pupils, 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, for example another school, or other professionals or authorities working with that individual.

WHO HAS ACCESS TO PERSONAL DATA AND WHO WE SHARE IT WITH

Occasionally, we will need to share personal information relating to its community with third parties, such as professional advisers, such as lawyers and accountants, or relevant authorities, such as HMRC, the police or a local authority.

Yarm School may from time to time appoint an external provider as agents of the school, and for marketing purposes. Parents will have a right to opt out of such marketing exercises.

For the most part, personal data collected by us will remain within Yarm 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 [held and accessed only by the Health & First Aid Coordinator and appropriate staff under her supervision, or otherwise in accordance with express consent]; and
- pastoral or safeguarding files.

However, a certain amount of any SEN pupil's relevant information will need to be provided to staff more widely in the context of providing the necessary care and education that the pupil requires throughout their life at Yarm School. Similarly, if a pupil has particularly critical medical needs such as the use of an Epipen or inhaler, or requires particular medication, that information is made available through our Management Information platforms (iSAMS, CPOMS) so that it can be readily accessible if needs be.

Staff, pupils and parents are reminded that we 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 may 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 school's Child Protection and Safeguarding Policy.

Finally, in accordance with Data Protection Law, some of our processing activity is carried out on our behalf by third parties, such as our 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

We 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 or (in the case of pupil data) the year of the pupil's 25 birthday, whichever is sooner. However, incident reports and safeguarding files will need to be kept much longer, in accordance with specific legal and insurance requirements.

If you have any specific queries about how this 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 Senior School Office in the first instance. However, please bear in mind that we may have lawful and necessary reasons to hold on to some data. For further information about specific periods of retention, please see our Data Retention Policy, which is on the School website [www.yarmschool.org]. Please also refer to our Privacy Notice for parents and pupils available on the school website for details on how we handle personal data.

KEEPING IN TOUCH AND SUPPORTING THE SCHOOL

The School sends out a weekly (term-time only) electronic newsletter usually on a Friday afternoon. The newsletter will be sent to the email registered on the School's Management Information System via a third party company, Mailchimp. To view the privacy policy for

Mailchimp, follow the link below. Please note you can unsubscribe at any point by clicking the 'unsubscribe' button at the bottom of the email or contacting the Marketing Manager.

<https://mailchimp.com/legal/privacy>

We will use the contact details of parents, former pupils and other members of the school community to keep them updated about the activities of the school, or former pupils and parent 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 former pupils, as appropriate, with organisations set up to help establish and maintain relationships with the school community, such as the Yarm School Association (YSA) and Former Pupils' Association (FPA);
- Contact parents and/or former pupils [(including via the organisations above)] by post and email in order to promote and raise funds for the school and, where appropriate, other worthy causes;

Should you wish to limit or object to any such use, or would like further information about them, please email the Marketing Manager at lynsey.craig@yarmschool.org. You always have the right to withdraw consent, where given, or otherwise object to direct marketing or fundraising. However, we may nonetheless need 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

You have various rights under Data Protection Law to access and understand personal data about you by us and in some cases ask for it to be erased or amended or for us 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 the School Manager.

We 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. We will be better able to respond quickly to smaller, targeted requests for information. If your 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 us to do so.

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. 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 us for the purposes of the education, training or employment of any individual.

Pupils can make subject access requests for their own personal data, provided that, in the reasonable opinion of Yarm 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 pupils, 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 his/her behalf, and moreover (if of sufficient age) their consent or authority may need to be sought by the parent. Pupils 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. In the School's view, children younger than 13 are unlikely to be sufficiently mature to have a say in this decision, although this may not invariably be the case. All subject access requests from pupils will therefore be considered on a case by case basis and any decisions in relation to a pupil's maturity are to be handled at the School's discretion.

Where occasionally we choose to rely 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). However, please be aware that we 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 otherwise 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 an organisation has been requested).

WHOSE RIGHTS

The rights under Data Protection Law 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 indeed 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, 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 pupil or other pupils, or if required by law.

Pupils are required to respect the personal data and privacy of others, and to comply with Yarm School's IT: Acceptable Use policy, Bring Your Own Device policy, Pupil Data Protection Policy and the wider school rules. Similarly, staff are under professional duties to do the same, under the relevant staff policies.

DATA ACCURACY AND SECURITY

We 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 us of any changes to information

held about them promptly and without undue delay, as this may fetter our ability to communicate securely with you.

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 under Act): please see above.

We 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 Governors will be made aware of this policy and their duties under Data Protection Law and will receive relevant training from time to time.

QUERIES AND COMPLAINTS

Any comments or queries on this policy should be directed to the School Manager using the contact details in this policy. If an individual believes that we have not complied with this policy or acted otherwise than in accordance with Data Protection Law, they should use Yarm School's Complaints policy and should also notify the School Manager in the first instance.

Yarm School can also make a referral to, or lodge a complaint with, the Information Commissioner's Office (ICO). However, the ICO recommends that steps are taken to resolve the matter internally wherever possible before involving the regulator.

Author: School Manager

Date: April 2018

Reviewed: July 2020, June 2021, July 2022, March 2023, July 2023, July 2024, July 2025

Date of Next review: July 2026