

# DATA PROTECTION PRIVACY NOTICE TO PUPILS

Title	DATA PROTECTION PRIVACY NOTICE TO PUPILS
Version	2.0 November 2023
Created	Governance Committee/Data protection Lead
Validity	Pupils
Next review date	If required

## 1. General Statement of the School's Duties

You have a legal right to be informed about how the school uses any personal information that it holds about you. To comply with this, this "privacy notice" is provided to you to explain how the school collects, stores, and uses personal data about you.

The German School London is called the "data controller" for the purposes of data protection law.

## 2. Personal Data the School Holds

The school holds some personal information about you to make sure it can teach you, to look after you at the school, and to provide others, such as prospective pupils and parents/guardians, with a picture of school life. For the same reasons, it receives information from some others, including schools, the local council, and the government.

Contact information, educational records, disciplinary records, accident reports, exclusion information, safeguarding information, and media like photos and videos are all included in this, among others.

### **3. Why the School Uses the Data**

The school uses the information (data) it holds about you to help run the school. We may collect and process your personal data to get in touch with you and your parents/guardians when we need to, to check how you're doing in exams and work and whether you or your teachers need any help, to track how well the school is performing, to look after your wellbeing, to look after school property and library services, to administer its bus and cafeteria services, to keep the school's accounts and records up to date, to comply with the law regarding the sharing of your data with others, for the organisation of alumni associations and events, for marketing and fundraising purposes, and to support and manage our staff.

As you may have seen from the school's notices around the grounds, it also uses CCTV to keep the school and its property safe, and for preventing and investigating crime. This list is not exhaustive, and we may need to amend it from time to time. We may also receive data directly from you, for example when you or your parents/guardians write to the school by letter or email. As you know, we also keep records such as the School's Accident and Attendance records.

### **4. Processing of Personal Data**

The school will only process your personal data for the specific purposes set out above or for any other purposes specifically permitted by law. You will be notified when the school collects the data or as soon as possible thereafter.

While in most cases you, or your parents/guardians must provide the personal information that we collect, there are some occasions when you can choose whether to provide the data.

We will always tell you if it is optional and give you or your parents/guardians the chance to object. If you must provide the data, we will explain why and what might happen if you don't.

### **5. Special Category Data**

Special Category Data includes information such as racial or ethnic origin, political opinions, religious or philosophical beliefs, biometric data, sexual orientation, health information and, if applicable, criminal offence data.

The school is aware that processing special category data calls for extra security measures to protect individuals' rights and liberties. The school endeavors that the required security precautions are in place to protect the data and will only process special category data when doing so is reasonable and necessary. The school will also make sure that any third-party processors that handle special category data comply with data protection laws and have the right contracts in place to safeguard the information.

### **6. The school's legal basis for using this data**

The school collects and uses your data when the law allows it to.

- We need to comply with the law

- We need it to provide our services.
- We use it to carry out a task in the public interest, and the use is necessary and proportionate with your right to privacy
- In emergency situations only: We need to do so to protect someone's vital interests.
- We have obtained your consent.

Where we have obtained your consent or your parents/guardians' consent to the use of your personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using personal data overlap, and there may be several grounds which justify the use of this data.

### **7. How the school stores this data**

The school keeps personal information about pupils while they are attending the school. It may also keep it beyond this time if this is necessary to comply with our legal obligations.

On request, the school can provide you with a copy of its schedule for the time your data is kept before it is securely destroyed.

### **8. Sharing data**

The school may share information with several organizations, including local authorities, government agencies, suppliers, organizations that support health and social welfare, other educational institutions, and survey and research firms. The German government and youth assistance services may also receive information about you.

In addition, the school shares data and photographs of its public events and of school life. Data and photographs are placed on the school's website and its social media platforms or in the school's brochure. The school's policy is not to include your name or other personal data in external publications without your consent. The annual yearbook, made available to purchase internally to the school community, contains class photographs, and their inclusion is considered in the school's legitimate interests. As regards to photographs of school events, which are open to the public, it may not, however, be practicable to ensure that every person there depicted has consented to the photograph being published. The school will, nevertheless, take reasonable efforts to ensure that such publications do not cause harm to any individuals attending those events.

From time to time, the school may receive requests from third parties to disclose personal data it holds about you, your parents, or guardians. The school confirms that it will not generally disclose information unless you or your parents/guardians have given consent or one of the specific exemptions under the GDPR applies.

Where the school receives a disclosure request from a third party it will take reasonable steps to verify the identity of that third party before making any disclosure. Whenever possible, parents/guardians or yourself will be notified before the disclosure of any information to third parties.

## 9. Rights of Access

You have a right of access to information held by the school, and how we use it, by making a “subject access request”, if we judge that you can properly understand your rights and what they mean. If you wish to access personal put your request in writing to the Data Protection Lead. We will:

- Give you a description of it
- Tell you why we are holding and using it, and how long we will keep it for
- Explain where we got it from, if not from you or your parents/guardians
- Tell you who it has been, or will be, shared with
- Let you know if we are using your data to make automated decisions

In responding to any access requests, certain information is exempt from the right of access. This may include information which identifies other individuals, information which the school reasonably believes is likely to cause damage or distress, or information which is subject to legal professional privilege.

Further any reference given by the school for the purpose of education, training or employment, or prospective education, of any pupil is confidential and therefore the school may withhold disclosure. The school acknowledges that an individual may have the right of access to a reference relating to them received by the school. However, such a reference will only be disclosed, if such disclosure will not identify the source of the reference or where, notwithstanding this, the referee has given their consent or if disclosure is reasonable in all the circumstances.

Parents/guardians also have a legal right to access your educational record.

## 10. Other Rights

You have other rights over how your personal data is used and kept safe, including the right to:

- Say that you don't want it to be used if this would cause, or is causing, harm or distress
- Stop it being used to send you marketing materials
- Say that you don't want it to be used to make automated decisions
- Have it corrected, deleted or destroyed if it is wrong, or restrict our use of it
- Claim compensation if the data protection rules are broken and if this harms you in some way.

## 11. Parents and pupils' rights regarding personal data:

The school will in most cases rely on your parents' or guardians' consent to process data unless, given the nature of the processing in question, and the pupil's maturity it is unreasonable in all the circumstances to rely on the parent's consent. Usually, we will assume that we require your parents' consent until you are aged 13 or over.

The school will only grant a pupil direct access to their personal data if in the school's reasonable belief, the pupil understands the nature of the request. Again, we will generally assume that this stage of maturity is reached from age 13.

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 or guardians, the school will maintain confidentiality unless it has reasonable grounds to believe that the pupil does not fully understand the consequences of withholding their consent, or where the school believes disclosure will be in the best interests of the pupil or other pupils.

## **12. Accuracy**

The school will try to ensure that all personal data held in relation to you is accurate. You have the right to request that inaccurate information about you is erased or corrected.

## **13. Security**

The school will take reasonable steps to ensure that members of staff will only have access to personal data relating to pupils, their parents, or guardians where it is necessary for them to do so. All staff will be made aware of this statement and their duties under data protection law. The school will ensure that all personal information is held securely and is not accessible to unauthorised persons. International transfers of personal data only occur where data servers are located outside of the UK and we refer to safeguards provided by Microsoft and the German Foreign Office.

## **14. Enforcement**

The school takes any complaints about the collection and use of personal information very seriously.

If you believe that the school has not complied with this policy or acted otherwise than in accordance with data protection law, you can contact the Data Protection Lead.

Alternatively, you can make a complaint to the Information Commissioner's Office.

- Report a concern online at <https://ico.org.uk/concerns>
- Call 0303 123 1113
- Write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

## **15. Contact us**

If you have any questions, concerns or would like more information about anything mentioned in this privacy notice, please contact our Data Protection Lead:

Barbara Johannis, German School Association Ltd. Douglas House, Petersham Road, Richmond TW10 7AH – UK. [barbara.johannis@dslondon.org.uk](mailto:barbara.johannis@dslondon.org.uk) +44(0)2089402510