

# Cayman Prep and High School



## Privacy Notice

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# Cayman Prep and High School Privacy Notice

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## WHO WE ARE

**“Cayman Prep and High School, 559 Walkers Road, George Town. KY1-1001”** is the Data Controller for the purposes of the Data Protection Law 2017 and our website and internal data collection procedures comply with the principles of the Data Protection Law 2017.

Cayman Prep and High School takes the confidentiality of personal data seriously. Please contact us via the queries and complaints section if you have any questions or comments on this privacy notice.

The Company's privacy notice sets out the ways Cayman Prep and High School processes personal data. This privacy notice relates to personal data collected by Cayman Prep and High School via Cayman Prep and High School website and directly through school correspondence. Any personal data collected by Cayman Prep and High School is used in accordance with data protection legislation.

This privacy notice does not apply to personal data provided to Cayman Prep and High School by any other means or via any other website. Users should be aware that if they provide personal data to other companies, the privacy policies of those companies determine the uses to which that information is put, and Cayman Prep and High School's privacy notice will no longer apply.

This privacy notice applies solely to the personal data collected by Cayman Prep and High School and does not apply to third party websites users may access from the school's website. The Company is not responsible for the privacy policies of third party websites. The Company advises users to read the privacy policies of other websites before registering any personal data.

## WHAT THIS PRIVACY NOTICE IS FOR

This policy is intended to provide information about how the school will use (or "process") personal data about individuals including: its staff; its current, past and prospective students; and their parents, carers or guardians (referred to in this policy as "parents").

This information is provided because Data Protection Law gives individuals rights to understand how their data is used. Staff, parents and students 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.

This **Privacy Notice also** applies in addition to the school's other relevant terms and conditions and policies:

- any contract between the school and its staff or the parents of students;
- the school's policy on taking, storing and using images of children;
- the school's CCTV policy;
- the school's retention of records policy;
- the school's child protection, pastoral, or health and safety policies, including as to how concerns or incidents are recorded; and
- the school's IT policies, including its e-safety and ICT 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 school's data protection policy, which also provides further information about how personal data about those individuals will be used.

## RESPONSIBILITY FOR DATA PROTECTION

- The School has appointed the Business Manager as Chief Privacy Officer who will deal with all your requests and enquiries concerning the school's uses of your personal data (see section on Your Rights below) and endeavour to ensure that all personal data is processed in compliance with this policy and Data Protection Law.

privacy@cayprep.edu.ky

+1-345-949-9115

## WHY THE SCHOOL NEEDS TO PROCESS PERSONAL DATA

In order to carry out its ordinary duties to staff, students and parents, the school needs to process a wide range of personal data about individuals (including current, past and prospective staff, students or parents) as part of its daily operation.

Some of this activity the school will need to carry out in order to fulfil its legal rights, duties or obligations – including those under a contract with its staff, or parents of its students.

Other uses of personal data will be made in accordance with the school's 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.

The school expects that the following uses will fall within that category of its (or its community's) "**legitimate interests**":

- For the purposes of student selection (and to confirm the identity of prospective students and their parents);
- To provide education services, including musical education, physical training or spiritual development, career services, and extra-curricular activities to students, and monitoring students' progress and educational needs;
- Maintaining relationships with alumni and the school community, including direct marketing or fundraising activity;
- For the purposes of management planning and forecasting, research and statistical analysis, including that imposed or provided for by law (such as tax or diversity);
- To enable relevant authorities to monitor the school's performance and to intervene or assist with incidents as appropriate;
- To give and receive information and references about past, current and prospective students, including relating to outstanding fees or payment history, to/from any educational institution that the student attended or where it is proposed they attend; and to provide references to potential employers of past students;
- To enable students to take part in national or other assessments, and to publish the results of public examinations or other achievements of students of the school;
- To safeguard students' welfare and provide appropriate pastoral care;
- To monitor (as appropriate) use of the school's IT and communications systems in accordance with the school's IT: acceptable use policy;
- To make use of photographic images of students in school publications, on the school website and (where appropriate) on the school's social media channels in accordance with the school's policy on taking, storing and using images of children;
- For security purposes, including CCTV in accordance with the school's CCTV policy;

- To carry out or cooperate with any school or external complaints, disciplinary or investigation process; and
- Where otherwise reasonably necessary for the school's purposes, 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** (concerning health, ethnicity, religion, or sexual life) or criminal records information (such as when carrying out background checks) in accordance with rights or duties imposed on it by law, including about safeguarding and employment, or from time to time by explicit consent where required. These reasons will include:

- To safeguard students' 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 student;
- In connection with employment of its staff, for example DBS checks, welfare, union membership or pension plans;
- As part of any school or external complaints, disciplinary or investigation process that involves such data, for example if there are SEN, health or safeguarding elements; or
- For legal and regulatory purposes (for example child protection, and health and safety) and to comply with its legal obligations and duties of care.

## TYPES OF PERSONAL DATA PROCESSED BY THE SCHOOL

This will include by way of example:

- names, addresses, telephone numbers, e-mail addresses and other contact details;
- car details (about those who use our car parking facilities);
- bank details and other financial information, e.g. about parents who pay fees to the school;
- past, present and prospective students' 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 welfare, and contact details for their next of kin;
- references given or received by the school about students, and relevant information provided by previous educational establishments and/or other professionals or organisations working with students;
- correspondence with and concerning staff, students and parents past and present; and
- images of students (and occasionally other individuals) engaging in school activities, and images captured by the school's CCTV system (in accordance with the school's policy on taking, storing and using images of children);

## HOW THE SCHOOL COLLECTS DATA

Generally, the school receives personal data from the individual directly (including, in the case of students, 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 will be supplied by third parties (for example another school, or other professionals or authorities working with that individual).

## WHO HAS ACCESS TO PERSONAL DATA AND WHO THE SCHOOL SHARES IT WITH

Occasionally, the school will need to share personal information relating to its community with third parties, such as;

- professional advisers (healthcare professionals, lawyers and accountants);
- government authorities; and
- appropriate regulatory bodies.

For the most part, personal data collected by the school will remain within the school and will be processed by appropriate individuals only in accordance with access protocols.

A certain amount of any SFL student's relevant information will need to be provided to staff more widely in the context of providing the necessary care and education that the student requires.

Staff, students and parents are reminded that the school is under duties imposed by law and statutory guidance (including the Children's Law 2012 - revision) to record or report incidents and concerns that arise or are reported to it, in some cases regardless of whether they are proven, if they meet a certain threshold of seriousness in their nature or regularity. This is likely to include file notes on personnel or safeguarding files, and in some cases referrals to relevant authorities such as the Local Authority Designated Officer or police. For further information about this, please view the school's Child Protection Policy 2019.

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

## 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, the legal recommendation for how long to keep student files is up to 7 years following departure from the school. However, incident reports and safeguarding files will need to be kept much longer, in accordance with specific legal requirements.

If you have any specific queries about how our retention policy is applied or wish to request that personal data that you no longer believe to be relevant is considered for erasure, please contact Mr. Martin Graver, Data Protection Lead. However, please bear in mind that the school will often have lawful and necessary reasons to hold on to some personal data even following such request.

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, alumnae 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. Unless the relevant individual objects, the school will also:

- Share personal data about parents and/or alumni, as appropriate, with organisations set up to help establish and maintain relationships with the school community;
- Contact parents and/or alumnae by post and email to promote and raise funds for the school and, where appropriate, other worthy causes;
- Should you wish to limit or object to any such use, or would like further information about them, please contact High School Office ([hsoffice@cayprep.edu.ky](mailto:hsoffice@cayprep.edu.ky)) or Primary School Office ([psoffice@cayprep.edu.ky](mailto:psoffice@cayprep.edu.ky)) in writing. You always have the right to withdraw consent, where given, or otherwise object to direct marketing or fundraising. However, the school is nonetheless likely to retain some of your details (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 Business Manager ([privacy@cayprep.edu.ky](mailto:privacy@cayprep.edu.ky)), Cayman Prep and High School, 559 Walkers Road, PO Box 10013, Grand Cayman. Ky1-1001. Tel: +1 345 949 9115.

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 30 days 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, the school may ask you to reconsider, or require a proportionate fee (but only 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 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 student examination scripts or other information consisting solely of student 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, because 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.

## STUDENT REQUESTS

Students 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 student 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 students, the law still considers the information in question to be the child's.

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 students without their consent., The school may consider there are lawful grounds for sharing with or without reference to that student.

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.

All information requests from, on behalf of, or concerning students – 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. Examples where we do rely on consent are: (e.g. certain types of uses of images, 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, or because a purchase of goods, services or membership of an organisation such as an alumni or parents' association has been requested).

## 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 students. Parents and students should be aware that this is not necessarily the same as the school relying on strict consent (see section on Consent



above).

In general, the school will assume that students' 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 student's activities, progress and behavior, and in the interests of the student's welfare. That is, unless, in the school's opinion, there is a good reason to do otherwise.

However, where a student 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 student or other students, or if required by law.

Students are required to respect the personal data and privacy of others, and to comply with the school's safety and ICT policy and the school rules.

## 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 please notify the school office promptly 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, of who 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 use of technology and devices, and access to school systems. All staff and governors will be made aware of this policy and their duties under Data Protection Law and receive relevant training.

## THIS POLICY

**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 policy should be directed to the Business Manager (privacy@cayprep.edu.ky), Cayman Prep and High School, 559 Walkers Road, PO Box 10013, Grand Cayman. Ky1-1001. Tel: +1 345 949 9115.

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 school complaints procedure and should also notify the Business Manager. You can also make a referral to or lodge a complaint with the Ombudsman, although they will recommend that steps are taken to resolve the matter with the school before involving the regulator.