

Data Protection (GDPR) Policy

More Than Ed | Independent School

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1. Rationale

The school processes personal data in accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. We have a Data Protection Lead (DPL) who ensures that data is processed fairly and lawfully, that any breaches are reported to the appropriate body, investigated and acted upon, and that data handling continues to meet the requirements of data protection law. The categories of student information that we process include:

- personal identifiers and contacts (such as name, unique student number, contact details and address);
- characteristics (such as ethnicity, language and free school meal eligibility);
- safeguarding information (such as court orders and professional involvement);
- special educational needs (including needs and ranking);
- medical and administration information (such as doctor's information, child health, dental health, allergies, medication and dietary requirements);
- attendance (such as sessions attended, number of and reasons for absences, and any previous schools attended);
- assessment and attainment (such as results, post-16 courses enrolled for and relevant results);
- behavioural information (such as exclusions and any relevant alternative provision); and
- school trips and residential.

This list is not exhaustive, and access to the detailed list is made available on the school website.

2. Why We Collect and Use This Information

We collect and use student information for the following purposes:

- to support student learning;
- to monitor and report on student attainment and progress;
- to provide appropriate pastoral care;
- to assess the quality of our services;
- to keep children safe (for example food allergies and emergency contact details);
- to meet the statutory duties placed upon us for DfE data collections;
- to ensure medical needs are met and maintained; and
- to provide support and services to students and families, including meeting the needs of students' care (medicines, treatment and food).

3. The Lawful Basis on Which We Use This Information

Under the UK GDPR, the lawful bases we rely on for processing student information are:

- Article 6(1)(e) – public task: processing is necessary for the performance of a task carried out in the public interest, including data management, recording and reporting.
- Article 6(1)(f) – legitimate interests: processing is necessary for our legitimate interests or those of a third party, unless these are overridden by the interests or rights of the individual.
- Article 6(1)(a) – consent: the individual has given clear consent for a specific purpose, for example the use of photographs or electronic media of a student on internal documents, the website and marketing materials, and the non-emergency use of mobile numbers and emails.

Where we process special category data, we rely in addition on the relevant conditions in Article 9 of the UK GDPR (and the associated conditions in the Data Protection Act 2018), including where processing is necessary for employment, social security and social protection obligations, or for the establishment, exercise or defence of legal claims.

4. How We Collect and Store Student Data

We use registration forms, which are entered into the CPOMS system, for contact, health and attendance requirements; these are updated when the annual data collection forms are sent out for parents and carers. While the majority of the information requested is mandatory, some is requested on a voluntary basis, and we will inform you at the point of collection whether you are required to provide it.

We hold student data securely for the period set out in our data retention schedule. Data is stored securely and monitored by the DPL, and student files are kept in locked storage areas to restrict access. For more information on our data retention schedule and how we keep data safe, contact jonathan.mundin@mted.uk.

5. Who We Share Student Information With

We routinely share student information with:

- schools that students attend after leaving us;
- our local authority;
- youth support services (students aged 13+);
- the Department for Education (DfE);
- school therapists and specialists such as the NHS, including nurses, doctors, occupational therapists and physiotherapists;
- social workers involved in the Education, Health and Care Plans of students; and
- teams working with the child, to ensure medical and dietary needs are met.

6. Youth Support Services

Learners aged 13+: once our learners reach the age of 13, and if requested by the commissioner, we may pass learner information to our local authority and/or provider of youth support services, who have responsibilities for the education or training of 13- to 19-year-olds under section 507B of the Education Act 1996. This enables them to provide youth support services and careers advice. A parent or guardian can request that only their child's

name, address and date of birth be passed to these services by informing us; this right transfers to the young person at age 16.

Learners aged 16+: we will also share certain information about students aged 16+ with our local authority and/or provider of youth support services, to enable them to provide post-16 education and training, youth support services and careers advice.

7. Why We Regularly Share Student Information

We do not share information about our students with anyone without consent, unless the law and our policies allow us to do so. The Department for Education (DfE) collects personal data from educational settings and local authorities via statutory data collections. We are required to share information about our students with the DfE, either directly or via our local authority, under section 3 of the Education (Information About Individual Pupils) (England) Regulations 2013. All data is transferred securely and held by the DfE in line with the government security policy framework.

8. How Government Uses Your Data

The student data we lawfully share with the DfE through data collections underpins student funding (calculated on the number of children and their characteristics in each school), informs short-term education policy monitoring, accountability and intervention, and supports longer-term research and monitoring of educational policy. Information about the DfE's data collection requirements (for example the school census) is available at gov.uk.

The National Pupil Database (NPD) is owned and managed by the DfE and contains information about students in schools in England. We are required by law to provide information about our students to the DfE as part of statutory data collections such as the school census, under the Education (Information About Individual Pupils) (England) Regulations 2013, and some of this information is stored in the NPD. The DfE may share information from the NPD with third parties who promote the education or wellbeing of children in England, subject to a strict approval process and robust controls over confidentiality, security, retention and use.

The law allows the DfE to share students' personal data with certain third parties, including schools, local authorities, researchers, organisations promoting the education or wellbeing of children, other government departments or agencies, and organisations fighting or identifying crime. Further information about the DfE's data-sharing processes, and which organisations have received data, is available at gov.uk, and the DfE can be contacted at gov.uk/contact-dfe.

9. Data Protection and Artificial Intelligence (AI)

The implications of AI for children's privacy, safety and security range from benefits, such as understanding threats to children with greater accuracy, to risks, such as unintended privacy infringements, and these change constantly as the technology develops. As a school, we use AI tools only in accordance with our Artificial Intelligence (AI) Policy and under appropriate data-processing controls; in particular, personal and special category data is not entered into AI tools. For further detail on AI and the risks to children and young people, please see our Safeguarding and Child Protection Policy.

10. Requesting Access to Your Personal Data

Under data protection legislation, parents and students have the right to request access to the information we hold about them. You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress;
- prevent processing for the purpose of direct marketing;
- object to decisions being taken by automated means;
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- seek redress, either through the Information Commissioner's Office (ICO) or through the courts.

To make a request for your personal information, or to request access to your child's educational record, contact jonathan.mundin@mted.uk.

11. Data Subject Access Requests

As defined by Article 15 of the UK GDPR, and as modified by the Data Protection Act 2018, you may make a Data Subject Access Request (DSAR). Although a young person under 18 can be classified as a child, in law their personal data still relates to and belongs to them. Gillick competence is assessed on an individual basis, taking into account the student's age, understanding, SEMH needs and capacity to make informed decisions. Where a student is mature enough to understand their rights in relation to their own personal data, we will act only under the instruction of the data subject. Where the data subject authorises another person to make the request, we must still be satisfied that performing the DSAR is in the best interests of the data subject; if we are not satisfied that it is, the request will be refused.

If you have a concern or complaint about the way we are collecting or using your personal data, you should raise it with us in the first instance, or directly with the Information Commissioner's Office at ico.org.uk/concerns.

12. Contact

If you would like to discuss anything in this policy or privacy notice, please contact the Data Protection Lead, Jonathan Munding, at jonathan.munding@mted.uk.

13. Related Policies

This policy should be read alongside the school's other policies, including:

- Privacy Notices for parents, students and staff
- Data Retention Schedule
- Cyber Security Policy and E-Safety Policy
- Acceptable Use Policy
- Safeguarding and Child Protection Policy
- Artificial Intelligence (AI) Policy

14. Legislation and Guidance

In drawing up this policy, the school has had regard to the following:

- UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018
- The Education (Information About Individual Pupils) (England) Regulations 2013
- Information Commissioner's Office (ICO) guidance