Privacy Notice for Lochinver House School's Community

Lochinver House School is a company registered in England and Wales (the 'School'). The company's registration number is 04374254 and the charity's registration number is 1091045. The School is enrolled as a Data Controller with the Information Commissioner's Office (ICO), with a registration number of Z7123569.

The School processes personal data in accordance with the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018 and the Data (Use and Access) Act 2025.

This Privacy Notice is intended to provide information about how the School will collect, use and hold (or "process") personal data about individuals (current, past or prospective) within the School Community and is provided because GDPR gives individuals rights to understand how data is used. The School is therefore a data controller of personal information and this information is provided because data protection law gives individuals rights to understand how their data is processed. This Privacy Notice sets out how the School uses that information and the rights in respect of the data held. Members of the School Community are encouraged to read this Privacy Notice and understand the School's obligations.

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 electronically or in paper form. This Privacy Notice also applies in addition to the School's other relevant terms and conditions and policies, including, but not limited to:

- the School's Child Protection and Safeguarding and Health and Safety policies
- Pastoral logs including behaviour, bullying and physical restraint
- the School's policy on taking, storing and using images of children
- any contract between the School and its employees or the parents of pupils
- the School's IT policies including the Acceptable Use, Online Safety, Use of Mobile Devices in the EYFS policies
- the School's Data Protection and Data Retention Policy.

Why the School needs to process Personal Data

To execute its legal rights, obligations and duties, the School as part of its daily operations, must process a wide range of personal data about the community, including for those under a contract.

Other uses of personal data will be made in accordance with the School's legitimate interests, or the legitimate interests of another, provided these are not outweighed by the impact on individuals and do not involve special or sensitive types of data.

It is expected that the following uses will fall within that category of the School community's "legitimate interests":

- For the purposes of pupil selection (and to confirm the identity of prospective pupils and their parents).
- To carry out credit, identity and source of funds checks, whether with previous schools and/or third party sources or service providers, including for the purposes of verifying that parents are not subject to (or within the purview of) sanctions.
- 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, including where such services are provided remotely (either temporarily or permanently).
- To report to and liaise with parents about their child's progress, welfare and development including by way of regular reports and consultation evenings.
- To organise and manage meetings, events and social engagements for pupils and parents.
- To maintain relationships with alumni and the School Community, including direct marketing or fundraising activity.
- For the purposes of providing financial assistance in accordance with the School's Bursary Policy.
- 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 School's performance and to intervene or assist with incidents as appropriate.
- To give and receive information and references about past, current and prospective employees or volunteers.
- To give and receive information and references about past, current and prospective pupils, including relating to 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 enable pupils to take part in national or other assessments, and to publish other achievements of pupils of the School.
- To safeguard pupils' welfare and provide appropriate pastoral care including following the requirements and recommendations of the Government's guidance on Keeping Children Safe in Education (or KCSIE).
- To monitor (as appropriate) use of the School's IT and communications systems in accordance with the School's Online Safety Policy.
- To make use of photographic images of employees and pupils in School publications, on the School website and (where appropriate) on the School's social media channels in accordance with the School's policies on taking, storing and using images of children.
- For security purposes, including biometrics, in accordance with the School's Biometrics Policy.
- To carry out or cooperate with any school or external complaints, disciplinary or investigation process.
- To promote the School to prospective new members of the School community.
- Where otherwise reasonably necessary for the School's purposes, including to obtain appropriate professional advice and insurance for the School.

In addition, the School will, on occasion, need to process special category personal data (concerning health, ethnicity, religion, biometrics or sexual orientation) or criminal records information (such as when carrying out Enhanced 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 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 or other relevant information where it is in the individual's interests to do so: for example to arrange the assessment and diagnosis of a pupil's health and medical conditions and special educational needs, for medical advice or emergency medical care, for social protection, safeguarding, and cooperation with police or social services, for insurance purposes or to caterers or organisers of school trips who need to be made aware of dietary or medical needs.
- To comply with public health requirements.
- To provide educational services in the context of any making reasonable adjustments for a pupil's disability and/or 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 Enhanced DBS checks, welfare, union membership or pension plans.

- To run any of the School's systems operating on biometric data, such as for security and other forms of pupil identification.
- As part of any school or external complaints, disciplinary or investigation process involving such data, for example if there are SEND, health or safeguarding elements.
- For legal and regulatory purposes (for example child protection and safeguarding, diversity monitoring and health and safety) and to comply with its legal obligations and duties of care.

Types of Personal Data processed by the School

This will include by way of example:

- Names, addresses, telephone numbers, email addresses and other contact details
- Biometric information which will be collected and used by the School in accordance with the School's Biometric Policy.
- Bank details and other financial information to process payments in accordance with contractual arrangements but also about parents who pay fees to the School and any source of funds and/or anti-money laundering information we are required to collect by law.
- Past, present and prospective pupils' academic, disciplinary, admissions, safeguarding and attendance records, and examination scripts and marks as well as information about pupils' health and medical conditions, special educational needs and family circumstances/living arrangements.
- Past, present and prospective employee data including:
  Next of kin information
  References and correspondence.
  Images of pupils and staff engaging in School activities.

How the School Collects Data

Generally, the School receives personal data from the individual directly (including, in the case of pupils, from respective parents). This may be via a form, or simply in the ordinary course of interaction or communication (such as email or written assessments). Some personal data, however, will be supplied by third parties (for example another school, or other professionals or authorities, or third party service providers who credit and identity check parents and their source of funds); or collected from publicly available resources.

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

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). However, some functions are outsourced. In accordance with data protection law, this type of external data processing is always subject to contractual assurances that personal data will be kept securely and used only in accordance with the school's specific directions.

Occasionally, the School will need to share personal information relating to its community with third parties, such as:

- appropriate contractors, for example: self-employed music teachers
- professional advisers (e.g. lawyers, insurers, advisers, accountants, pension and healthcare providers)
- Examination boards
- Stage 3 complaints panels, which may include independent panel members such as when a complaint is raised (and in accordance with the School's complaints procedure, this requires the involvement of independent panel members)
- government authorities (e.g. HMRC, DfE, CAFCASS, police, Home Office, a relevant public health / NHS body and / or local authority) and/or appropriate regulatory bodies e.g. the Teaching Regulation Agency, the Independent Schools Inspectorate, the Charity Commission.

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:

- child protection and safeguarding or pastoral files. Employees, pupils and parents are reminded that the School is under duties imposed by law and statutory guidance (including Keeping Children Safe in Education (September 2024)) 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 School's Child Protection and Safeguarding Policy and Procedure (incorporating Staff Behaviour and Code of Conduct)
- employees and pupil medical records held and accessed only by the School Nurse and appropriate staff under their supervision, or otherwise in accordance with express consent.
- SEN pupil's relevant information may need to be provided to employees more widely in the context of providing the necessary care and education that the pupil requires
- The School uses third-party systems for management information systems, learning platforms, finance, communications, HR management, safeguarding, cloud storage and website services. This is always subject to contractual assurances that personal data will be kept securely and only in accordance with the School's specific directions.
- Where personal data is transferred outside the UK, appropriate safeguards required by UK GDPR will be applied

Access to, and sharing of, sensitive data

Particularly strict rules of access apply in the context of "special category" data, most notably:

The School needs to process medical/health data to comply with statutory duties. The School will ensure only authorised staff can access information on a need-to-know basis. This may include wider dissemination if needed for School trips or for catering purposes. Express consent will be sought where appropriate.

The School is under duties imposed by law and statutory guidance (including Keeping Children Safe in Education or 'KCSIE') 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 notes on personnel or safeguarding files, low-level concerns records kept about adults (which may include references to pupils or family members), and in some cases referrals to relevant authorities such as the LADO, Children's Services, CAMHS or the police.

KCSIE also requires that, whenever a child leaves the School to join another school or college, and child protection and/or safeguarding file is promptly provided to the new organisation, along with any other information which the School's Designated Safeguarding Lead considers material to the ongoing care needs of any pupil. Where appropriate, the School will consult with parents as to how these needs are best served, but ultimately the decision as to what information is necessary to share with the new school or college is a safeguarding question that must be reserved to the School. The School will retain a copy of the child protection file in accordance with its retention policy for material related to safeguarding matters. For further information, please view the Child Protection and Safeguarding Policy and Procedure (incorporating Staff Behaviour and Code of Conduct).

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.

Detailed retention periods are set out within the School's Data Retention Schedule

If employees have any specific queries on the length of time personal data is kept or wish to request that personal data that is no longer believed to be relevant is considered for erasure, they should contact the Data Protection Lead (DPL) data@lochinverhouse.com. The School will often 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 employees have requested, we no longer keep in touch, we will need to keep a record of the fact to fulfil your wishes (called a "suppression record").

Keeping in Touch and Supporting the School
The School will use the contact details of members of its Community to keep them updated on the activities of the School, or alumni and parent events of interest, including by sending bulletins and newsletters, by email and by post.

Should members of the School Community wish to limit or object to any such use, or would like further information about them, the DPL should be contacted in writing. Members of the School Community always have the right to withdraw consent, where given, or otherwise object to direct marketing or fundraising. However, the School is nonetheless likely to retain some details (not least to ensure that no more communications are sent to that particular address, email or telephone number).

Rights
You have the following rights:

- to obtain access to, and copies of, the personal data that we hold about you
- to require us to correct the personal data we hold about you if it is incorrect
- to require us (in certain circumstances) to erase your personal data
- to request that we restrict our data processing activities (and, where our processing is based on your consent, you may withdraw that consent, without affecting the lawfulness of our processing based on consent before its withdrawal)
- to receive from us the personal data we hold about you which you have provided to us, in a reasonable format specified by you, including for the purpose of you transmitting that personal data to another data controller
- to object, on grounds relating to your particular situation, to any of our particular processing activities where you feel this has a disproportionate impact on your rights.

Please note that the above rights are not absolute, and the School may be entitled to refuse requests where exceptions apply. The School will endeavour to respond to any such requests as soon as is reasonably practicable and in any event within statutory time-limits (which is generally one month, but actually fulfilling more complex or multiple requests, e.g. those involving third party information, may take 1-2 months longer).

The School will be better able to respond quickly to smaller, targeted requests for information made during term time. If the request for information is manifestly excessive or similar to previous requests, the School may ask for reconsideration, or require a reasonable fee for the administrative costs of complying with the request, or in certain cases refuse the request (but only where data protection law allows it, and in accordance with relevant regulatory guidance).

If it is considered that personal data held is inaccurate, please advise the HR and Compliance Manager. However, the School will not necessarily delete or amend views, opinions, notes or records purely on the request of an individual who disputes the account, although we may keep a record of all parties' viewpoints.

UK GDPR rights (including the right of access) are limited to personal data, and certain data is exempt. This will include information which identifies other individuals (and parents need to be aware this may include their own children, in certain limited situations or information which is subject to legal privilege (for example legal advice given to or sought by the school, or documents prepared in connection with a legal action, or where a duty of confidence is owed by a legal adviser).

The School is also not required to disclose any pupil examination scripts (or other information consisting solely of pupil test answers, potentially including in mock exam scripts or other types of exams / tests used to assess performance, although markers' comments may still be disclosable if they constitute pupil personal data) or provide examination or other test marks ahead of their ordinary publication date, nor share any confidential reference held by the school that was (or will be) given for the purposes of the education, training, appointment or employment of any individual.

Requests that cannot be fulfilled
Employees should be aware that the right of access is limited to individual 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), or information which is subject to legal privilege (for example legal advice given to or sought by the School, or documents prepared in connection with a legal action).

The School is also not required to disclose any pupil examination scripts (or other information consisting solely of pupil test answers), provide examination or other test marks ahead of any ordinary publication, nor share any confidential reference given by the School itself for the purposes of the education, training or employment of any individual.

Employees may be aware of the "right to be forgotten". However, the School may have compelling reasons to refuse specific requests to amend, delete or stop processing individual (including any dependent 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.

Pupil requests
Pupils 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). A pupil of any age may ask a parent or other representative to make a subject access request on his behalf. Indeed, while a person with parental responsibility will generally be entitled to make a subject access request on behalf of younger pupils, the law still considers the information in question to be the child’s: for older pupils, the parent making the request may need to evidence their child's authority for the specific request.

Pupils aged 13 and above 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.

Parental requests, etc.
It should be clearly understood that the rules on subject access are not the sole basis on which information requests are handled. Parents may not have a statutory right to information, but they and others will often have a legitimate interest or expectation in receiving certain information about pupils without their consent. The School may consider there are lawful grounds for sharing with or without reference to that pupil.

Parents will in general receive educational and pastoral updates about their children, in accordance with the Terms and Conditions. Where parents are separated, the School will, in most cases, aim to provide the same information to each person with parental responsibility.

All information requests from, on behalf of, or concerning pupils, whether made under subject access or simply as an incidental request, will therefore be considered on a case-by-case basis.

Consent
Where the School is relying on consent to process personal data, any person may withdraw this consent at any time (subject to similar age considerations as above). Please be aware the School may not be relying on consent but have another lawful reason to process the personal data in question even without individual 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 contract or Terms and Conditions, or because a purchase of goods, services or membership of an organisation such as an alumni or parents' association has been requested).

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 authority or notice for the necessary ways it processes personal data relating to pupils, for example, under the Terms and Conditions, or via consent. Parents and pupils should be aware that this is not necessarily the same as the School relying on strict consent (see section on Consent above).

Where consent is required, it may in some cases be necessary or appropriate, given the nature of the processing in question, and the pupil's age and understanding, to seek 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, the School 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. That is unless, in the School's opinion, there is a good reason to do otherwise.

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 the School's E-Safety Policy and School rules. Employees are under professional duties to do the same covered under the Acceptable Use Policy and Data Protection Policy.

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. Employees must notify the School 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 GDPR and DPA): please see above for details of why the School may need to process individual data, and who should be contacted if there is a disagreement.

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 employees and governors are aware of this Privacy Notice and their duties under Data Protection Law and receive relevant training.

Data Protection Queries and Complaints

Any comments or queries on this Privacy Notice should be directed to the DPL using data@lochinverhouse.com or calling 01707 653064. If an individual believes that the School has not complied with this Privacy Notice or acted otherwise than in accordance with Data Protection Law, they should notify the DPL. Individuals may make a data protection complaint directly to the School by contacting the DPL. Complaints will be acknowledged and investigated in accordance with the School's Data Protection Complaints Procedure. Individuals who remain dissatisfied may complain to the Information Commissioner's Office (ICO).

Reviewed By	Head
Approval Body/ Committee	SLT
Last Review	Autumn 2026
Next Review	Autumn 2028
Policy Linked To	Acceptable Use Policy, Accessibility Policy, Admissions Policy, Admissions and Attendance Policy, Anti-Bullying Strategy, Assessment and Recording Policy, Behaviour Policy, Bursary Policy, Child Protection and Safeguarding Policy and Procedure (incorporating Staff Behaviour and Code of Conduct), Children Absent from Education Policy, Complaints Policy, Critical Incidents Management Plan, Data Protection Policy, Driver's Declaration, Disciplinary, Grievance and Capability Policy, Educational Visits Policy, English as an Additional Language (EAL) Policy, Equal Opportunities Policy, E-Safety Policy, EYFS Supervision, First Aid Policy, Health and Safety Policy, Historical Abuse Policy, Keeping Children Safe in Education, Marking and Feedback Policy, More Able Policy, Pay Policy, Professional Development Policy, Personal, Social, Health and Education (PSHE) Policy, Recruitment Policy, Redundancy Policy, Remote Learning Policy, Reports and References Policy, SEND Policy, Supervision Policy, Terms and Conditions, Use of Mobile Devices in Early Years Foundation Stage Policy, Visitor and Visiting Speaker Policy and Procedure, Whistleblowing Policy.

The School will update this Privacy Notice from time to time. Any substantial changes that affect employee rights will be provided directly as far as is reasonably practicable.