

## Privacy Notice

Applies to Prep, Pre-Prep and EYFS

Reviewed and approved:	Compliance Officer September 2024
Next review due:	May 2025



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This Privacy Notice explains the types of personal data which Dragon School will collect and how the School will use (process) this personal data. This notice covers personal data relating to parents, pupils, staff, alumni and any other individuals about whom the School processes personal data. Before submitting personal data to the School, please ensure you have fully understood this notice and any other Privacy Notice which may apply to you.

A simplified version of the notice is also available for children.

## **WHO WE ARE**

Dragon School is a school governed by a board of trustees, Dragon School Trust Ltd. The registered address for the company is:

Dragon School Trust Ltd.  
Bardwell Road  
Oxford  
OX2 6SS

Telephone: 01865 315400

Email: [data.protection@dragonschool.org](mailto:data.protection@dragonschool.org) (for data protection enquiries)

Company number (England & Wales) 524331

Charity number 309676

Dragon School Trust Ltd. is the data controller and this notice applies throughout Dragon School. References to 'Data Protection law' include the EU General Data Protection Regulation, the UK General Data Protection Regulation, direct marketing law and any applicable UK Data Protection Act.

## **WHO THIS PRIVACY NOTICE IS FOR**

This notice applies to:

- governors, staff, supply staff, contractors, volunteers and anyone else working on behalf of the School (staff)
- current and prospective pupils (pupils)
- past pupils and the Dragon Community (all those who have formed an association with the School) (alumni)
- parents, carers or guardians of pupils and alumni (parents)

References to employment or staff in this notice should not be taken to imply or confer any relationship of employment where there is none.

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 an online or paper form. This Privacy Notice also applies in addition to the School's other relevant terms and conditions and policies.

## **RESPONSIBILITY AND CONTACT DETAILS FOR DATA PROTECTION**

The School has appointed a Compliance Officer who is the first point of contact for requests and enquiries concerning the School's use of personal data.

The School has a Data Protection Team consisting of the Bursar, Compliance Officer and Director of IT who jointly endeavour to ensure that all personal data is processed in compliance with this notice and Data Protection law.

The Compliance Officer can be contacted at:

- data.protection@dragonschool.org
- 01865 315400
- Dragon School, Bardwell Road, Oxford, OX2 6SS

The School does not currently intend to appoint a Data Protection Officer.

## **HOW THE SCHOOL COLLECTS DATA**

Generally, the School receives personal data from the individual directly. In the case of pupils, information is often received from their parents. This may be via a website form, on paper, or simply in the ordinary course of interaction or communication (such as verbally, by email or written assessments).

In some cases, personal data will be supplied by third parties (for example another school, an agent, an educational guardian or other professionals or authorities working with that individual), or collected from publicly available sources, such as media reports and online, for purposes including donor research and wealth screening.

## **PURPOSES FOR WHICH THE SCHOOL PROCESSES PERSONAL DATA**

### Legitimate Interests

The School processes personal data to pursue the School's legitimate interests in a way that might be reasonably expected and does not materially impact the rights, freedoms or interests of the individual without routinely seeking consent. In particular, the School has a legitimate interest in processing data in the following ways:

- For the purposes of pupil selection (and to confirm the identity of prospective pupils and their parents);
- To provide education services, including remote education, musical education, physical training or spiritual development, career services, and extra-curricular activities including trips and visits to pupils, and monitoring pupils' progress and educational needs;
- Maintaining relationships with alumni and the Dragon Community, including sending newsletters and other material by post, email or telephone to the Dragon Community;

- For the purposes of donor due diligence, and to confirm the identity of prospective donors and their background and relevant interests, including obtaining data from publicly available sources;
- 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 obtain appropriate professional advice and insurance for the School;
- To enable relevant authorities to monitor the School's performance and to intervene or assist with incidents as appropriate;
- For the financial management of the School including payment of staff and processing pupil accounts;
- To give and receive information and references about past, current and prospective pupils and staff, including relating to outstanding fees or payment history, to/from any educational institution or employer that the pupil or staff attended or where it is proposed they attend; and to provide references to potential employers of past pupils and staff;
- To enable pupils to take part in national or other assessments, and to publish the results of public examinations or other achievements of pupils at the School;
- To safeguard pupils' welfare and provide appropriate pastoral care, as both required by law and regulations, and according to the professional judgement of the School;
- To monitor (as appropriate) use of the School's IT and communications systems;
- To make use of photographic images (including video) in accordance with the Parent Contract
  - of adults and children during school activities, for the purposes of school record and for use within the Dragon Community (e.g. official class and team images and images of events);
  - of adults and children for the internal purposes of pupil and staff training and development;
  - of adults and children in material which is published for an audience beyond the Dragon Community (e.g. the website or social media), for the purpose of celebrating achievements and promoting the School, unless requested otherwise, either by the adult, or by the child or their parent. Such images of children will not be accompanied by the child's full name without express permission;
- For security purposes, including CCTV and for photographic identification of individuals (e.g. ID badges);

- To carry out or cooperate with any school or external complaints, disciplinary or investigation process; and
- Where otherwise reasonably necessary for the School's purposes.

### Contract

The School will process data where it is required to fulfil a contract we have with the individual, such as the parent of a child or member of staff. In particular, this will include data processed for the following reasons:

- To obtain the information necessary to enter into a contract with the pupil's parents;
- To update parents and keep them informed in the manner anticipated under our contract;
- For the purposes necessary in employing staff; and
- To fulfil contractual obligations with third parties.

### Legal Obligations

There are certain legal obligations on the School to process data, which include the following reasons:

- To obtain appropriate professional advice for the School;
- To comply with regulatory and legal obligations upon the School, including under tax, employment, immigration, welfare and equality law, or where required by authorities;
- To carry out appropriate vetting checks on potential and existing staff and their associates as required by legal obligations or regulations applicable with the School;
- To safeguard pupils' welfare and provide appropriate pastoral care as required by the law and regulations; and
- To enable the School to bring or defend any legal claims.

### Vital Interests

Some data will be processed where it is necessary to protect the vital interests of the individual, such as to protect the individual from serious harm where there is an emergency at the School. The data processed for this purpose will be medical records or other data relating to the health and welfare of the individual.

## Public Interest

The School will process data where it is permitted in the substantial public interest including the following:

- To provide educational services to pupils, including musical education, physical training or spiritual development, career services, and extra-curricular activities including trips and visits;
- To safeguard pupils' welfare;
- To facilitate the efficient operations of the School; and
- To enable the School to comply with their legal and regulatory obligations.

## Consent

We also process personal data in the following cases where we will seek specific consent for processing:

- Certain specific types of direct marketing or fundraising activity; and
- The use of images of children (including photos and videos) in material which is used for third party media or is more privacy intrusive, for example where the full names of children are to be used.

## **TYPES OF PERSONAL DATA PROCESSED BY THE SCHOOL**

We process the personal data required to perform our function as a school, including as an employer and in maintaining the wider Dragon Community for the reasons as set out below:

- names, addresses, telephone numbers, e-mail addresses and other contact details, to further the School's legitimate interests, for contractual reasons and to fulfil the School's legal obligations;
- car details (about those who use our car parking facilities) to further the School's legitimate interests;
- bank details and other financial information, e.g. about parents who pay fees to the School, to fulfil the School's legitimate interests, for contractual and legal reasons;
- past, present and prospective pupils' academic, pastoral, disciplinary, extra-curricular, admissions and attendance records (including information about any special educational needs), and examination scripts and marks to fulfil the School's legitimate interests and where necessary in the public interest. This will also be used to comply with the School's legal and regulatory obligations;

- personnel files, including in connection with academic matters, employment or safeguarding, for the purposes of entering into a contract, and to enable the School to comply with its legal and regulatory obligations, and where necessary, in the public interests;
- nationality and other immigration status information (e.g. right to work/study) including copies of passport information, copies of passports and biometric residence permit cards, and other information as required to enable the School to comply with its legal and regulatory obligations as a Child Student Sponsor;
- where appropriate, information about individuals' health and welfare, and contact details for their next of kin, to enable the School to further its legitimate interests, where necessary for the vital interest of the individual, and in the public interests;
- information about Disqualification under the Childcare Act for individuals living in the same household as a member of staff, in the School's legitimate interests, to comply with the School's legal and regulatory obligations, and in the public interest;
- references given or received by the School about pupils and staff, and relevant information provided by previous educational establishments or employers, and/or other professionals or organisations working with pupils and staff to further the School's legitimate interests and where necessary in the public interests;
- where appropriate the outcomes of online searches of those applying for a vacancy within the School, in accordance with the Safer Recruitment Policy and Keeping Children Safe in Education 2022, to enable the School to fulfil its legal obligations;
- correspondence with and concerning staff, pupils and parents past and present to further the School's legitimate interests;
- images (still and moving) of the Dragon Community (and occasionally other individuals) engaging in School activities (both physically on site and via remote learning), and images captured by the School's CCTV system in order to further the School's legitimate interests, and as required to comply with the School's legal and regulatory obligations for safeguarding.

The School does not collect or process personal details of any individuals who are not in some way associated with the School, its pupils, parents, alumni or staff.

### **Special Category Data**

The School will on occasion need to process special category personal data (including data concerning health, ethnicity, religion or sexual life) or criminal records information (such as when carrying out DBS checks).

This will be done in accordance with rights or duties imposed on the School by law, including as regards safeguarding and employment, in emergency situations, or from time to time by specific 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 for medical advice, for social protection and diversity, 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 in respect of Covid-19 (or similar) testing; including managing on-site testing and/or processing the results of tests taken by the pupils or other members of the School Community, and sharing this information with the relevant health authorities;
- To provide educational services in the context of any special educational needs of a pupil;
- In connection with employment of its staff, for example DBS checks, welfare, union membership or pension plans;
- As part of any school or external complaints, disciplinary or investigation process that involves such data, for example if there are SEN, health or safeguarding elements;
- For legal and regulatory purposes (for example child protection, diversity monitoring, immigration and visa sponsorship compliance, and health and safety) and to comply with its legal obligations and duties of care.

## **SECURITY AND SHARING OF PERSONAL DATA**

The School will take appropriate technical and organisational measures to ensure the security of personal data about individuals, including policies around use of technology and devices, and access to school systems. All staff will be made aware of these policies, this Privacy Notice and their duties under Data Protection law through appropriate training.

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 which appropriately limit information sharing (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 medical professionals, the Dragon Health Centre, and appropriate staff who are required to have access, or otherwise in accordance with express consent; and
- pastoral or safeguarding files.

A certain amount of any SEND child's relevant information will need to be provided to a wide range of staff. A limited amount of medical information, for example relating to allergies, may



also be communicated to a wide range of staff. This is to ensure, the School provides the necessary care and education that the child requires.

The School may need to share personal information relating to its community with third parties, such as:

- other schools and providers in the course of organising trips, matches and events (e.g. the organisation of match fixtures or collaborative learning events)
- providers of third party services (e.g. educational psychologists, equipment and tuition providers, 3<sup>rd</sup> party agents and cloud service providers)
- professional advisers (e.g. lawyers, insurers, PR advisers and accountants);
- government authorities (e.g. HMRC, UKVI, DfE, police or the local authority); and
- appropriate regulatory bodies e.g. the Teaching Regulation Agency, the Independent Schools Inspectorate, the Charity Commission or the Information Commissioner.

Where this is the case, the information will be the minimum and necessary information required for a specific purpose. The School will ensure, as far as reasonably possible, that third parties handle data in accordance with Data Protection law.

In accordance with Data Protection law, some of the School's processing activity is carried out on its behalf by third parties, such as IT systems providers, 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 the School's specific directions.

## **WHERE YOUR DATA MAY BE PROCESSED**

The EU GDPR applies across all EU Member countries, across which data can be transferred under the same level of protection, and to all data collected by organisations in the UK up to and including 31 December 2020. The UK GDPR applies from 1 January 2021 to data collected on or after that date.

We may also need to transfer personal data that we hold to third-party data processors in countries that are outside the UK or the EU, for example cloud storage providers.

If we do this, we have procedures in place to ensure your data receives the same protection as if it were being processed inside the UK. Contracts with our third-party suppliers will require the same level of protection and rights as those which apply within the UK.

Any transfer of your personal data will follow applicable laws and we will treat the information under the guiding principles of this Privacy Notice.

## **SAFEGUARDING AND WELFARE**

The School is under duties imposed by law and statutory guidance (including Keeping Children Safe in Education 2021) 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.

The School operates internal systems to record concerns relating to behaviour and bullying, including paper-based and electronic systems, to facilitate pastoral care and protection of its pupils. In addition, the School uses behaviour monitoring software to monitor Internet use for the purposes of identifying where that use indicates a risk of harm to the School's pupils or others. Longer retention periods are in place for this information, in accordance with law and best practice.

It is a requirement of Keeping Children Safe in Education 2021 that whenever a child leaves to join another school or college, his or her child protection file is promptly provided to the new organisation. The School will also retain a copy in accordance with the law and best practice.

## **HOW LONG THE SCHOOL KEEPS PERSONAL DATA**

When joining Dragon School individuals form a lifelong relationship with the Dragon Community. As such, the School will continue to process some data, for example names, contact details and publically available information, for the purposes of maintaining the Dragon Community over the lifetime of the individual, unless there are good reasons not to (please see Your Rights below).

The School will retain personal data securely. It will be held for as long as necessary and there is a legitimate and lawful reason to keep that information. Typically, the legal recommendation for how long to keep ordinary staff and pupil files is up to 7 years following departure from the School. There will be occasions where it is relevant or necessary to keep personal data for long periods of time. For example incident reports and safeguarding files may need to be kept indefinitely, in accordance with specific legal requirements. Individual records are treated on a case by case basis.

A limited and reasonable amount of information will be kept over time for archiving purposes and to maintain a historical record of the School's activities.

If you have any specific queries about how long we retain personal data, or wish to request that personal data is considered for erasure, please contact the Compliance Officer.

## **KEEPING IN TOUCH AND SUPPORTING THE SCHOOL**

The School may use the contact details of parents, alumni, former staff and other members of the Dragon Community to keep them updated about the activities of the School, or events of interest. This may include sending updates and newsletters, by email, post or contact by telephone in accordance with your preferences. Unless the relevant individual objects, and where permitted by law, the School will also:

- Share personal data about the Dragon Community, as appropriate, with organisations set up to help establish and maintain relationships with the Dragon Community, such as the 'Golden Oldies';
- Contact members of the Dragon Community (including via the organisations above) by post, email and telephone in order to promote and raise funds for the School and, where appropriate, other worthy causes;
- Collect information from publicly available sources (including online and media reports) about the occupation and activities of Old Dragons, current and former parents and former staff, in order to maximise the School's fundraising potential.

Should you wish to limit or object to any such use, or would like further information about this, please contact the Compliance Officer in writing.

You 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 of your details as part of the School's historical record and to ensure no further communications are sent.

## **YOUR RIGHTS**

The School will endeavour to respond to any requests under Data Protection law as soon as reasonably practicable and in any event within statutory time limits. The time limit for the School to respond to the right of access is one month from the School's receipt of the request.

There may be cases where rights do not apply in the way an individual may expect. In such cases the individual will be contacted by the School so that the eligibility of the request can be explained.

### **Right to be informed**

This Privacy Notice sets out how we use personal data and the rights of the individual concerned. Further details on any aspect of our Data Protection compliance can be obtained from the Compliance Officer.

### **Right of access (Subject Access Request)**

Individuals have the right to access the data we hold about them. In most cases this request can be exercised free of charge.

The School will be better able to respond quickly to smaller, targeted requests for information. If the request for information is manifestly excessive or similar to previous requests, the School may ask you to reconsider, or require a proportionate fee where Data Protection law allows it. For complex requests, or requests that arrive out of term time, we may request additional time to comply fully with your request.

Individuals should be aware that the right of access is limited to their own personal data, and certain data is exempt from the right of access. Parents should be aware this may include

their own children, in certain situations. Limitations on access will include information which identifies other individuals, or information which is subject to legal privilege.

The School is not required to disclose any pupil examination scripts or 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.

If an individual wishes to exercise their right of access, the first point of contact should be the Compliance Officer.

### **Right of rectification**

Individuals have the right to amend their data so that the data held by the School is accurate, complete and up to date. Amendments to personal data should be notified to the School and will be used to update all relevant records. If personal data changes after it is collected by the School, it is the individual's responsibility to notify the School of any such change.

### **Right of erasure or to restrict processing**

Individuals have the right to be 'forgotten'; for their personal data to be erased once the School has no overriding reason for keeping it. Individuals also have the right to restrict processing in certain circumstances. There are circumstances in which the School will not be obliged to fulfil this request and circumstances in which some or all information will still be retained.

If an individual wishes to exercise this right, the first point of contact should be the Compliance Officer.

### **Right to data portability**

Where data is processed by automated means, and was provided on the basis of consent, individuals have the right for that data to be transferred, on request, to a third party.

If an individual wishes to exercise this right, the first point of contact should be the Compliance Officer.

### **Right to object or to withdraw consent**

Individuals have the right to object to processing and the right to withdraw consent where this is the basis for processing. Individuals should be aware that there may be a legal basis for continuing to process data, but in such cases the individual's objection will always be responded to and any reasons for continuing to process will be explained.

Individuals should also be aware that subsequent withdrawal of consent may not mean that we are able to change or withdraw actions that have already been made in good faith in reliance on such consent. (e.g. the withdrawal of previously published material)

If an individual wishes to exercise this right, the first point of contact should be the Compliance Officer.

## **Rights in relation to automated decision making and profiling**

Dragon School does not undertake automated decision making or profiling without human intervention and so this right, while applicable in law, does not currently apply in the context of Dragon School.

## **RIGHT OF ACCESS TO PUPIL DATA**

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. A pupil of any age may ask a parent or other representative to make a subject access request on his/her behalf.

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 the required level of maturity to exercise their own rights, although this will depend on both the child and the personal data requested, including any relevant circumstances at home. Younger children may be sufficiently mature to have a say in this decision, depending on the child and the circumstances.

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. Where parents are separated, the School 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.

## **RIGHTS OF CHILDREN**

The rights under Data Protection law belong to the individual to whom the data relates.

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 parent contract, or via a permission

form. Parents and pupils should be aware that this is not necessarily the same as the School relying on specific consent.

Where specific consent is required this will be obtained from a parent on the pupil's behalf. 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.

## **UPDATES TO THIS NOTICE**

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

## **QUERIES AND COMPLAINTS**

Any comments or queries on this notice should be directed to the Compliance Officer using the contact details above.

If an individual believes that the School has not complied with this notice or acted otherwise than in accordance with Data Protection law, they should utilise the school complaints procedure and ensure they notify the Compliance Officer.

You can also make a referral to or lodge a complaint with the Information Commissioner's Office (ICO) at [www.ico.org.uk](http://www.ico.org.uk), although the ICO recommends that steps are taken to resolve the matter with the School before involving the regulator.

23 <sup>rd</sup> May 2018	Initial publication of this document.
25 <sup>th</sup> Sep 2018	Corrected phone number in document header.
24 <sup>th</sup> May 2019	Reviewed, no changes.
16 <sup>th</sup> July 2019	Amended to clarify that images of children are processed with consent (no change), however images of adults are processed under legitimate interest (change from consent to legitimate interest as the basis for processing).
September 2020	Amended as follows: a) to clarify legal bases and reasons for processing types of personal data.

	<p>b) to state that images of children are processed under legitimate interest (change from consent to legitimate interest as basis for processing, unless there are specific objections, or the proposed use is more privacy intrusive.</p> <p>c) To state that publicly available information about current and past parents will be used to maximise the School's fundraising potential.</p>
January 2021	Updated to reflect the changes to Data Protection law from 1 January 2021
September 2021	Updated to clarify that the School will process data required related to remote education, Covid-19 testing, specific immigration documents, specific information concerning donor due diligence.
September 2022	Updated to clarify that the School will retain online searches in respect of job applicants