



DATA PROTECTION POLICY

This policy should be read in conjunction with the School's Privacy Notice

This policy is available on the public section of the website.

***The Data Protection Controller is:
Kevin Guy (Bursar)***

RESPONSIBILITY

Staff Member:	Bursar
Governors' Committee:	Risk & Compliance

Last Reviewed:	June 2024
Next Review:	June 2027

DATA PROTECTION POLICY

Preamble

Unicorn School ("the School") is the trading name of The Unicorn School Limited whose Registered Office is 238 Kew Road, Richmond, Surrey, TW9 3JX.

The Governing Body of the School is required to protect all members of the Unicorn School community's right to privacy in line with the relevant legislation ("Data Protection Law"). The relevant legislation includes the General Data Protection Regulation (EU 2016/679) and the UK Data Protection Act 2018, as well as other potentially supporting legislation.

Responsible Person

The School is the Data Controller. The Governors have appointed the Bursar as Data Protection Controller to oversee its role as Data Controller by being responsible for ensuring safe and confidential systems are in place in the School and for monitoring their effectiveness.

Registration

Unicorn School is registered with the Information Commissioner's Office under Data Protection Law and if Unicorn School is found to be in breach of its legal obligations, it may lose its right to process information.

Privacy Notice

Please refer to the School's "Privacy Notice" which details the School's policy towards data processing and the rights of individuals to have access to information held about them by the School.

Sensitive Information

Unicorn School will only process sensitive data relating to pupils or employees if

- the School obtains explicit consent; or
- it is necessary to perform a legal right or obligation.

Staff Recruitment

Please see the School's Safeguarding Children/Safer Recruitment Policy.

DATA PROTECTION PRINCIPLES

Unicorn School complies with all these principles which are that personal Data shall be:

1. Processed fairly and lawfully.
2. Obtained for specified purposes and only processed in accordance with those purposes.
3. Adequate, relevant and not excessive.
4. Accurate and up to date.
5. Kept only for so long as is necessary for the specified purposes (see 2. above).
6. Processed in accordance with data subject rights according to legislation.
7. Kept secure in a locked filing cabinet/cupboard or secure on-line Cloud Storage
8. Not be transferred to people or organisations situated in countries without adequate protection.

Unicorn School aims to balance the School's need to keep records with each family's and employee's right to a private life.

DATA RELATING TO PUPILS

Purposes

- Pupil reports
- Attendance registers
- Health records
- Emergency contact records
- Test results
- Performance statistics
- Pastoral care
- Safeguarding

Unicorn's Obligations

- Pupils' reports and records held on computer and/or hard copy will be held in accordance with the above principles.
- The School must take into account Data Protection Law when disclosing records that refer to anyone within the School's community and will only do so in accordance with the School's Privacy Notice.

Access

- Parents and pupils have certain rights of access to data held about themselves in accordance with the School's Privacy Notice.
- Parents should be aware that, in law, children are generally assumed to have sufficient maturity to be responsible for their own data once they reach the age of 13 years.

The following "**special category personal data**" may be held by the School:

- Medical records
- Information relating to special educational needs
- Safeguarding records

DATA RELATING TO STAFF

Purposes

- References
- Employee reports
- Appraisals
- Recruitment
- Professional development
- Payroll
- Safeguarding

Unicorn's Obligations

- Staff records held on computer and/or in hard copy will be held in accordance with the above principles.
- Written records, e.g. registers are kept in accordance with the above principles.

Access

- Staff have certain rights of access to the information held by the School about them. Please see the Privacy Notice for further details.

The following “**special category personal data**” may be held about employees:

- Recruitment of new staff involves completion of a short medical questionnaire.
- For current staff, medical information will only be obtained if necessary to prevent a significant health risk or if needed to determine an employee's continuing fitness for the role or fitness to return to work after absence. It may also be needed to determine entitlement to health related benefits or to prevent discrimination or assess the need to make reasonable adjustments or any other legal obligations.
- As part of the School's Safeguarding Obligations, all Staff undergo an Enhanced DBS prior to appointment which may be repeated in subsequent years.

GOVERNORS AND VOLUNTEERS

Purposes

The following information may be held about Governors or volunteers:

- References
- Recruitment
- Safeguarding

Unicorn's Obligations

- Governor or volunteer records held on computer and/or in hard copy will be held in accordance with the above principles.
- Written records, e.g. registers are kept in accordance with the above principles.

Access

- Governors and volunteers have certain rights of access to the information held by the School about them. Please see the Privacy Notice for further details.

The following “**special category personal data**” may be held about governors and volunteers:

- As part of the School’s Safeguarding Obligations, all Governors and volunteers undergo an Enhanced DBS prior to appointment which may be repeated in subsequent years.

TRANSFERRING INFORMATION TO THIRD PARTIES

Information concerning anyone in the School’s community (eg. pupils, parents and employees) will not be sent outside the School, unless it is information that Unicorn School is under a legal obligation or other duty to disclose. In these cases only essential and pertinent data will be divulged and every effort will be made to make the data anonymous.

RECORDS

It is the responsibility of parents, staff, Governors and volunteers to make every effort to notify the School (through the Registrar or Bursar, as appropriate) of any changes of address, telephone numbers, bank details (if appropriate), marital status and name.

MONITORING AND REVIEW

This policy will be reviewed by the Governing Body through the Risk and Compliance Committee. It will be noted by the Governing Body annually.

FREEDOM OF INFORMATION

At the moment of writing, it is understood from IAPS and the ISC that the Freedom of Information Act 2000 effective January 2005 does not apply to Independent Schools. Should this situation change then the appropriate principles will become effective, subject to certain exemptions.

PHOTOGRAPHING CHILDREN

Please see the School’s “Taking, Storing & Using Images of Children” Policy and the “CCTV” Policy for details.