



## **KMCA Supplementary Arabic School (KMCA SAS)**

*Faith, Education, Community*

### **Who we are**

This Privacy Notice relates to KMCA Supplementary Arabic School “KMCA (SAS)”, which is the Data Controller for the purposes of the relevant Data Protection Law. This includes both the General Data Protection Regulation “GDPR” and the Data Protection Act 2018 “DPA 2018”.

KMCA SAS (“the school”) is a Supplementary School based at Harris Academy Beckenham, Manor Way, Beckenham, Kent, BR3 3SJ. The school operates from this site on Saturday mornings during term-time and teaches Qur’an, Arabic language and Islamic Studies to children and young persons from a predominantly Muslim background.

### **What this Privacy Notice is for**

This Privacy Notice is intended to provide information about how the school will use (or “process”) personal data about individuals including its staff (both paid and voluntary), its current, past and prospective pupils and their parents, carers or guardians. For ease of reference, “parents, carers or guardians” are referred to in this Privacy Notice as “parents”.

Data Protection Law gives individuals, rights to understand how their data is used. Staff, parents and pupils are all encouraged to read this Privacy Notice and understand the school’s obligations to its entire community.

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.

It also applies in addition to the school's other terms, conditions and policies, including:

- any contract between the school and its staff or the parents of pupils;
- the school’s policy on taking, storing and using images of children;
- the school’s policy for the recruitment of staff and volunteers;
- the school's Safeguarding, Health and Safety policies;
- the school's E-Safety Policy;
- any school policy on keeping records; and
- the school’s Data Protection policy for staff.

Anyone who works for, or acts on behalf of, the school (including staff, volunteers, management committee members and service providers) should be aware of and must comply with this Privacy Notice.

### **Responsibility for Data Protection**

The Chair of the Management Committee (“the Chair”) is responsible for dealing with your requests and enquiries concerning the school’s uses of your personal data. The school will do its utmost to ensure that all personal data is processed in compliance with this Notice and the relevant Data Protection Law. There is a section below which sets out Your Rights. The Chair may be contacted by email to [kmcachair@gmail.com](mailto:kmcachair@gmail.com), or by telephone on 07940 979125.

## Why we need to process personal data

So that it can carry out its ordinary duties to staff, pupils and parents, the school needs to process personal data about individuals (including current, past and prospective staff, pupils or parents) as part of its routine operations. This includes the need to fulfil its legal rights, duties or obligations – including those under any contract with its staff and parents of its pupils.

Other uses of personal data will be made in accordance with the school's legitimate interests, or the legitimate interests of another body, provided that these are not outweighed by the impact on individuals and provided it does not involve special or sensitive types of data.

## Legitimate Interests

The school expects that the following uses will fall within the category of “**Legitimate Interests**”:

- For the purpose of confirming pupil and parent identity;
- For the purpose of pupil selection;
- To provide education services, religious and spiritual development, mentoring services and extra-curricular activities to pupils,
- Monitoring pupils' progress and identifying educational needs;
- Maintaining relationships with former pupils, their parents and staff;
- Maintaining relationships with the school community
- For the purposes of direct marketing and fundraising;
- To confirm the identity, background and relevant interests of prospective donors to the school;
- 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 intervene or assist with incidents as appropriate;
- To give and receive information and references about past, current and prospective pupils, including fees and payment history information, 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;
- For the purposes of staff (and volunteer) recruitment and selection, including regulatory checks for the assessment of suitability, and the giving and receiving of references about past, current and prospective members of staff and volunteers;
- To enable pupils to take part in national or other assessments, and to publish the results of public examinations, or other achievements of pupils of the school;
- To safeguard pupils' welfare and provide appropriate pastoral care;
- To make use of photographic images of pupils in school publications and on the school website in accordance with the school's policy on taking, storing and using images of children;
- To carry out or co-operate with school or external complaints, disciplinary or investigation process; and
- Where otherwise reasonably necessary for the school's purposes, including to obtain appropriate professional advice and insurance for the school.

In addition, the school will on occasion need to process “**Special Category Personal Data**” (for example concerning health, ethnicity and religion) or criminal records information (such as when carrying out DBS checks) in accordance with any rights or duties imposed on the school 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 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 school event organisers who need to be made aware of staff, pupils and parents' dietary or medical needs;
- Where appropriate, to provide educational services in the context of any special educational needs of a pupil;
- To provide religious and spiritual education within the ethos of the school;
- In connection with recruitment and employment of its staff, for example DBS checks;
- As part of any school or external complaints, disciplinary or investigation process that involves such data, for example if there are Health or Safeguarding elements; or
- For legal and regulatory purposes (for example child protection, health and safety) and to comply with the school's legal obligations and duties of care.

### **Types of personal data we process**

By way of example, "Data" will include:

- names, addresses, dates of birth, telephone numbers, e-mail addresses and other contact details;
- car details (about those who use on site car parking facilities);
- bank details and other financial information, e.g. for parents who pay fees to the school, staff salary figures, suppliers, bursary applicants, and those making regular charitable donations to the school;
- past, present and prospective pupils' academic, disciplinary, admissions and attendance records (including information about any special and medical needs), and test/examination marks;
- information about pupils' backgrounds including previous schools, parents' financial information and occupations, family ethnicity and details of languages spoken at home;
- personnel files, including information about previous employment and ongoing data in connection with academics, employment or safeguarding;
- where appropriate, information about staff, volunteer, management committee and pupil health and welfare, as well as contact details for their next of kin;
- Daily visitor book records
- Daily Incident book records
- Records of current and former staff, volunteer and management committee attendance at training or special events, and daily visitor records;
- references given or received by the school about pupils and relevant information provided by previous educational establishments and/or other professionals or organisations working with pupils;
- correspondence with and concerning past, present and prospective staff, pupils and parents;
- images of pupils (and occasionally other individuals) engaging in school activities, taken in accordance with the school's policy on taking, storing and using images of children.

### **How we collect data?**

The school receives personal data from pupils, their parents and from individuals directly. This may be on a paper or electronic form, or simply in the course of interaction or communication (such as email, by telephone or in writing).

In some cases, however, personal data will be supplied by third parties (for example another school, or other professionals or authorities working with an individual; or collected from publicly available resources).

### **Who has access to personal data and who do we share it with?**

It is sometimes necessary for the school to share personal information relating to its community with third parties, such as:

- professional advisers (e.g. lawyers, insurers, accountants, curriculum providers);
- government authorities (e.g. HMRC, DfE, the Police or the local authority); and
- regulatory bodies (e.g. HMRC, the Health Authority, Charity Commission or the Information Commissioner).

Generally speaking, personal data collected by the school will remain within the school, and will be processed by appropriate individuals only in accordance with internal 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 the school or otherwise in accordance with express consent; and
- pastoral, personnel and safeguarding files.

However, a certain amount of relevant information relating to any pupil with special educational needs or specific medical needs (such as allergies) will need to be provided to staff more widely in order to provide the necessary attention, care and education that the pupil requires.

Staff, pupils and parents are reminded that the school operates 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. Sometimes this could be regardless of whether the concerns are proven, for example, if they meet a certain threshold of seriousness in their nature or regularity.

The information and data we may have to share may include file notes on personnel or safeguarding files, and in some cases referrals to relevant authorities such as the local authority or the police. For further information about this, please view the school's Safeguarding Policy.

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 system providers, web developers, cloud storage providers, and printing, mailing and marketing companies. There may also be occasions when you or we need to provide personal data to a 3<sup>rd</sup> party as part of your relationship with the school.

Personal data will be kept securely and we will endeavour to only share it in line with current regulations and only in accordance with the school's specific policies and directions.

### **How long we keep personal data**

The school will retain personal data securely and only in line with how long it is necessary to keep for a legitimate and lawful reason. Typically, for a normal day school, the legal recommendation for how long to keep ordinary staff and pupil files is up to 7 years following the pupil's departure from the school.

Some information may need to be kept for longer, for example, safeguarding incident reports and files in accordance with specific legal requirements. We take our responsibilities seriously and ensure that both the data we collect and retain shall be:

- processed lawfully, fairly and in a transparent manner;
- collected for specified, explicit and legitimate purposes and not processed or further processed in a manner that is incompatible with those purposes;
- further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- accurate and where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed;
- personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals; and
- processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

If you have any specific queries about how our policy is applied, or wish to request that personal data that you no longer believe to be relevant is considered for erasure, then please contact the Chair.

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 the school**

The school will use the contact details of parents, former pupils and their parents and other members of the school community to keep them updated about the activities of the school, including by sending updates and newsletters, by email, text message and by post. Unless the relevant individual objects, the school may also:

- Contact parents and/or former pupils by post, email and by messaging services in order to support the work of the school or to promote and raise funds for the school and, where appropriate, for other worthy causes;
- Collect information from publicly available sources about parents' and former pupils' occupation and activities, 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 them, please contact the Chair.

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 (not least to ensure that no more communications are sent to that particular 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 the school, and in some cases ask for it to be erased or amended or have it transferred to others, or for the school 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 Chair or by email to [kmcachair@gmail.com](mailto:kmcachair@gmail.com).

The school 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).

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 made, the school may ask you to reconsider, or where Data protection Law allows it, to require a proportionate fee to respond to request(s).

- **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 the school, or documents prepared in connection with a legal action).

The school is 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 the school itself 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 Privacy 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 the reasonable opinion of the school, 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 around 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. Slightly younger children may however be sufficiently mature to have a say in this decision, depending on the child and the circumstances.

- **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. The school may consider there are lawful grounds for sharing information 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.

- **Consent**

Where the school 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 above). Examples where we do rely on consent are: certain types of uses of images, and certain types of fundraising activity. Please be aware however, that the school 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 Privacy Notice, or may otherwise exist under some form of contract or agreement with the individual (e.g. an employment or parent contract).

- **Whose rights?**

The rights under Data Protection Law belong to the individual to whom the data relates. However, 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 form.

Parents and pupils should be aware that this is not necessarily the same as the school 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. 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.

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, 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.

Pupils are required to respect the personal data and privacy of others, and to comply with the School's Rules and Policies. Staff are also required under professional duties to comply with relevant policies, and the Code of Conduct set out in the Staff and Volunteer Handbook.

### **Data accuracy and security**

The school will endeavour to ensure that all personal data held in relation to an individual is as up to date and accurate as possible. Individuals are requested to notify the School Office 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 the school may need to process your data and of who you may contact if you disagree.

The school takes appropriate steps to ensure the security of personal data about individuals.

All staff and management committee members are made aware of this policy and their duties under Data Protection Law and receive relevant, ongoing training.

### **This Privacy Notice**

The school will 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 Privacy Notice should be directed to the Chair of the Management Committee using the contact details provided 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 make a complaint to Chair of the Management Committee and should also notify the Head Teacher. You can also make a referral to or lodge a complaint with the Information Commissioner's Office (ICO), although the ICO recommends that steps are taken to resolve the matter with the school before involving the regulator.