

Privacy Notice

1. WHO WE ARE

- 1.1. This Privacy Notice is for The Ladies' College, Guernsey, comprising Melrose (including the Pre-Preparatory department), the Senior School and the Sixth Form. The Ladies' College is a Guernsey registered charity, with number CH311.
- 1.2. References to the "**College**" include all parts of The Ladies' College, Guernsey (including its Parent/Teacher Associations (each a "**PTA**")). References to the Guernsey Ladies' College Guild (the "**Guild**") are to the association which liaises with alumni of The Ladies' College.
- 1.3. The Ladies' College, Guernsey is the data controller of personal data that we hold in connection with the College's school community, for the purposes of data protection law. We are committed to protecting and respecting your privacy and we take our responsibilities as a data controller seriously.
- 1.4. If you have any questions about this Privacy Notice or concerning your personal information and its use, please contact the College's Data Protection Officer at dpo@ladiescollege.ac.gg; or by telephone on 01481 721602; or by post to The Data Protection Officer, The Ladies' College, Les Gravées, St Peter Port, Guernsey GY1 1RW.

2. WHAT THIS PRIVACY NOTICE IS FOR

- 2.1. This information is provided because data protection law gives rights to individuals to understand how their data is used. Current, past or prospective pupils of Melrose and students of the Senior School and the Sixth Form (together referred to as "**students**"), parents, carers or guardians (together referred to as "**parents**"), colleagues (i.e. staff), contractors, alumni, donors, friends, supporters, volunteers and other individuals connected to the College community, or visiting the College, are all encouraged to read this Privacy Notice and understand the College's obligations to its entire school community.
- 2.2. We collect and store personal information (or "**data**") about you, whether you are individuals with offline database records or individuals with online profiles. This Privacy Notice sets out:
 - a) information about how we collect data about individuals including: our students, their parents, our colleagues, donors, friends, supporters, volunteers, contractors

and suppliers connected to our school community (in each case, whether current, past or prospective); and

- b) where and how we will use (“**process**”) personal data about individuals.

2.3. This Privacy Notice applies:

- a) alongside any other information the College may provide about a particular use of personal data, for example, when collecting data via an online or paper form; and
- b) in addition to the College’s applicable terms and conditions and policies, including any contract between the College and the parents of students (a “**Parent Contract**”) or between the College and its colleagues; the College’s policies on, for example, child protection/safeguarding; health and safety; ICT including Acceptable Use (Students), images of children, E-Safety and the Social Media Code of Conduct; data protection; Bring Your Own Device; CCTV and any other applicable policy.

2.4. Anyone who works for, or acts on behalf of, the College (including colleagues, volunteers, governors and service providers) will be subject to suitable training and/or policies commensurate with their role.

3. TYPES OF PERSONAL DATA WE COLLECT AND PROCESS

3.1. We process personal data in different forms **including** factual information, expressions of opinion, images or other recorded information that identifies or relates to a living individual. The information we have about you depends on where we collect it, and may include:

- a) names, addresses, telephone numbers, email addresses and other contact details;
- b) car details (about those who use our car parking facilities);
- c) bank details and other financial information, e.g. about parents or others paying fees to the College and donors and donations made to the College (including from the Guild or a PTA);
- d) current, past or prospective students’ academic, disciplinary, admissions records, attendance records (including information about any special educational needs (SEN)) and examination scripts and marks;
- e) references given or received by the College about students (whether current, past or prospective) and relevant information provided by previous educational establishments and/or other professionals or organisations working with such students;
- f) where appropriate, information about an individual’s health, welfare and contact details for their next of kin;
- g) images of students (and occasionally other individuals) engaging in College (including Guild and PTA) activities (in accordance with the applicable College policies) and images captured by the College’s CCTV system;

- h) years studying, working or volunteering at the College; further or higher education and work details;
- i) correspondence with and concerning students, parents and colleagues (whether past, current or prospective);
- j) personnel files, including in connection with academics, employment (including job applications) or safeguarding;
- k) geo-location data (your geographical location based on your IP address) in connection with the College's websites and IT systems (whether its own or hosted), log-ins and activity on those sites; consent options and communication preferences;
- l) participation in our events, emails, competitions, surveys and other activities; content (such as announcements, stories, photos, documents, comments, events, jobs) that you post on the College's websites or social media sites or provide to us by other means; messages that you send to others via the direct messaging system when logged in to the College's websites or social media sites.

4. HOW WE COLLECT INFORMATION

- 4.1. The College generally collects and receives personal data from the individual directly (including, in the case of students, from their parents). This may be via a form, or simply in the ordinary course of interaction or communication (such as email or written surveys or assessments). In some cases, we will collect and receive personal data supplied by third parties (for example, other schools, referees, the Disclosure and Barring Service (DBS) or other professionals or authorities working with that individual), or from publicly available resources.

5. WHY AND HOW WE USE AND PROCESS YOUR PERSONAL DATA

Purposes

- 5.1. In order to carry out its ordinary duties to students, parents, colleagues and the College community, the College needs to process a wide range of personal data about individuals (including current, past and prospective students, parents, colleagues, donors, friends, supporters, volunteers, contractors and suppliers of the College school community) as part of its daily operation.
- 5.2. The College will (or will need to) carry out some of this processing activity:
 - a) in order to fulfil its legal rights, duties or obligations, including those under a Parent Contract, or a contract with a colleague, or under the College's terms and conditions and its policies;
 - b) in accordance with the College's legitimate interests, or the legitimate interests of another, provided these are not outweighed by the impact on individuals and provided it does not involve special or sensitive types of data; or
 - c) where consent to use that information has been given.

5.3. The College processes personal data for its operations as an independent school and expects that the following uses will fall within its (and its community's) legitimate interests:

- a) for the purposes of assessment and admission of students and to confirm the identity of prospective students and their parents and retain a record (if appropriate) for the purposes of future applications or openings; to give and receive information and references about past and current students, including relating to outstanding fees or payment history, to/from any educational institution that the student attended or where it is proposed they attend; and to provide references to potential employers of past or current students;
- b) to provide education services, including the administration and provision of the school curriculum and timetable; monitoring students' progress and educational needs; reporting on progress and educational needs internally and to parents; the administration of students' entries into public examinations; reporting upon and publishing results from public examinations or other achievements of students of the College; providing references for a student (including a former student of the College);
- c) to provide educational support and related services to students and parents, including the maintenance of discipline; and the administration and provision of: careers and library services, sports fixtures and teams, school trips and other co-curricular activities and events; and the administration and provision of the College's IT and communications system and virtual learning environment, including monitoring them in accordance with the College's ICT and other relevant policies;
- d) to safeguard students' welfare and provide appropriate child protection, pastoral care, welfare and healthcare services by College colleagues and other professionals;
- e) to comply with law and regulation or any inspection regime with which the College complies, including the preparation and provision of information for the Committee *for* Education, Sport and Culture, inspections by the Independent Schools Inspectorate and submission of annual census information to the Independent Schools Council; to enable relevant authorities to intervene or assist with incidents as appropriate;
- f) for the purposes of operational management, including compiling and maintaining student records; the administration of invoices, fees and accounts; managing the College's property; managing the College's security and safety arrangements (including monitoring the IT and communications systems and the use of any CCTV in accordance with our CCTV, ICT and other relevant policies; management planning and forecasting; research and statistical analysis; the administration and implementation of the College's rules and policies and procedures for students, colleagues and parents; the maintenance of historic archives; and other operational purposes;
- g) to carry out or cooperate with any College or external complaints, disciplinary or investigation process or action;
- h) for the purposes of administration relating to colleagues including recruitment of colleagues, the engagement of contractors and service providers (such as the

Disclosure and Barring Service (DBS) procedures); the administration of payroll, pensions and sick and other leave; the review and appraisal of colleagues' performance; the conduct of any grievance, capability or disciplinary procedures; the maintenance of human resources records for current, prospective and past colleagues and retaining a record (if appropriate) for the purposes of future applications or openings; the provision of training; and the provision of references;

- i) to promote the College and its community through the College websites, prospectus and other publications and communications (including, where appropriate, on the College's social media channels), including making use of photographic images of students in College publications, in accordance with the applicable College policies; and engaging in and with advertising, marketing, public relations and fundraising activities;
- j) to maintain and develop relationships with alumni and the wider College and general community, by communicating with past, current and prospective students and/or their parents, friends, supporters and volunteers of the College community, including organising events and using the College websites and social media channels;
- k) to deliver our obligations under any contract between us and another (whether, for example, parents, colleagues, donors, contractors or suppliers) and the related administration;
- l) to analyse your engagement with the College community including our IT systems, websites, social media channels and other content to help us improve our services for you;
- m) to seek your views on the services or activities we carry out, so that we can make improvements;
- n) for the purposes of prospect research for direct marketing, to identify potential donors who may support a fundraising campaign, any donor due diligence and/or confirming the identity of prospective donors and their background;
- o) for charity and voluntary work; and
- p) where otherwise reasonably necessary for the College's purposes, including to obtain appropriate professional advice and insurance for the College.

5.4. In addition, the College 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 Disclosure and Barring Service (or DBS) checks) in accordance with rights or duties imposed on us by law, including as regards safeguarding and employment or, from time to time, by explicit consent where required.

These reasons will include:

- a) to safeguard students' 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, for medical advice; for social protection, safeguarding and cooperation with the police, social and other relevant services;

- for insurance purposes; or to caterers or organisers of the College trips or events who need to be made aware of dietary or medical needs;
- b) to provide educational services in the context of any special educational needs (SEN) of a student;
- c) to provide spiritual education in the context of any religious beliefs;
- d) in connection with employment of its colleagues, for example, Disclosure and Barring Service (DBS) checks, welfare, union membership or pension plans;
- e) as part of any College or external complaints, disciplinary or investigation process or action that involves such data, for example, if there are special educational needs (SEN), health or safeguarding elements; or
- f) 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.

Keeping in touch and supporting the College

- 5.5. We keep in touch with alumni, including members of the Guild, former parents, colleagues, donors and other members of the College community in order to, among other things, keep them updated about activities of the College, alumni or parents, or other College community news, events of interest, careers initiatives, social and fundraising activities, in a number of ways, including by updates, newsletters and invitations, by post and email. We will use personal information, including contact details, with a legal basis for processing your data and in accordance with the College's legitimate interests.
- 5.6. The College (including the PTAs) fundraises from individuals, companies, trusts, foundations and other associations who want to support our and other charitable purposes. Fundraising for the College helps us to achieve our strategic objective of remaining independent. We do not use third party profiling service providers, but we analyse publicly available information about potential donors (for example, from articles in the media, LinkedIn, the Guernsey Registry and similar registries, the Association of Guernsey Charities and similar charity registers), in order to create a profile of interests and preferences, so that we can make appropriate requests for support. In addition to paragraphs 5.3 and 5.5, the College will:
- a) share personal data about students, parents, colleagues, alumni, donors, friends, volunteers, contractors and suppliers (whether past, current or prospective), as appropriate, with organisations within the College community set up to help establish and maintain relationships with the College community, such as the PTAs, the Guild and the College websites;
 - b) contact students, parents, colleagues, alumni, donors, friends, volunteers, contractors and suppliers (whether past, current or prospective) (including via the organisations above), by post and email, in order to promote, market and raise funds for the College (including the PTAs) or otherwise for the general benefit of the College and, where appropriate, other worthy causes; and
 - c) collect information from publicly available sources about the occupation and activities of parents, former parents and students or others, in order to maximise

the College's fundraising potential, undertake donor due diligence and confirm the identity of prospective donors and their background.

6. UPDATING YOUR CONSENT PREFERENCES

- 6.1. Please let us know if you wish to limit or object to any use of your data or if you have any particular preferences regarding the information, so that we can ensure that our communications are of relevance to you. You can always update your preferences by contacting us, including withdrawing consent (where given) or otherwise object to the communication we send to you. The College is still likely 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 data preferences will not affect your contact with us as a current parent. If you want to contact us about your consent preferences, please contact the relevant College office or the Data Protection Officer, whose contact details are in paragraph 1 above.

7. WHO HAS ACCESS TO PERSONAL DATA AND WHO THE COLLEGE SHARES IT WITH

Processing by third parties

- 7.1. For the most part, personal data collected by the College will remain within the College and will be processed by appropriate individuals only in accordance with access protocols (i.e. on a 'need to know' basis). Some functions are outsourced including, for example, cloud storage, records and management information systems, hosted databases, website development, monitoring software and hosting the College community websites. In accordance with data protection laws, 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 College's specific directions.

Data sharing

- 7.2. In the course of the College's community activities, the College (including its governors) will need to share personal information (including "special category" data, where appropriate) relating to its community, with third parties, such as:
- a) medical professionals (including school doctors and nurses), future schools and educational bodies;
 - b) its professional advisers (e.g. lawyers, insurers, accountants, marketing, research and PR advisers);
 - c) government authorities or bodies (e.g. the Local Child Safeguarding Board, the Revenue Service, the Committee for Education, Sport & Culture, the Committee for Health & Social Care, the States' Housing Control department or the police);
 - d) appropriate regulatory bodies (e.g. [Independent Schools Inspectorate](#), the Registrar for Guernsey charities or the Data Protection Commissioner);
 - e) with Elizabeth College as part of our Sixth Form partnership arrangements;
 - f) appropriate contractors, such as visiting music teachers;
 - g) members of the PTA and the Guild;
 - h) examinations boards;

- i) members of complaints panels;
- j) third parties who provide services for us, for example, hosted databases, the College websites, the school calendar, the school parent portal, the College's information systems, website developers and/or cloud storage provider. We select our third party service providers with care. We provide these third parties with the information that is necessary to provide the service and we will have an agreement in place that requires them to operate with the same care over data protection as we do;
- k) third parties, if we run an event in conjunction with them. We will let you know how your data is used when you register for any event;
- l) web-hosting, email hosting, analytics and search engine providers that enable us to run our IT systems, websites, databases and social media channels and to improve our IT systems, websites and social media channels and their use;
- m) third parties in connection with restructuring or reorganisation of our operations. In such event, we will take steps to ensure your privacy rights will be protected by the third party.

Access to sensitive information

7.3. Particularly strict rules of access apply in the context of “special category” data, most notably:

- a) medical records; and
- b) pastoral care or safeguarding files.

Medical data

7.4. The College needs to process such information to comply with statutory duties and to keep students safe, but the College will ensure that only authorised colleagues 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.

7.5. However, a certain amount of any SEN student’s relevant information will need to be provided to colleagues more widely in the context of providing the necessary care and education that the student requires.

Safeguarding data

7.6. Students, parents and colleagues are reminded that the College is under duties imposed by law and follows 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 file notes on personnel or safeguarding files, low-level concerns records kept about students or adults and, in some cases, referrals to relevant authorities such as the Multi-Agency Support Hub (or MASH) or police. KCSIE also requires that, whenever a child leaves the College to join another school, their child protection file is promptly provided to the new organisation. The College will retain a copy in accordance with its retention practices for material

related to safeguarding matters. For further information about this, please view the College's Child Protection (Safeguarding) Policy.

General

- 7.7. We always ensure only authorised persons have access to your personal data for processing and that they process for the purposes for which the data was provided. This means only our approved colleagues and contractors, and that everyone who has access is appropriately trained in data management.
- 7.8. If you have an online profile to access the College's IT systems, such as RM Unify or the Parent Portal, you are responsible for keeping your login details (email and password) confidential and we ask that you do not share your password with anyone.
- 7.9. No data transmission over the internet can be guaranteed to be completely secure. Whilst we strive to safeguard your information, we cannot guarantee the security of any information you provide online and you do this at your own risk.
- 7.10. We do not transfer personal data outside the Bailiwick of Guernsey, the United Kingdom or countries in the European Economic Area, unless we are satisfied that the personal data will be offered the equivalent level of protection.
- 7.11. The College and the Guild share personal data about some former College students. We do not otherwise share or sell personal data to other organisations for their own purposes. Other than this, and subject to applicable exemptions, we will not share your information with other organisations without your consent.

8. HOW LONG WE KEEP PERSONAL DATA

- 8.1. The College will hold personal data securely and only for as long as it is necessary to keep for a legitimate and lawful reason, or as based on specific guidance from regulatory bodies. The College will retain different types of data for differing periods, for different purposes, depending on statute and best practice.
- 8.2. Where we rely on your consent to contact you for direct email marketing/ fundraising purposes, we will treat your consent as lasting only for as long as it is reasonable to do so. We may periodically ask you to renew your consent.
- 8.3. If you have any specific queries about how our retention of data practices are applied, or wish to request that personal data that you no longer believe to be relevant is considered for amendment or erasure, please contact the College's Data Protection Officer (whose details are set out in paragraph 1 above), who will handle such requests at College.
- 8.4. A limited and reasonable amount of information will be kept for archiving purposes; and even where you have requested we no longer keep in touch with you, we will need to keep a record of your contact details and limited information, so that we can keep a record of that fact in order to fulfil your wishes (called a "suppression record"). If you ask us to remove your personal data from our database, we will delete information apart from your name and the dates (if any) that you attended the College and archive your

record in our database. Please bear in mind that the College will often have lawful and necessary reasons to hold on to some personal data even following such request.

9. YOUR RIGHTS

- 9.1. Individuals have various rights under data protection law to access and understand their own personal data held and processed by the College (through a subject access request) and, in some cases, ask for it to be erased or amended or to have it transferred elsewhere, or for the College to stop processing it, but subject to certain exemptions and limitations.
- 9.2. The College 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 generally one month, but actually fulfilling more complex or multiple requests, for example, those involving third party information, may take one to two months longer).
- 9.3. All of these rights are subject to certain safeguards and limits or exemptions. To exercise any of these rights, you should contact the College's Data Protection Officer (details are set out in paragraph 1 above).

Rights of access, etc.

- 9.4. The College 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 College may ask you to reconsider, or require a proportionate fee (but only where data protection law allows it).
- 9.5. If you consider that the personal data the College holds on you is inaccurate, please let us know. An individual has the right to request that any out-of-date, irrelevant or inaccurate or information about them is erased (the "*right to be forgotten*") or corrected (subject to certain exemptions and limitations under data protection law): please see above for details of why the College may need to process your data, or who you may contact if you disagree.

Requests that cannot be fulfilled

- 9.6. You should be aware that rights under the data protection law (including the right of access) are limited to your own 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 – please see further below), or information which is subject to legal privilege (for example, legal advice given to or sought by the College, or documents prepared in connection with a legal action).
- 9.7. The College is also not required to disclose any student examination scripts (or other information consisting solely of student test answers, although markers' comments may still be disclosable if they constitute student personal data); provide examination or other test marks ahead of their ordinary publication date; nor share any confidential reference held by the College that was (or will be) given for the purposes of the education, training, appointment or employment of any individual.

- 9.8. In relation to the “right to be forgotten” (referred to in paragraph 9.5 above), 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, if such processing is a legal requirement, or where it falls within a proportionate legitimate interest identified in this Privacy Notice. Generally, if the College considers the processing of the personal data to be reasonably necessary, it is entitled to continue. All such requests will be considered on their own merits.

Requests by or on behalf of students

- 9.9. Students can make subject access requests for their own personal data, provided that, in the reasonable opinion of the College, they have sufficient maturity to understand the request they are making. A student of any age may ask a parent or other representative to make a subject access request on their behalf. Older students at the Senior School (typically aged around 13 and above, although this may also depend on the personal data requested including any relevant circumstances at home), are generally assumed to have this level of maturity. A person with parental responsibility will generally be entitled to make a subject access request on behalf of students, but the law always considers the information in question to belong to the child. For an older student, the parent making the request may need to provide evidence of their child’s authority for the specific request. Requests not considered to be in the child’s best interests may sometimes be refused.

Parental requests, etc.

- 9.10. 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 students, without the relevant student’s consent. The College may consider there are lawful grounds for sharing personal data, with or without reference to that student. Parents will in general receive educational and pastoral updates about their children, in accordance with the applicable Parent Contract. All information requests from, on behalf of, or concerning students, whether made under subject access or simply as an incidental request, will therefore be considered on a case-by-case basis.

Consent

- 9.11. Where the College is 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 noted in paragraph 9.9 above). Please be aware that the College may not be relying on consent, but 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 (for example, an employment contract or the Parent Contract, or because a purchase of goods or services has been requested, or due to membership of an organisation, such as the Guild or a PTA).

Whose rights?

- 9.12. The rights under data protection law belong to the individual to whom the data relates. However, the College will often rely on parental consent or notice, for the necessary ways it processes personal data relating to students, for example, under the Parent Contract, or via a form (if consent is required), unless, given the nature of the processing

in question, and the student's age and understanding, it is more appropriate to rely on the student's consent. Parents and students should be aware that this is not necessarily the same as the College relying on strict consent (see section on Consent above).

- 9.13. Where consent is required, it may in some cases be necessary or appropriate, given the nature of the processing involved and the student's age and understanding, to seek the student's consent, either alongside or in place of parental 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 Parent Contract with the College, and all the circumstances.
- 9.14. In general, the College will assume that students' consent is not required for ordinary disclosure of their personal data to their parents, for example, for the purposes of keeping parents informed about the student's activities, progress and behaviour, and in the interests of the student's welfare, unless, in the College's opinion, there is a good reason to do otherwise.
- 9.15. Where a student seeks to raise concerns confidentially with a colleague and expressly withholds their agreement to their personal data being disclosed to their parents, the College may be under an obligation to maintain confidentiality unless, in our opinion, there is a good reason to do otherwise, for example, where the College believes disclosure will be in the best interests of the student or other students or is required by law.

10. DATA ACCURACY AND SECURITY

- 10.1. The College 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 the College's Data Protection Officer (details are set out in paragraph 1 above) of any significant changes to important information, such as contact details, held about them.
- 10.2. The College will take appropriate technical and organisational steps to ensure the security of personal data about individuals, including policies and protocols around use of technology and devices, destruction of data and access to College systems. All colleagues, volunteers and governors will be made aware of these policies and protocols and their duties under data protection law and receive relevant training.

11. THIS NOTICE

- 11.1. **The College may change this Privacy Notice from time to time. If we make any significant changes we will advertise this on the College's main website or contact you directly with the information. Please check the Policies section on the Information page of our website occasionally to make sure you are happy with any changes.**

12. COMPLAINTS

- 12.1. If you are not happy with the way in which we have processed or dealt with your information, or if you believe that we have not complied with this Privacy Notice or

have acted otherwise than in accordance with data protection law, you should notify the College's Data Protection Officer (details are set out in section 1 above). You can also refer the matter to the Office of the Data Protection Commissioner (contact details can be found at www.odpa.gg). Please note that the Data Protection Commissioner recommends that steps are taken to resolve the matter with the College before involving the Commissioner.

This Privacy Notice was agreed 15 June 2020.