



Moor House School & College

PRIVACY NOTICE

Applicable to all members of the school and college community (past and present)

INTRODUCTION

This notice is to help you understand how and why Moor House School & College (Moor House) collect personal information about you and our students and what we do with that information. It also explains your rights and the decisions you can make about your information. It is aimed at all members of our community including current, past and prospective pupils and their parents, carers or guardians ("parents").

This notice covers Moor House's School, College, and the Research and Training Institute. Our registered address is Mill Lane, Hurst Green, Oxted, Surrey, RH8 9AQ. Moor House is registered as a charity with the Charity Commission (Charity Number: 311871).

WHAT THIS PRIVACY NOTICE IS FOR

Data Protection Law gives individuals rights to understand how their data is used. This notice explains Moor House's obligations to its entire community (excluding staff who have a separate privacy notice).

This notice applies alongside any other information the Moor House may provide about a particular use of personal data, for example when collecting data via an online or paper form. This notice also applies in addition to our other relevant terms and conditions and policies, including:

- any contract between Moor House and its staff, the parents of pupils, or the local authority;
- our policy on taking, storing and using images of children;
- our CCTV policy;
- our Data Retention and Archiving Policy;
- our Safeguarding and Health and Safety Policies; and
- our IT policies, including Acceptable Use of Technology Policy and E-Safety Policy.

RESPONSIBILITY FOR DATA PROTECTION

Please contact the Bursar (Bursar@moorhouseschool.co.uk) if you have any questions about this notice or queries regarding Moor House's use of your personal information.

WHAT IS PERSONAL INFORMATION

Personal Information is information that identifies you as an individual and relates to you. This includes contact details, education, care and financial information.

WHY WE NEED TO COLLECT AND USE PERSONAL INFORMATION

Moor House's primary reason for using personal information is to provide education services.

This includes using personal information to perform our obligations under contracts with its staff, local authorities or parents of its pupils.

We also use personal information when this is necessary for our legitimate interests.

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

- For the purposes of pupil selection (and to confirm the identity of prospective pupils and their parents);
- 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;
- To undertake research into Developmental Language Disorder (DLD), and the development of frameworks and tools for assisting people with DLD;
- Maintaining relationships with alumni and Moor House's community, including direct marketing or fundraising activity;
- For the purposes of donor due diligence, and to confirm the identity of prospective donors and their background;
- 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 our performance and to intervene or assist with incidents as appropriate;
- To give and receive information and references about past, current and prospective pupils, 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 the results of public examinations or other achievements of our pupils;
- To safeguard pupils' welfare and provide appropriate pastoral care;
- To monitor (as appropriate) use of our IT and communications systems in accordance with our Acceptable use of IT Policy;
- To make use of photographic images of pupils in our publications, on our website and (where appropriate) on our social media channels in accordance with our policy on taking, storing and using images of children;
- For security purposes, including CCTV in accordance with our CCTV Policy;
- To carry out or cooperate with any internal or external complaints, disciplinary or investigation process; and
- Where otherwise reasonably necessary for our purposes, including to obtain appropriate professional advice and insurance.

In addition, we will on occasion 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 will include:

- To safeguard pupils' welfare and provide appropriate pastoral, therapeutic, and where necessary, medical care, and to take appropriate action in the event of an emergency, incident or accident, including by disclosing details of an individual's medical condition or other relevant information where it is in the individual's interests to do so: for example for medical advice, for social protection, safeguarding, and cooperation with police or social services, for insurance purposes or to caterers or organisers of trips who need to be made aware of dietary or medical needs;
- To provide educational services in the context of any special educational needs (SEN) of a pupil;
- In connection with employment of its staff, for example DBS checks, welfare, union membership or pension plans;
- As part of any internal or external complaints, disciplinary or investigation process that involves such data, for example if there are SEN, health or safeguarding elements; or
- For legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with its legal obligations and duties of care.

TYPES OF PERSONAL DATA PROCESSED

This will include by way of example:

- names, addresses, telephone numbers, e-mail addresses and other contact details;
- bank details and other financial information, e.g. about parents who pay fees;
- past, present and prospective pupils' academic, disciplinary, admissions and attendance records (including information about any special needs), and examination scripts and marks;
- personnel files, including in connection with academics, employment or safeguarding;
- where appropriate, information about individuals' health and welfare, and contact details for their next of kin;
- references given or received by Moor House about pupils, and relevant information provided by previous educational establishments and/or other professionals or organisations working with pupils;
- correspondence with and concerning staff, pupils and parents past and present; and
- images of pupils (and occasionally other individuals) engaging in activities, and images captured by our CCTV system (in accordance with our 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 will be supplied by third parties (for example another school, or other professionals or authorities working with that individual); or collected from publicly available resources.

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

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

- professional advisers (e.g. lawyers, insurers, PR advisers and accountants);
- government authorities (e.g. HMRC, DfE, police or the local authority); and
- appropriate regulatory bodies e.g. [NCTL](#), the [Independent Schools Inspectorate](#), the Charity Commission or the Information Commissioner).

For the most part, personal data collected by Moor House will remain within the organisation, and will be processed by appropriate individuals only in accordance with access protocols (i.e. on a 'need to know' basis). Particularly strict rules of access apply in the context of:

- medical records held and accessed only by appropriate medical staff, or otherwise in accordance with express consent; and
- pastoral, therapy records and safeguarding files.

However, a certain amount of any SEN pupil's relevant information will need to be provided to staff more widely to provide the necessary care and education that the pupil requires.

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 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 our Safeguarding Policy.

Finally, in accordance with Data Protection Law, some of our processing activity is carried out on its behalf by third parties, such as IT systems, 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 our 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 is up to 7 years following departure from Moor House. Pupil files are kept until the pupil's 25th birthday. 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 our retention policy is applied, or wish to request that personal data that you no longer believe to be relevant is considered for erasure, please contact the Bursar. However, please bear in mind that we 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 you have requested we no longer keep in touch with you, we will need to keep a record of the fact in order to fulfil your wishes (called a "suppression record").

KEEPING IN TOUCH AND SUPPORTING US

Moor House will use the contact details of parents, alumni and other members of our community to keep them updated about the activities of the Moor House, or alumni and parent events of interest, including by sending updates and newsletters, by email and by post. Unless the relevant individual objects, Moor House will also:

- Contact parents and/or alumni by post and email in order to promote and raise funds for Moor House;
- Should you wish to limit or object to any such use, or would like further information about them, please contact the Bursar in writing. You always have the right to withdraw consent, where given, or otherwise object to direct marketing or fundraising. However, we are nonetheless likely to retain some of your details (not least to ensure that no more communications are sent to your address, email or telephone number).

YOUR RIGHTS

- Rights of access, etc.

Individuals have various rights under Data Protection Law to access and understand personal data about them held by Moor House, and in some cases ask for it to be erased or amended or have it transferred to others, or for Moor House to stop processing it – but subject to certain exemptions and limitations.

Any individual wishing to access or amend their personal data, or wishing it to be transferred to another person or organisation, or who has some other objection to how their personal data is used, should put their request in writing to the Bursar.

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 are better able to respond quickly to smaller, targeted requests for information. If the information request is manifestly excessive or similar to previous requests, we may ask you to reconsider, or require a proportionate fee (but only where Data Protection Law allows it).

- Requests that cannot be fulfilled

You should be aware that the right of access is limited to your own personal data, and certain data is exempt from the right of access. This will include information which identifies other individuals (and parents need to be aware this may include their own children, in certain limited situations – please see further below), or information which is subject to legal privilege (for example legal advice given to or sought by Moor House, or documents prepared in connection with a legal action).

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

You may have heard of the "right to be forgotten". However, we will sometimes have compelling reasons to refuse specific requests to amend, delete or stop processing your (or your child's) personal data: for example, a legal requirement, or where it falls within a legitimate interest identified in this 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 our reasonable opinion, 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/her 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. We 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. Where parents are separated, we will in most cases aim to provide the same information to each person with parental responsibility, but may need to factor in all the circumstances including the express wishes of the child.

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 we are 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). Examples where we do rely on consent are: uses of images, and certain types of fundraising activity. Please be aware however that we may not be relying on consent but have another lawful reason to process the personal data in question even without your consent.

That reason will usually have been asserted under this notice, or may otherwise exist under some form of contract or agreement with the individual (e.g. an employment contract, or because of a purchase of goods or services).

- Whose rights?

The rights under Data Protection Law belong to the individual to whom the data relates. However, we will often rely on parental authority or notice for the necessary ways it

processes personal data relating to pupils – for example, under the parent contract, or via a form. Parents and pupils should be aware that this is not necessarily the same as Moor House 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. 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.

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, we may be under an obligation to maintain confidentiality unless, in our opinion, there is a good reason to do otherwise; for example where we believe 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 our Acceptable use of Technology and E-Safety Policies and Moor House's rules. Staff are under professional duties to do the same, and adhere to the Data Protection Policy.

DATA ACCURACY AND SECURITY

Moor House 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 info@moorhouseschool.co.uk of any significant changes to important information, such as contact details, held about them.

An individual has the right to request that any out-of-date, irrelevant or inaccurate or information about them is erased or corrected (subject to certain exemptions and limitations under Data Protection Law): please see above for details of why we may need to process your data, of who you may contact if you disagree.

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

THIS POLICY

We will update this notice from time to time. Any substantial changes that affect your rights will be provided to you directly as far as is reasonably practicable.

FURTHER INFORMATION AND GUIDANCE

Any comments or queries about this notice should be directed to the Bursar (bursar@moorhouseschool.co.uk). If you believe that Moor House has not complied with this notice or acted otherwise than in accordance with Data Protection Law, please contact the Bursar. If you still consider that we have not acted properly using your personal information you can contact the Information Commissioner's Office at www.ico.org.uk

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