



## **DATA PROTECTION POLICY**

**Last review Date:** July 2025

**Next Review Due:** July 2026

**Staff responsible:** Claire Taylor (Office Manager), Head (Henry Marshall)

**Chair of Governors:** Mark Taylor

This policy should be read in conjunction with the following St Michael's policies:

- *Privacy Policy*
  - *Safeguarding and Child Protection Policy*
  - *Admissions Policy*
  - *Complaints Procedure*
  - *Equal Opportunities for Pupils Policy*
  - *Medical and First Aid Policy*
  - *Special Educational Needs and Disabilities Policy*
  - *ICT Acceptable Use Policy*
- And also the Jersey Education:*
- [Artificial Intelligence \(AI\) Policy Generative AI in \(Jersey\) Education Policy](#) (see addendum P19)

### **Rights Respecting School Policy Statement**

Our school's vision and values have at their heart the importance of treating each other as we would want to be treated ourselves. This is one of the reasons why the work of UNICEF and Rights Respecting Schools is so significant to us. We are committed to respecting, upholding and promoting the rights of every child. This policy links specifically to our commitment to the the following articles:

- *Article 2 - No discrimination*
- *Article 3 - Best interest of the child*
- *Article 4 - Making rights real*
- *Article 16 - Protection of Privacy*

### **Introduction:**

There are two laws relating to the processing of personal data: Data Protection (Jersey) Law 2018, and Data Protection Authority (Jersey) Law. The Data protection (Jersey) law 2018, came into force on 25 May 2018 and replaced the 2005 Law which regulated the use of automated data only. The latter - Data Protection Authority (Jersey) Law 2018, outlines the requirements for organisations to register with the Office of the Information Commissioner. It gives the Office of the Information Commissioner the power to sanction or fine organisations for misusing data or failing to keep it secure.

The revised Data Protection (Jersey) Law 2018 is concerned with 'Personal Data' which **relates to identifiable living individuals**. It can be as simple as a name and address. The Law sets out rules for processing personal information and applies to automated data and paper-based filing systems, including such things as card index systems and personal organisers.

**Processing covers obtaining, recording, holding, carrying out any operation on the data, organising, adapting and amending, retrieval, consultation and use of the data, disclosing data by transmission, dissemination or otherwise also disclosing, aligning, combining, blocking, erasing or destroying the data. It is difficult to envisage any activity involving data which does not amount to processing.** The Law works in two ways. It gives individuals certain rights whilst ensuring those who record and use the individuals information abide by certain rules. St Michael's School is a separate entity under the Data Protection Law and is responsible for deciding how and why personal data is processed. The School and its employees must comply with the Data Protection Principles and other requirements of the Law. The Law states that a person is guilty of an offence where it can be shown that they acted outside their authorised limits, or if they knowingly or recklessly acted in breach of the Law.

**There are eight data protection principles with which we will be expected to comply:**

**Personal data shall be:**

1. **Processed fairly and lawfully.** In the case of St Michael's, the parent contract states that the information that parents provide, or the information that is held on a child will be processed for educational purposes. The contract also states that information may occasionally be disclosed and used outside St Michael's School, where it is considered not to be against the pupil's interests.
2. **Obtained for specified purposes and only processed in accordance with those purposes.** The information cannot be used for a purpose for which it was **not** intended, ie we should not use parents' names and addresses to send out information about services offered by local organisations or businesses. Staff cannot use names and addresses for anything that is not involved with school business.
3. **Adequate, relevant, and not excessive.**
4. **Accurate and up to date.** The parent contract states that the School must be notified of any change in address or contact number.
5. **Kept only for so long as is necessary for the specified purposes.** There are (Jersey) guidelines for the retention of records and this is used as a guide for staff.
6. **Processed in accordance with data subject rights under the act.** We are obliged to respond to a request for access to information. Parents have the right to exercise their rights to prevent processing likely to cause damage or distress, to prevent processing for direct marketing, or to prevent processing in relation to automatic decision taking.
7. **Kept secure.** Pupil and staff records are kept in locked cupboards and on a secure database. Staff who take children's work home should ensure that no unauthorised access can be made to the personal data taken home. Paper files should be kept secure and locked away. Computer workstations should be locked when not in use. Do not routinely send personal information by email. Be aware that the information may be forwarded and you will have no control over to whom it is sent. Ensure proof of identity before making a disclosure. Computer monitors should

be positioned so that personal data cannot be viewed by anyone not authorised to do so. Subject to relevant retention periods, redundant personal data should be destroyed. electronic data storage devices, such as pendrives, and other storage media, should be either electronically wiped, or physically destroyed beyond recovery.

8. **Transferred outside the European Economic Area** (EU countries plus Norway and Iceland) only when the country in question ensures an adequate level of protection for data subjects.

## **USE OF CHILDREN'S NAMES WITH PHOTOGRAPHS**

As a school we may add children's names to pictures in the school magazine and photographs sent to other publications, for whatever reasons, if we consider it not to be against his/her interests. We would not normally add children's names to photographs on the website or on Social Media. (reference: St Michael's Standard Terms and Conditions).

All parents are advised (via the Standard Terms and Conditions) to let the school know if they do not wish for their child's name and image to appear in school and other publications. A list of parents who do have an objection is accessible to all staff via the School's Google Drive - Shared Staff Folder.

**Data Subject Access requests:** You should be aware that certain data is exempt from the right of access. This may include information which identifies other individuals, or information which is subject to legal professional privilege. The School is also not required to disclose any pupil examination scripts, nor any confidential reference given by the School for the purposes of the education, training or employment of any individual.

Please refer to the School's Privacy Policy for further information.

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## **Data Protection/Personal Information:**

### **Pupil Privacy Notice**

#### **Introduction**

This notice is to help you understand **how** and **why** we collect your child's personal information and **what** we do with that information. It also explains the decisions that you can make about your child's information.

We are giving you this notice because you are able to exercise your child's data protection rights on their behalf. When your child is older (usually when they reach the age of 13) they will be considered mature enough to exercise their own data protection rights.

If you have any questions about this notice please contact the School Office.

#### **What is "personal information"?**

Personal information is information that the School holds about your child and which identifies your child.

This includes information such as their date of birth and address as well as things like academic results, medical details and behaviour records. We will also hold information such as your child's religion or ethnic group for census purposes. CCTV, photos and video recordings of your child are also personal information.

### **Our legal bases for using your child's information**

This section contains information about the legal basis that we are relying on when handling your child's information.

The following contain a general description of the different legal bases:

#### **Legitimate interests ("LI")**

This means that the School is using your child's information when this is necessary for the School's legitimate interests or someone else's legitimate interests. We won't rely on this basis when your child's interests and fundamental rights override our legitimate interests. Specifically, the School has a legitimate interest in:

- Providing your child (and other children) with an education and making sure that your child is behaving properly.
- Complying with our agreement with you for your child to be at the School.
- Keeping the school buildings safe.
- Making sure that the School is well managed and that we protect the School's reputation.
- Safeguarding and promoting your child's welfare and the welfare of other children.
- Promoting the objects and interests of the School. This includes fundraising e.g. if we want to raise money to build new buildings and using photographs of your child in promotional material such as on our website and in the prospectus.
- Ensuring that all relevant legal obligations of the School are complied with (for example in relation to inspections).
- Using your child's information in connection with legal disputes.
- Facilitating the efficient operation of the School.

In addition, your child's personal information may be processed for the legitimate interests of others. For example, we may use information about your child when investigating a complaint made by another pupil.

#### **Legal obligation (LO)**

Where the School needs to use your child's information in order to comply with a legal obligation, for example to report a concern about your wellbeing to the [Children and Family Hub](#). We will also have to disclose your child's information to third parties such as the courts, the local authority or the police where legally obliged to do so.

#### **Vital interests (VI)**

In limited circumstances we may use your child's information to protect your child's vital interests or the vital interests of someone else (e.g. if your child or they are seriously hurt).

#### Performance of a task carried out in the public interest (or carrying out public tasks) ("PI")

This applies where what we are doing is for the benefit of people generally. The following are examples of where this applies:

- providing your child and others with an education;
- safeguarding and promoting your child's welfare and the welfare of other children;
- facilitating the efficient operation of the School; and
- ensuring that we comply with all of our legal obligations.

The School must also comply with an additional condition where it processes special categories of personal information. These special categories include: personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, genetic information, biometric information, health information, and information about sex life or orientation.

#### Substantial public interest (SPI)

The School is allowed to use special categories of personal information where doing so is necessary in the substantial public interest. This is similar to "public interest" in the table above. For example, the School will use information about your child's health to look after them.. We may also use other types of special category personal data about your child to provide them with an education, to look after your child and their classmates or when the School is inspected.

#### Legal claims (LC)

The processing is necessary for the establishment, exercise or defence of legal claims. This allows us to share information with our legal advisors and insurers. This applies whenever sharing special category data is necessary in relation to legal claims.

#### Medical purposes (MP)

This includes medical treatment and the management of healthcare services.

### **How and why does the School collect and use your child's personal information? (refer to Privacy Policy)**

We set out below different ways in which we use personal information and where this personal information comes from.

1. Our primary reason for using your child's information is to provide your child with an education - LI, PI, SPI.
2. The School will also use your child's personal information to safeguard and promote your child's welfare and the welfare of others (for example, so that we can look after your child if they are hurt) - LI, PI, SPI, ESP, MP.

The admissions forms which you complete give us personal information about your child. We get information from your child, their teachers and other pupils. Your child's old school also gives us

information about how well your child did and any difficulties they had if we need this information to teach and care for them.

Sometimes we get information from other professionals where we need this to look after your child.

3. We will use information about your child during the admissions process e.g. when allocating offers of places in accordance with our Admissions Policy. We will let your child's previous school know if you have accepted a place at the School - LI, PI, SPI.
4. We need to tell all appropriate members of staff if your child has a health issue - LI, PI, SPI.
5. We will tell your child's teachers if he or she has special educational needs or requires extra help with some tasks - LI, PI, SPI.
6. If we have information that your child suffers from an allergy we will use this information so that we can look after your child - LI, PI, SPI, VI, MP.
7. If we have information that your child suffers from a disability we will use information about that disability to provide support - LI, PI, SPI, ESP and in certain circumstances, MP.
8. Where appropriate, the School will have information about your religious beliefs and practices. For example, if your child does not eat certain foods - LI, PI, SPI.
9. We use CCTV to make sure the School site is safe. All CCTV is external facing only - LI, PI, SPI.
10. We record your child's attendance and if they have time away from the School we record the reason(s) why - LI, PI, SPI.
11. We will need to report some of your child's information to the government (e.g. the Department for Education). We may need to tell them that your child attends the School, if your child leaves the School, or to let them know if we have any concerns about your child's welfare - LI, LO, PI, SPI, ESP.
12. We may need to share information about your child with the Jersey Health and Safety Inspectorate if there is a health and safety issue at the School - LI, LO, SPI.
13. The School has charitable status, which means that in exceptional circumstances we may need to share your child's information with the [Jersey Charity Commissioner](#) e.g. in the event of a serious incident - LI, LO, PI, SPI.

14. When we are inspected by the Independent Schools Inspectorate, we may have to make your child's information available to the inspectors to assist them with their inspection - LI, LO, PI, SPI.
15. If the School receives a complaint or grievance which involves your child we will need to use their information to deal with this appropriately. For example, if you make a complaint or if another parent complains about an issue which involves your child - LI, PI, SPI.
16. The School may share information about your child with the [Jersey Children and Family Hub](#), if we have safeguarding concerns, or if your child is open at Early Help, Child In Need or Child Protection Level - C- LI, PI, LO.
17. The School may share information with the Education Department in relation to your child's Special Educational Need status, for data collection but also for advice on how best to support your child in school. - LI, PI, SPI, ESP, MP.
18. We are legally required to provide the Jersey Education Department with certain information about your child. This information may be retained by the Education Department on their Pupil Database. - LO, SPI.
19. We will need information about any court orders or criminal petitions which relate to your child. This is so that we can safeguard your child's welfare and wellbeing and the other pupils at the School - LI, PI, SPI.
20. Depending on where your child will go when they leave us, we will provide their information to other schools. For example, we will share information about your child's academic and other achievements and provide reports - LI, PI, SPI.
21. If your child has a safeguarding file, we are legally required to pass this file to their next school - LI, LO, PI, SPI, ESP.
22. If your child takes public examinations we will need to share information about them with examination boards. For example, if your child requires extra time in exams - LI, PI, SPI.
23. We may need to share information with the police or our legal advisers if something goes wrong or to help with an enquiry. - LI, LO, PI, SPI, LC.
24. We occasionally use consultants, experts and other advisors to assist the School in fulfilling its obligations. We may share your child's information with them if this is relevant to their work - LI, PI, SPI.
25. If your child has misbehaved in a serious way, we may need to share information with the police and we may need to use information about the action taken by the police - LI, LO, PI, SPI, ESP.
26. We may share some information with our insurance company to make sure that we have the insurance cover that we need - LI, PI, SPI, LC.

27. If you have appointed an agent to act on your behalf during the admissions process, then we may share information about your child with them. For example, we may send them the acceptance letter so that they can pass this on to you- LI.
28. We will share your child's academic and (where fair) their behaviour records with you or their education guardian so you can support their schooling - LI, PI, SPI.
29. We will monitor your child's use of email, the internet and mobile electronic devices e.g. Chromebooks. This is to check that your child is not misbehaving when using this technology or putting themselves, or others at risk of harm. If you would like more information about this you can read the acceptable use of IT policy or speak to your child's Form Tutor. - LI, PI, SPI.
30. We may use photographs or videos of your child for the School's website and/or social media sites, school magazine, or other publication, such as a prospectus, to show prospective pupils what we do here and to advertise the School. We may continue to use these photographs and videos after your child has left the School - LI, PI.
31. Sometimes we use photographs and videos for teaching purposes, for example, to record a drama lesson - LI.

If you have any concerns about us using photographs or videos of your child please speak to your child's Class Teacher/Tutor.

32. We may publish results, music, drama articles, sports fixtures and other news on the website and put articles and photographs in the local news to tell people about what we have been doing - LI.
33. The School must make sure that our computer network is working well and is secure. This may involve information about your child, for example, our anti-virus software might scan files containing information about your child - LI.
34. From time to time, we may use a third party to provide activities such as an external sports coach. We may share your child's information with them if relevant to the activity.- LI, PI.
35. We can keep information about your child for a very long time, or even indefinitely if we need this for historical, research or statistical purposes. For example, if we consider the information might be useful if someone wanted to write a book about the School - LI.

We will only share your child's information with other people and organisations when we have a good reason to do so. In exceptional circumstances we may need to share it more widely than we would normally.

We sometimes use contractors to handle personal information on our behalf. The following are examples:



- IT consultants who might access information about your child when working with administrative staff, or when checking the security of our IT network; and
- we use third party "cloud computing" services to store some information (eg, Amazon Web Services (AWS) rather than the information being stored on hard drives located on the School site.

If you have any questions about the above, please speak to your child's teacher/tutor.

### **Criminal offence information**

In exceptional circumstances, we may use information about criminal convictions or offences. We will only do this where the law allows us to. This will usually be where such processing is necessary to carry out our obligations, to exercise our rights or to look after our pupils.

### **More than one basis**

As you will see from the information above, in some cases we will rely on more than one basis for a particular use of your child's information. In addition, we may move from one of the legal bases listed above to another as circumstances change. For example, as a safeguarding matter becomes more serious, we may start to rely on "legal obligation" to share personal information with the local authority in addition to the other legal bases which are noted for safeguarding purposes.

### **Consent**

We may ask for your consent to use your child's information in certain ways as an alternative to relying on any of the bases in the table above. For example, we may ask for your consent before taking or using some photographs and videos if the photograph or video is more intrusive and we cannot rely on legitimate interests. If we ask for your consent to use your child's personal information you can take back this consent at any time.

Any use of your child's information before you withdraw your consent remains valid. Please speak to your child's teacher/tutor if you would like to withdraw any consent given.

### **Sending information to other countries**

We will send your child's information to countries which do not have the same level of protection for personal information as there is in the UK. For example, we may store your child's information on cloud computer storage based overseas.

The European Commission has produced a list of countries which have adequate data protection rules. The list can be found here:

[https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries_en)

If the country that we are sending your child's information to is not on the list or is not a country within the EEA (which means the European Union, Liechtenstein, Norway and Iceland), then it might not have the same level of protection for personal information as there is in the UK.

We will provide you with details about the safeguards which we have in place outside of this privacy notice. If you have any questions about the safeguards that are in place please contact the Office Manager, or one of the Admin Team at the school.

### **For how long do we keep your child's information?**

We keep your child's information for as long as we need to in order to educate and look after them. We will keep certain information after your child has left the School, for example, so that we can find out what happened if you make a complaint.

In exceptional circumstances we may keep your child's information for a longer time than usual, but we would only do so if we had a good reason and only if we are allowed to do so under data protection law.

What decisions can you make about your child's information?

From May 2018 you will be able to make various decisions about your child's information. Some of these are new rights whilst others build on your child's existing rights. Your child's rights are as follows:

- **Rectification:** if information held by the School about your child is incorrect you can ask us to correct it.
- **Access:** you can also ask what information we hold about your child and be provided with a copy. This is commonly known as making a subject access request. We will also give you extra information, such as why we use this information about your child, where it came from and what types of people we have sent it to.
- **Deletion:** you can ask us to delete the information that we hold about your child in certain circumstances. For example, where we no longer need the information.
- **Portability:** you can request the transfer of your child's information to you or to a third party in a format that can be read by computer in certain circumstances.
- **Restriction:** our use of information about your child may be restricted to simply storing it in some cases. For example, if you tell us that the information is inaccurate we can only use it for limited purposes while we check its accuracy.
- **Object:** you may object to us using your child's information where:
  - we are using it for direct marketing purposes;
  - the legal basis on which we are relying is either legitimate interests or performance of a task carried out in the public interest. Please see the section "Our legal bases for using your child's information" above;
  - we are using it for historical or scientific research purposes or archiving purposes.

For example, we may keep photographs of your class for historical reasons.

**Further information and guidance:**

This notice is to explain how we look after your child's personal information.

Please speak to the Admin Team if:

- you would like to exercise any of your child's rights listed above; or
- you would like us to update the information we hold about your child; or
- you would prefer that certain information is kept confidential.

**JOIC:** If you consider that we have not acted properly when using your personal information, you can contact the [Jersey Office of the Information Commissioner](#).

## **Parent Privacy Notice:**

### **Introduction**

This notice is to help you understand **how** and **why** we collect your child's personal information and **what** we do with that information. It also explains the decisions that you can make about your child's information.

We are giving you this notice because you are able to exercise your child's data protection rights on their behalf. When your child is older (usually when they reach the age of 12) they will be considered mature enough to exercise their own data protection rights.

If you have any questions about this notice please contact the School Office.

### **What is "personal information"?**

Personal information is information that identifies you as an individual and relates to you.

This includes your contact details, next of kin and financial information. We will also hold information such as your religion or ethnic group.

### **Our legal bases for using your information**

This section contains information about the legal bases that we are relying on when handling your information.

The two tables below contain a general description of the different legal bases but we have also used a code system so that you can see which bases we are relying on for each of the purposes described at paragraphs 1 to 29 below.

#### **Legitimate interests ("LI")**

This means that the School is using your information when this is necessary for the School's legitimate interests except when your interests and fundamental rights override our legitimate interests.

Specifically, the School has a legitimate interest in:

- providing educational services to your child and to other children;
- safeguarding and promoting the welfare of your child, other children and our employees;
- promoting the objects and interests of the School. This includes fundraising and using photographs of you at our school events in promotional material. It also includes making sure that we are able to enforce our rights against you, for example, so that we can contact you if unpaid school fees are due;
- keeping the school buildings safe;

- using your information in connection with legal disputes, for example, if you or your child bring a claim against the School;
- protecting the School's reputation;
- facilitating the efficient operation of the School; and
- ensuring that all relevant legal obligations of the School are complied with (for example in relation to inspections).

In addition, your personal information may be processed for the legitimate interests of others. For example, another school will have a legitimate interest in knowing if you have not paid School fees that are due to us.

#### **Necessary for contract ("CT")**

We will need to use your information in order to perform our obligations under our contract with you and for you to perform your obligations as well. For example, we need your name and contact details so that we can update you on your child's progress and so that we can contact you if there is a concern.

#### **Legal obligation ("LO")**

Where the School needs to use your information in order to comply with a legal obligation, for example to report a concern to [Children and Family Hub](#). We may also have to disclose your information to third parties such as the courts, the local authority or the police where legally obliged to do so.

#### **Vital interests ("VI")**

In limited circumstances we may use your information to protect your vital interests or the vital interests of someone else (e.g. if you or they are seriously hurt).

#### **Performance of a task carried out in the public interest (or carrying out public tasks) ("PI")**

The following are examples of when we use your information to perform tasks in the public interest:

- providing your child with an education;
- safeguarding and promoting your welfare, your child's welfare and the welfare of other children;
- facilitating the efficient operation of the School; and
- ensuring that we comply with all of our legal obligations.

The School must also comply with an additional condition where it processes special categories of personal information. These special categories are as follows: personal information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic information, biometric information, health information, and information about sex life or orientation.

#### **Substantial public interest ("SPI")**

The School is also allowed to use special categories of personal information where doing so is necessary in the substantial public interest. This is similar to "public interest" above.

### **Social protection and social security laws**

Also the School may use your information to comply with social protection law (e.g. to look after your child) and social security laws. Social protection law is concerned with preventing, managing, and overcoming situations that adversely affect people's wellbeing.

### **Vital interests ("VI")**

In limited circumstances we may use your information to protect your vital interests or the vital interests of someone else (e.g. if you or they are seriously hurt).

### **Legal claims ("LC")**

We are allowed to use your information if this is necessary in relation to legal claims. For example, this allows us to share information with our legal advisors and insurers

### **How and why does the school collect and use personal information?**

We set out below examples of the different ways in which we use personal information and where this personal information comes from. The letters below refer to the legal bases we are relying on. Please see the section above for an explanation.

1. The School's primary reason for using your personal information is to provide educational services to your child - LI, CT, PI, SPI.
2. We will have information about any family circumstances which might affect your child's welfare or happiness. This is to help us provide appropriate care and support to your child - LI, CT, PI, SPI.
3. We will need information about any court orders or criminal petitions which relate to you. This is so that we can safeguard the welfare and wellbeing of your child and the other pupils at the School - LI, CT, PI, SPI.
4. We use CCTV to make sure the school site is safe. Images captured of you via CCTV will be your personal information. - LI, CT, PI, SPI.
5. If there is a complaint or grievance made to the School which involves you then we will use your information in connection with that complaint or grievance - LI, PI, SPI.
6. The School may share information about you with the [Children and Family Hub](#) for the purpose of the preparation, implementation and/or review of your child's Statement of Special Educational Needs or Education Health and Care Plan - LI, PI, LO.
7. Where appropriate, the School will have information about your religious beliefs and practices. For example, if you do not eat certain foods - LI, SPI.
8. We may take photographs or videos of you at School events to use on social media and on the School website. This is to show prospective parents and pupils what we do here and to advertise the School. We may continue to use these photographs and videos after your child has left the School - LI.
9. We will send you information to keep you up to date with what is happening at the School. For example, by sending you information about events and activities taking place (including fundraising events).- LI.

10. We may use information about you if we need this for historical research purposes or for statistical purposes. For example, if we consider the information might be useful if someone wanted to write a book about the School - LI.
11. We may use your information when ensuring network and information security, for example, our anti-virus software might scan files containing information about you - LI.
12. We can keep information about you for a very long time or even indefinitely if we need this for historical, research or statistical purposes. For example, if we consider the information might be useful if someone wanted to write a book about the School - LI

### **Financial information**

13. We will process financial information about you in relation to the payment of fees. In some cases, we get information about you from third parties such as credit reference agencies or from your child's previous school(s) - LI, CT.
14. We will hold information about bankruptcy petitions and statutory demands, where relevant - LI, CT.
15. We may share your information with debt recovery suppliers if you do not pay any school fees owed to the School - LI, CT.

Failure to supply information may result in a refusal of a bursary for example.

### **Sharing personal information with third parties**

16. In accordance with our legal obligations, we may share information with Jersey Education Department, Children and Family Hub, and the Independent Schools Inspectorate, for example, where we have any safeguarding concerns or to comply with our legal obligations - LI, LO, PI, SPI.
17. On occasion, we may need to share your information with the police for the prevention and investigation of crime and the prosecution of offenders. We will only do this in specific circumstances to assist the police with their investigations - LI, CT, LO, PI, SPI.
18. We may need to share information about you with the Health and Safety Inspectorate if there is a serious health and safety issue at the School - LI, LO, PI, SPI.
19. In certain circumstances, we may also need to share information with our legal advisers for the purpose of obtaining legal advice - LI, LO, PI, SPI, LC.
20. Occasionally we may use consultants, experts and other advisors to assist the School in fulfilling its obligations (e.g. auditors). We will share your information with them if this is relevant to their work - LI, CT, PI, SPI.

21. The School has charitable status, which means that in exceptional circumstances we may need to share your information with the [Jersey Charity Commissioner](#) e.g. in the event of a serious incident - LI, LO, PI, SPI.
22. We may share information about you with our insurance company, for example, where there is a serious incident at the School - LI, SPI, LC.
23. If you have unpaid fees we may share information about this with other schools or educational establishments to which you intend to send your child - LI.
24. If your child leaves us to attend another school we may provide that school with information about you. For example, details of family circumstances if there have been any safeguarding incidents - LI, LO.
25. We may share information about you with others in your family, such as another parent or step-parent. For example, where this is part of our obligation to take care of your child, as part of our wider legal and regulatory obligations, or in connection with school fees - LI, PI, SPI.
26. We may need to share information if there is an emergency, for example, if you are hurt whilst on School premises - LI, VI.
27. If you have appointed an agent to act on your behalf, we may share information with them. For example, we may send letters to them so that they can pass these on to you - LI.
28. We may send you information about the School before you accept a place for your child. For example, we may send you a copy of the school prospectus/magazine - LI.
29. If your child has a Record of Need (RON), we will share information with and obtain information about you from the Department of Education or other authority if arriving from outside of Jersey - LO, PI, SPI.

We sometimes use contractors to handle personal information on our behalf. The following are examples:

- IT consultants who might access information about your child when working with administrative staff, or when checking the security of our IT network; and
- we use third party "cloud computing" services (eg AWS) to store some information rather than the information being stored on hard drives located on the School site.

We obtain information about you from admissions forms and from your child's previous school. We may also get information from professionals such as doctors and from local authorities.

### **Criminal offence information**



We may only use information relating to criminal convictions and offences where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations or to exercise our rights.

Less commonly, we may use information relating to criminal convictions and offences where it is necessary in relation to legal claims, where it is necessary to protect our pupils and you are not capable of giving your consent, or where you have already made the information public.

### **More than one basis**

As you will see from this notice, in some cases we will rely on more than one basis above for a particular use of your information. In addition, we may move from one of the legal bases listed above to another as circumstances change. For example, as a safeguarding matter becomes more serious, we may start to rely on legal obligation to share personal information with the local authority in addition to the other legal bases which are noted for safeguarding purposes.

### **Consent**

We may ask for your consent to use your information in certain ways as an alternative to relying on any of the bases in the table above. For example, we may ask for your consent before taking or using some photographs and videos if the photograph or video is more intrusive and we cannot rely on legitimate interests. If we ask for your consent to use your personal information you can take back this consent at any time. Any use of your information before you withdraw your consent remains valid. Please speak to one of the Office Admin Team if you would like to withdraw any consent given.

### **Sending information to other countries**

In certain circumstances, we will send your information to countries which do not have the same level of protection for personal information as there is in the UK. For example, we may store your information on cloud computer storage based overseas.

The European Commission has produced a list of countries which have adequate data protection rules. The list can be found here:

[https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries_en)

If the country that we are sending your information to is not on the list or is not a country within the EEA (which means the European Union, Liechtenstein, Norway and Iceland), then it might not have the same level of protection for personal information as there is in the UK.

We will provide you with details about the safeguards which we have in place outside of this privacy notice. If you have any questions about the safeguards that are in place please contact the Office admin Team..

### **For how long do we keep your information?**

We keep your information for as long as we need to in order to educate and look after your child. We will keep some information after your child has left the School, for example, so that we can find out what happened if you make a complaint.

In exceptional circumstances we may keep your information for a longer time than usual, but we would only do so if we had a good reason and only if we are allowed to do so under data protection law.

### **What decisions can you make about your information?**

From 25 May 2018 data protection legislation gives you a number of rights regarding your information. Some of these are new rights whilst others build on your existing rights. Your rights are as follows:

- **Rectification:** if information the School holds about you is incorrect you can ask us to correct it.
- **Access:** you can also ask what information we hold about you and be provided with a copy. This is commonly known as making a subject access request. We will also give you extra information, such as why we use this information about you, where it came from and what types of people we have sent it to.
- **Deletion:** you can ask us to delete the information that we hold about you in certain circumstances. For example, where we no longer need the information.
- **Portability:** you can request the transfer of your information to you or to a third party in a format that can be read by computer. This applies where (a) the information has been provided by you; (b) the basis that we are relying on to process your information is consent or contract (please see "Our legal bases for using your information" above); and (c) the information is being processed by us on computer.
- **Restriction:** our use of information about you may be restricted in some cases. For example, if you tell us that the information is inaccurate we can only use it for limited purposes while we check its accuracy.
- **Object:** you may object to us using your information where:
  - a. we are using it for direct marketing purposes;
  - b. the legal basis on which we are relying is either legitimate interests or performance of a task carried out in the public interest. Please see the section "Our legal bases for using your information" above; and
  - c. we are using it for historical or scientific research purposes or archiving purposes. For example, we may keep photographs of you at a School event for historical reasons.

### **Further information and guidance:**

This notice is to explain how we look after your child's personal information. Please speak to the Admin Team if:

- you would like to exercise any of your child's rights listed above; or
- you would like us to update the information we hold about your child; or
- you would prefer that certain information is kept confidential.

**JOIC:** If you consider that we have not acted properly when using your personal information, you can contact the [Jersey Office of the Information Commissioner](#).

**Addendum:**

**Use of AI in Schools:** St Michael's School will follow the policy set out by the States of Jersey Education Department, known as [‘Artificial Intelligence \(AI\) Policy Generative AI in \(Jersey\) Education’](#)