



T H E
G L A S G O W A C A D E M Y

PRIVACY NOTICE

Who We Are

The Glasgow Academy ("the School") is an ambitious and high-achieving co-educational HMC day school for children aged 3-18.

Founded in 1845 and located on three sites across Glasgow (Kelvinbridge, Milngavie and Newlands), we pride ourselves on the exceptional all-round education and opportunities our pupils enjoy.

We have 1450 girls and boys in our care, and we work hard to provide them all with the best possible education.

The School's main offices are located at Colebrooke Street, Glasgow, G12 8HE and it is at this address that you can contact our Data Protection Co-Ordinator should you have any queries about how we use the data we gather.

About this Privacy Notice

At The Glasgow Academy your privacy is important and we will treat any personal information you provide in accordance with the General Data Protection Regulation (EU 2016/679) and the UK Data Protection Act 2018 and any other replacement and/or supplementary legislation in force from time to time.

This notice is intended to provide information about how the School will use (or "process") personal data about individuals including: their current, past and prospective pupils; and their pupils' parents, carers or guardians (referred to in this policy as "parents"). It also provides information about how the School will use the personal data of other individuals including our suppliers and contractors.

This information is provided, in accordance with the rights of individuals under Data Protection Law, to help you understand how your data is used. Staff, parents and pupils are encouraged to read this Privacy Notice and understand the Schools' obligations, as a "data controller", to their entire community.

This Privacy Notice applies alongside any other information the Schools may provide about the use of personal data, for example when collecting data via an online or paper form.

This Privacy Notice also applies in addition to the Schools' other relevant terms and conditions and policies, including:

- any contract between the Schools and the parents of pupils, including the Enrolment Document;
- the policy on Taking, Storing and Using Images of Children;
- the CCTV policy;
- the Document Retention and Destruction policy;
- the Child Protection policy;
- the Data Protection policy for staff;
- the Health and Safety policy;
- ICT policies, including the Communication Resources Policy and Guidelines and Agreements;
- Confidentiality Policy.

Anyone who works for or acts on behalf of the School (including staff, volunteers, governors and service providers) should also be aware of, and comply with, this Privacy Notice and the Schools' Data Protection Policy for staff, which also provides further information about how personal data is used.

Responsibility for Data Protection

The School has appointed a Data Protection Co-Ordinator who will fulfil his/her role as required by Data Protection Law.

The Data Protection Co-Ordinator can be contacted by emailing bursar@tga.org.uk or by writing to The Glasgow Academy, Colebrooke Street, Glasgow, G12 8HE.

Why the School Needs to Process Personal Data

As part of their daily operations, and in order to carry out their ordinary duties to pupils, parents and staff, the School may process a wide range of personal data about individuals (including current, past and prospective staff, pupils or parents).

Some of this activity is carried out so that the School can fulfil their legal rights, duties or obligations under a contract or, on request, prior to entering into a contract with parents of their pupils or the School's contractors, suppliers and other organisations with whom it interacts in the running of the School.

The School also processes certain personal data in order to meet our legal obligations or where it is in the public interest, in particular, to allow the School to provide pupils with an education.

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

In some situations, the School may seek consent for the processing of personal data. Where we do so, we will provide you with full details of what we are seeking consent for, so that you may carefully consider whether to provide consent.

Occasionally we may process personal data in order to protect a pupil's vital interests in an emergency or for archiving for historical research or statistical purposes. The School may also process data in the exercise of defence of legal claims.

The School processes personal data for a number of reasons including:

- For the purposes of pupil selection (and to confirm the identity of prospective pupils and their parents);

- To provide education services, including musical education, physical training or spiritual development, career services and extra-curricular activities to pupils, and monitoring pupils' progress and educational needs;
- To process payments in respect of the provision of education services and the running of the School;
- Maintaining relationships with alumni and the school community, including direct marketing or fundraising activity;
- For the purposes of donor due diligence, and to confirm the identities of prospective donors and their backgrounds and relevant interests;
- For the purposes of management planning and forecasting, research and statistical analysis, including that imposed or provided for by law (such as diversity or gender pay gap analysis and taxation records);
- To retain promotional material and other records of school life which may include images or other personal data about you for archiving purposes;
- To enable relevant authorities to monitor the performance of the Schools and to intervene or assist with incidents as appropriate;
- To give and receive information and references about past, current and prospective pupils, including relating to outstanding fees or payment history, 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;
- 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 Schools;
- To safeguard pupils' welfare and provide appropriate pastoral care;
- To monitor (as appropriate) use of the Schools' IT and communications systems in accordance with ICT policies;
- To make use of photographic and video recorded images of pupils internally in school publications, and on the Schools' intranets in accordance with the policies on taking, storing and using images of children for the promotion of the School and its services;
- To make use of photographic and video recorded images of pupils externally, online and in print, for example in newspapers or magazines, on the Schools' website and official social media channels for marketing purposes or to celebrate the achievements of pupils and in accordance with the Schools' policies on taking, storing and using images of children and use of social media for the promotion of the School and its services;
- For security purposes, including CCTV in accordance with the Schools' CCTV policy;
- Where otherwise reasonably necessary for the Schools' purposes, including to obtain appropriate professional advice and insurance for the Schools;
- To enforce our rights and implement our obligations under contracts with our suppliers and contractors who provide services to the School;
- To deal with complaints and disciplinary matters; and
- To pursue or defend legal proceedings, for example in relation to non-payment of fees.

Special Category Personal Data

In addition, the School may need to process special category personal data (concerning health, race, ethnicity, religion, political or philosophical beliefs, genetics, biometrics, sexual orientation or sexual life) or criminal records information (such as when carrying out Disclosure Scotland checks) in accordance with rights or duties imposed on it 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 organisers of school trips who need to be made aware of dietary or medical needs;

- To provide educational services in the context of any special educational needs of a pupil;
- To run any of their systems that operate on biometric data;
- As part of any school or external complaints, disciplinary or investigation process that involves such data, for example if there are special educational needs, health or safeguarding elements; or
- For legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with their legal obligations and duties of care.

Types of Personal Data

This will include by way of example:

- names, addresses, telephone numbers, email addresses and other contact details;
- car details (about those who use the car parking facilities);
- genetic or biometric information, which will be collected and used by the Schools;
- details of racial or ethnic origin;
- details of physical and mental health;
- details of sexual life or sexual orientation;
- offences, alleged offences and criminal convictions;
- bank details and other financial information, e.g. about parents who pay fees to the School;
- past, present and prospective pupils' academic, disciplinary, admissions and attendance records (including information about any special needs) and examination scripts and marks;
- personnel files, including in connection with academics, employment or safeguarding;
- where appropriate, information about individuals' health, and contact details for their next of kin;
- references given or received by the School about pupils and staff and information provided by previous educational establishments and/or other professionals or organisations working with individuals;
- images of pupils (and occasionally other individuals including staff and parents) engaging in school activities, and images captured by the CCTV system (in accordance with the Schools' policies on the use of CCTV, taking, storing and using images of children and social media);
- documentation to verify your identity; and
- information relating to a future or prospective employer.

How the School Collects Data

Generally, the School receives personal data from the individual directly (including, in the case of pupils, from their parents). This may be via a form, or simply in the ordinary course of interaction or communication (such as email or written assessments).

However, in some cases, personal data may be supplied by third parties (for example another school, a parent or guardian on behalf of a pupil, or other professionals or authorities working with that individual); from your employer, from the police, regulatory or government sources or collected from publicly available resources.

Where you have obligations to provide certain personal data to the School where the School has entered into a contract with you or where you need to provide the School with personal data in order to exercise a statutory right, failure to provide us with that information may prevent us from giving effect to your contractual or statutory obligations.

Who Has Access to Personal Data and Who the School Share It With

Personal data will be shared internally with School staff, management and governors where appropriate.

Occasionally, the School will need to share personal information relating to their community with third parties, such as the NHS, SQA and alumni organisations.

For the most part, personal data collected by the School will remain within the School and will be processed by appropriate individuals in accordance with 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 appropriate medical staff or those under their supervision, or otherwise in accordance with express consent; and
- pastoral or safeguarding files.

However, a certain amount of relevant information for any pupil with Special Educational Needs (SEN) will need to be provided to staff more widely in the context of providing the necessary care and education that the pupil requires.

The School will share personal data where required to do so by law (including court order). Staff, pupils and parents are reminded that the School is under duties imposed by law and statutory guidance, including that set out in the Children's Hearings (Scotland) Act 2011 (implemented in 2013), the National Guidance for Child Protection in Scotland 2014 and the Children and Young People (Scotland) Act 2014, to record or report incidents and concerns that arise or are reported to them, 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. For further information about this, please view the Child Protection Policy.

We will also share personal data with third parties including the police or where it is necessary for the purposes of providing the School's services, for example we will share information with:

- our professional advisers;
- relevant authorities and agencies, for example the Department for Education;
- health professionals;
- external auditors or inspectors;
- other schools and organisations involved in school trips and exchange programmes or extra-curricular activities;
- school counsellors and tutors; and
- other schools, universities and colleges.

The School will also share personal data in the unlikely event that all or part of the School is acquired or the School is reconstituting or setting up some form of joint working or partnership arrangement in the UK or abroad. Appropriate confidentiality agreements will be put in place where required.

Finally, in accordance with Data Protection Law, some of the Schools' processing activity is carried out on their behalf by third parties, such as IT systems, web developers or cloud storage providers. This is always subject to contractual assurances that personal data will be kept confidential and securely.

The School does not share your personal data with third parties of their own purposes or for the purposes of sending their own marketing communications.

In the event that personal data is transferred outwith the EEA the School will ensure that adequate safeguards, an adequacy agreement or other contractual arrangements are in place as required by law.

How Long We Keep Personal Data

The Schools will retain personal data securely and only in line with how long it is necessary to keep for a legitimate and lawful reason. Typically, the School will retain pupil personal data for up to 7 years following departure from the School and personal data in relation to a contract for a period of 6 years following the end of that contract. However, incident reports and safeguarding files will need to be kept much longer, in accordance with specific legal requirements.

Please see the School Data Retention Policy for further details.

If you have any specific queries about how this policy is applied, or wish to request that personal data which you no longer believe to be relevant is considered for erasure, please contact the Data Protection Co-Ordinator at bursar@tga.org.uk. However, please bear in mind that the School may have lawful and necessary reasons to hold on to some personal data even following such a request.

A limited and reasonable amount of information will be kept for archiving purposes, for example; 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, alumni and other members of the school community to keep them updated about the activities of the School, or alumni and parent events of interest, including by sending updates and newsletters, by email and by post as outlined in the Alumni Privacy Notice.

The School may share personal data about parents and/or alumni, as appropriate, with organisations set up to help establish and maintain relationships with the school community, such as The Glasgow Academical Club.

Should you wish to limit or object to any such use, or would like further information about it, please contact the Director of External Relations & Development in writing at enquiries@tga.org.uk. 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

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.

All individuals have the following rights:

- the right to obtain confirmation as to whether or not personal data is being processed and to receive a copy of that data and supplementary information about its use;
- require us to correct the personal data we hold about you if it is inaccurate;
- request that we erase your personal data (in certain circumstances);
- request that we restrict our data processing activities (in certain circumstances);

- receive from us the personal data we hold about you for the purpose of transmitting it in a commonly used format to another data controller;
- object, on grounds relating to your particular situation, to any of our particular processing activities where you feel this has a disproportionate impact on them; and
- object to automated individual decision-making, including profiling (where a significant decision is made about you without human intervention).

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 Data Protection Co-Ordinator.

The School will endeavour to respond to any such written requests as soon as is reasonably practicable and in any event within the statutory time limits (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 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.

Requests that cannot be fulfilled

You should be aware that the right of access is limited to your own personal data, and certain data may be 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 details 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 themselves for the purposes of the education, training or employment of any individual.

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. Where the School considers that the pupil is sufficiently mature to make a request on their own behalf, the School may ask the person making the request for evidence that the pupil has agreed to the request on their behalf.

Regardless of the age of the child, any information relating to the child remains their personal data.

Pupils at Senior School are generally assumed to have the level of maturity to make a request on their own behalf, although this will depend on both the child and the personal data requested, including any relevant circumstances at home. Slightly younger children/older Prep School children may however be sufficiently mature to have a say in this decision, depending on the child and the circumstances.

Parental requests

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 Schools may, with reference to Data Protection Law, consider there are lawful grounds for sharing with or without reference to that pupil.

Parents will in general receive education and pastoral updates about their children, in accordance with the parent contract. Where parents are separated, the school will aim to provide information to each parent or legal guardian with parental responsibility, in accordance with choices indicated in the parent contract, but may need to factor in all the circumstances, including the express wishes of the child.

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 of when we do rely on consent are certain types of fundraising activity. Please be aware however that the Schools 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. a parent contract, or because a purchase of goods, services or membership of an organisation such as an alumni or parents' association has been requested).

Whose Rights?

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 they process 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 consent for the processing of personal data (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, 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.

However, where a pupil seeks to raise concerns regarding confidentiality 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 there is a lawful basis to do otherwise; for example, if required by law.

Pupils are required to respect the personal data and privacy of others, and to comply with the Communication Resources Policy and Guidelines and the school rules. Staff are under professional duties to do the same covered under the Communication Resources Policy and Guidelines, Data Protection Policy (Staff), policy on taking, storing and using images of children and Social Media Policy.

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 must 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 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 Schools may need to process your data, and whom you may contact if you disagree.

The School will take appropriate technical and organisational steps to ensure the security of personal data about individuals, including policies around the use of technology and devices, and access to school systems. All staff and governors will be made aware of these policies and their duties under Data Protection Law and will receive relevant training.

This Policy

The Schools 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 policy should be directed to the Data Protection Co-ordinator by writing to him/her at The Glasgow Academy, Colebrooke Street, Glasgow, G12 EHE.

If an individual believes that the School has not complied with this policy or acted otherwise than in accordance with Data Protection Law, they should utilise the Schools' complaints procedure and should also notify the Data Protection Co-ordinator. A referral or complaint may also be lodged 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.

The ICO may be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113
www.ico.org.uk

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