

THE MILL HILL SCHOOL FOUNDATION

**WALKER HOUSE, MILLERS CLOSE, THE RIDGEWAY, MILL HILL,
LONDON NW7 1AQ**

Mill Hill School

Belmont, Mill Hill Preparatory School

Grimsdell, Mill Hill Pre-Preparatory School

The Mount, Mill Hill International

The Mill Hill School Foundation Data Protection Policy

**Independent Co-educational Day School for Pupils aged 3 to 18 years
and Boarding School for Pupils aged 13 to 18 years**

Effective September 2011 updated September 2014

1. USE OF PERSONAL DATA

- 1.1. The Mill Hill School Foundation (the "School") is an independent co-educational day and boarding school, for children in the age range 3 to 18 years, comprising The Mount Mill Hill International, Grimsdell (the pre-preparatory school), Belmont (the preparatory school) and Mill Hill School. It is a registered charity and a company limited by guarantee, employing both teaching and non-teaching staff. Legal responsibility rests with the company acting by the Court of Governors, and the Heads having day to day responsibility for the management of the Schools and the care of pupils.
- 1.2. The Schools will process *personal data*¹ (including names, addresses and contact numbers), both in electronic and *manual* (normally paper) form, in order:
- To provide education and pastoral care to pupils and their parents, through the School's staff;
 - To provide academic, examination and career references for pupils and staff;
 - To fulfil its contractual or other legal obligations towards current, past and prospective pupils, staff, parents, governors and others; and/or
 - To protect the *vital interests* of pupils and staff.

These are "the Purposes" of this Policy.

- 1.3. The Court of Governors of the School is registered as Data Controller under the Data Protection Act 1998 [the "Act"]. This Policy has been framed under the Act, and is intended to operate in accordance with the provisions and spirit of the Act and relevant guidance and good practice, particularly the 8 *Data Protection Principles* set out in the Act and summarised as follows:
- 1.3.1 Personal data will be processed fairly and lawfully and in compliance with Schedule 2 and/or Schedule 3 of the Act as applicable;
- 1.3.2 Personal data will be processed only for specified lawful purposes;
- 1.3.3 Personal data will adequate, relevant and not excessive, in regard to the purposes for which it is processed;
- 1.3.4 Personal data will be accurate and up to date;
- 1.3.5 Personal date will be kept only for so long as is necessary for the purpose for which it processed;

¹ Words or phrases in italics are used or defined in the Data Protection Act 1998 ("the Act").

- 1.3.6 Personal data will be processed only in accordance with rights of the data subject;
- 1.3.7 The Data Controller will take appropriate technical and organisational measures to prevent unauthorised or unlawful processing;
- 1.3.8 The Data Controller shall not transfer personal data outside the EEA unless that country has adequate levels of data protection for data subjects.

The School must maintain the trust and confidence of the whole school community and others with whom the School comes into contact. In all circumstances the welfare of pupils comes first, but sometimes there is a tension to be held with other legal requirements, such as duties owed to visitors, parents, staff and public authorities.

1.4. The School aims never to:

- Hold or use inaccurate or misleading data;
- Keep more data, more categories of data, or keep data for longer than is reasonably required in order to fulfil the Purposes of this Policy;
- Disclose *personal data* to others except in accordance with this Policy;
- Use personal data to make any *automated decision* which significantly affects a pupil, member of staff or parent;
- Sell or transfer any part of its database/s for the purposes of *direct marketing*.

2. **ACCESS TO DATA**

- 2.1. The Data Controller is the Court of Governors of the Mill Hill School Foundation. The Data Processor is the Bursar.
- 2.2. Any reasonable request by a pupil (where appropriate), parent or member of staff etc. for access to *personal data* held about him/her/their child by the School must be made in writing to the Head at the School address. The School will not normally accept more than one such request per academic year.
- 2.3. The School will aim to arrange access or provide copies within a reasonable time frame and in any event within 40 days of receiving the written request. and fee There will normally be a VAT-inclusive fee, currently £10 per subject access request. The exact amount will depend upon the number of pages of information provided. The School shall require this fee to be paid in advance.
- 2.4. The School shall not be required to disclose data which is *exempt* from disclosure. For instance:
 - Manual data to which the Act does not apply;

- Where applicable, when disclosure of a particular record would be likely to cause serious harm to the health of the person requesting disclosure or to someone else;
- Examination scripts.
- References made by the School which remain in the control of the School.

2.5. The School may also withhold medical data if it is held under the professional jurisdiction of the School Doctor/Medical Officer. In those circumstances, the parent, pupil or member of staff (as appropriate) should contact the School Doctor/Medical Officer direct in order to arrange access to this data.

3. **SECURITY**

3.1. Data held on computer is protected by data redundancy, user/share level security, personal/public key identifiers, passwords, secure ID, NTFS/FAT, virus protection, file encryption, mission critical, back up systems, dedicated servers, clustering, server farm, and internal procedures

3.2. Manual data is protected by locking relevant doors and filing cabinets, shredding, internal procedures etc

3.3. A request by a person with parental responsibility for data about their child (such as reports) to be sent to them or to any other person overseas, will be deemed sufficient confirmation that the receiving country ensures an adequate level of protection for the rights and freedoms of *data subjects*.

3.4. Persons who process (stores or uses) personal data on behalf of the Foundation and its Schools have a responsibility to ensure that the Data Protection Principles are observed and must comply with this Data Protection Policy and its associated Keeping of Documents Policy and Procedures and Confidentiality Policy.

3.5. Persons who work for and on behalf of the Foundation and its Schools [‘third parties’] who may have access to or process personal data in connection with the Foundation and its Schools should operate in accordance with the Data Protection Act and the details of such access or processing should be subject to a written agreement between the third party and the Foundation. Third parties include suppliers or service providers.

4. **REFERENCES**

4.1. References given by a member of Mill Hill School Foundation Teaching Staff on behalf of the School, whether for staff or pupils, may be given only with the consent of the Head or a Deputy Head unless the reference is written by the Head or Deputy Head, in consultation with other staff where appropriate. Any reference will be fair, balanced and reasonable and will be provided in good faith.

- 4.2. References given by a member of Mill Hill School Foundation Administrative, Finance and Support Staff on behalf of the Foundation/School may be given only with the consent of the Bursar or Deputy Bursar unless the reference is written by the Bursar or Deputy Bursar, in consultation with other staff where appropriate. Any reference will be fair, balanced and reasonable and will be provided in good faith.
- 4.3. A request for a reference to be provided to an employer or institution overseas will be taken as the applicant's confirmation that the receiving country ensures an adequate level of protection for the rights and freedoms of *data subjects*.
- 4.4. In exceptional circumstances the Head or the Bursar may agree to provide a testimonial or 'open' reference.

5. GOVERNANCE

- 5.1 This Policy has been approved by the Mill Hill School Foundation Court of Governors. It is one of several Information Management and Record Keeping Policies and Protocols approved by the Court of Governors and its Sub-Committees.
- 5.2 This Policy will be reviewed with other information management compliance policies every 5 years by the Court of Governors Nomination and Governance Sub-Committee.
- 5.3 The Bursar and the Heads are responsible to the Court of Governors for ensuring compliance with this Policy.

Last review: Nomination and Governance Committee September 2011 updated September 2014