



Parent Application Data Protection Statement

We need to collect information about you and your family in order for us to process your application for a pupil place at Hymers and (where your application is successful) to provide educational services to your child and manage your relationship with us.

This Data Protection Statement (“**this Statement**”) explains what information we collect from and about individuals in relation to pupil place applications and pupil places at Hymers, how their information will be used, how long we keep it and what their related rights are.

1. Who are we?

- 1.1 We are Hymers College Trustee Limited (the corporate name for Hymers College; registered company number 05193649). Our registered office and address for correspondence is 83 Hymers Avenue, Hull, East Yorkshire, HU3 1LW.
- 1.2 We are committed to ensuring that all personal information we hold is treated properly and in accordance with applicable data protection legislation. We are registered as a data controller with the Information Commissioner’s Office (“**ICO**”) and our registration number is Z8720578. In accordance with applicable data protection legislation, we are required to explain to you how we will treat any personal information which we collect about you.
- 1.3 This Statement applies to anybody who applies to us for a pupil place at Hymers in respect of their child (including any person who is named in any such application or any subsequent contract that we may enter into with you). This Statement covers the personal information we collect in connection with each pupil place application and (if the application is successful) in connection with the pupil’s subsequent place at Hymers.
- 1.4 You promise that any information you supply to us is accurate and up-to-date, that you will inform us if any such information requires updating and that where you submit any other person’s details to us (including but not limited to any information relating to other parents/guardians and/or emergency contacts) you have that other person’s permission or are otherwise legally permitted to do so on their behalf.
- 1.5 You have the right to lodge a complaint with the ICO if you have any concerns with regard to the way in which we process your personal information. We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.
- 1.6 Please note that if you make an application to us in respect of our fee remission scheme or hardship fund, we will collect additional information from you in connection with such application. Such information will be processed in accordance with our separate data protection statement for financial assistance applications (a copy of which is available upon request).



2. What information do we collect and how do we use it?

Application Process

- 2.1 Where you apply for a pupil place at Hymers for your child, you may give us information about you, your child and other family members by completing our Application Form, or by corresponding with us by telephone, email or otherwise. We may also receive information from the child's previous school. This information may include:
- (a) the child's name, date of birth, address, previous school (including school reports), gender, copy of the child's pupil or birth certificate (please note that for international applications a copy of the child's passport will always be required), reference from previous school;
 - (b) the name, occupation, postal address, telephone number and email address of each parent/guardian named on the application;
 - (c) where your child subsequently participates in our entrance testing procedure, we will collect additional information from them in connection with their involvement in that procedure (for example in connection with entrance examinations and interviews); and
 - (d) the following categories of more sensitive personal information about your child: information about health (including any medical condition or special educational needs or disabilities).
- 2.2 Regardless of the success of your application, any information collected by us in connection with the application and entrance testing process (other than that mentioned in section 2.3 below) will be used as necessary for our legitimate interests in processing the relevant application, administering our entrance testing procedure, assessing the pupil's suitability and eligibility for a place within Hymers having regard to our entrance criteria, communicating with you about the application process and complying with legal or regulatory requirements.
- 2.3 We will use information about your child's health in connection with our legal requirement to consider whether we need to provide appropriate adjustments during the entrance testing procedure (for example, whether adjustments need to be made during the entrance examinations and/or interview).
- 2.4 If you fail to provide information which is necessary for us to consider your application, we will not be able to consider your application any further.

Successful Applications

Where your application is successful and you enter into a related parent contract with us in respect of your child's place at Hymers:



- 2.5 We will collect additional information about you, the pupil and your family on our related admissions forms. This may include:
- (a) your child's first language, number and age of siblings, usual method of transport to school, usual lunch arrangements;
 - (b) the following information relating to each parent/guardian named in the parent contract: gender, workplace contact details, parental responsibility status, payment/bank account details;
 - (c) the names and contact details of other family members and emergency contacts; and
 - (d) the following categories of more sensitive personal information about the pupil: ethnicity, religion, information about health (including any medical condition, special educational needs or disabilities and dietary requirements).
- 2.6 We may also collect additional information about your child during their time at Hymers, including the following:
- (a) attendance information (e.g. number of absences and reasons for absence);
 - (b) assessment information (e.g. national curriculum assessment results);
 - (c) behavioural information (e.g. number of temporary exclusions); and
 - (d) photographs (these will be used to aid our records management and attendance procedures. We will do this even if we do not have consent to photography for publicity purposes as mentioned in section 3.1 below).

We will use information about pupils and their families for the purposes set out in sections 2.7 to 2.10 below (save for the particularly sensitive information mentioned in section 2.6(d) above, which will only be used for the purposes mentioned in section 2.11 below):

- 2.7 Where you are named in the parent contract with us, we will use your information where necessary for the performance of that contract. For example, your payment/bank account details will be used by us for collecting payment of school fees;
- 2.8 We will use such personal information as necessary in order for us to perform a task carried out in the public interest in the circumstances described below:
- (a) to admit your child into Hymers;



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- (b) to provide educational services to your child (including musical education, physical training or spiritual development, career services, and extra-curricular activities to your child);
- (c) to safeguard pupils' welfare and provide appropriate pastoral care;
- (d) to monitor and report on the progress of our pupils and their related educational needs (including the sending of school reports to parents/guardians);
- (e) to enable relevant authorities to monitor Hymers' performance and to intervene or assist with incidents as appropriate;
- (f) 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 Hymers;
- (g) to publish pupils' public examination results; and
- (h) to notify parents/guardians of relevant matters arising in relation to the pupil (for example, non-attendance, emergencies, and disciplinary matters).

2.9 We will also use such personal information as necessary for our legitimate interests in the circumstances described below (provided that the relevant person's interests and fundamental rights do not override those interests):

- (a) to monitor your child's use of our information and communication systems to ensure compliance with our policies and procedures;
- (b) to give and receive information and references, including relating to outstanding fees or payment history, to/from any other educational institution, and to provide references to potential employers;
- (c) where it is necessary to establish, exercise, or defend any legal claim;
- (d) to deal with and respond to any queries, enquiries or complaints that we receive;
- (e) to assess and improve the quality of our service;
- (f) to send parents/guardians a copy of our newsletter from time to time;
- (g) where reasonably necessary in order to obtain appropriate insurance for Hymers; and
- (h) where your child is an international pupil, in connection with any related application process that we assist with on behalf of your child.

2.10 We will also use such personal information as necessary in order for us to comply with a legal obligation in the circumstances described below:



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- (a) in connection with the school census; and
- (b) to comply with health and safety and safeguarding requirements.

2.11 We will use such particularly sensitive personal information in the following ways:

- (a) where it is necessary to protect the vital interests of your child or another person where your child is physically or legally incapable of giving us consent (for example in cases of medical emergency);
- (b) to safeguard your child's 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 your child'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 co-operation 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;
- (c) to provide educational services in the context of any special educational needs of your child;
- (d) to provide spiritual education in the context of any religious beliefs;
- (e) 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); and
- (f) for legal and regulatory purposes (for example child protection, diversity monitoring and health and safety). In addition, details of your child's ethnicity and religion will be processed as part of our legal duty to complete the school census.

2.12 If we are not provided with information when requested which is necessary for us to provide our services we may not be able to provide the best service and care to your child (for example, if we are not notified of any special educational needs). We may also be unable to comply with our legal obligations or enter into any parent contract with you.

2.13 In limited circumstances, we may approach you for your consent to allow us to process certain information for purposes not referred to in this Statement. If we do so, we will provide you with full details of the information we would like and the reason we need it, so that you can carefully consider whether you wish to consent. You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us. If you do provide us with consent, you will be able to withdraw it at any time via the method that we notify you of when obtaining your consent. Any such withdrawal will not affect the lawfulness of our processing of your personal information before you withdrew consent.



3. Photography and Video Footage

- 3.1 Where we have been provided with related consent from you and/or your child (as applicable) we may also use photography and video footage featuring the pupil's image for internal purposes and/or external purposes such as publicity.
- 3.2 You may withdraw your consent to us using such information as described in section 3.1 above at any time. This can be done by e-mailing us at DCO@hymers.org or writing to us at The Data Compliance Officer, Hymers College, 83 Hymers Avenue, Hull, East Yorkshire, HU3 1LW. Any such withdrawal will not affect the lawfulness of us relying on your consent before you withdrew it.
- 3.3 Please note that if consent is withdrawn (or is not provided) in respect of us processing your child's information as described in section 3.1 above, we will not be able to use your child's image for publicity.

4. To whom will we disclose your personal information?

- 4.1 You will be asked before we disclose personal information about you or your child to third parties, unless:
- (a) they are only processing your information on our behalf for specified purposes in accordance with our instructions. The following activities in particular are carried out by third party processors on our behalf: catering services, electronic learning software;
 - (b) such disclosure is required by law (for example, we are required by law to submit certain pupil information (including your child's ethnicity, religion and any special educational needs) to the Department for Education, Independent Schools Council, Independent Schools Inspectorate and the Local Authority from time to time (e.g. in connection with the school census). We may also be required to observe any other statutory data collection requirements imposed on us from time to time. We also have a statutory duty to notify relevant authorities of safeguarding concerns);
 - (c) such disclosure is necessary for the performance of a task in the public interest (for example, disclosures to destination schools or colleges);
 - (d) the third party is providing us with professional advice where necessary for our legitimate interests and permitted by law;
 - (e) the disclosure is in connection with criminal investigations, legal proceedings or prospective legal proceedings where necessary for our related legitimate interests and permitted by law;
 - (f) the disclosure is necessary for our legitimate interests in establishing, exercising or defending our legal rights (including providing information to others for the purposes of fraud prevention) and permitted by law;



- (g) the disclosure is necessary to protect the interests of your child or another person where you are physically or legally incapable of giving us your consent;
- (h) the disclosure is in connection with a proposed sale of any part of our business or assets (in which case we may disclose your personal information to the prospective seller or buyer of such business or assets and/or their professional advisors) or the proposed acquisition of substantially all of our assets by a third party. Any such disclosure will be made where necessary for the legitimate interests of us and/or the third party in respect of the proposed transaction; however we will not transfer your personal information to any such third party unless we are satisfied that they are able to provide an adequate level of protection in respect of your personal information; or
- (i) we have stated or informed you otherwise (including in this Statement) and such disclosure is permitted by law.

4.2 In the event that you order any goods or services via our subsidiary company The School Shop (Hull) Limited (“**the School Shop**”), any information that you provide in relation to the relevant order will be disclosed to the School Shop for the purposes of the School Shop processing and fulfilling your order.

4.3 In the event that you provide us with feedback regarding our activities, we may disclose that feedback to those of our suppliers who are involved in those activities where necessary for our and/or the relevant supplier’s legitimate interests in taking such feedback into account.

4.4 Except as provided in this Statement, we will not provide or disclose your information to third parties without your express consent for any purpose (including but not limited to direct marketing). We do not sell personal information under any circumstances.

4.5 In certain circumstances we may use the services of a supplier outside the United Kingdom and European Economic Area (EEA) for purposes referred to in this Statement (for example, in connection with educational software programs used by pupils). This may involve certain personal information relating to your child being processed by the relevant supplier on our behalf outside the United Kingdom and the EEA. If we do this we will require the relevant supplier to put in place appropriate technical and organisational data protection security measures (for example, as part of our contract with the relevant supplier or by verifying that they operate under the EU – US Privacy Shield framework (please see www.privacyshield.gov for further details)).

5. Your rights

5.1 You have a legal right to see a copy of the personal information that we keep about you and to require us to correct any inaccuracies, subject to certain exemptions. In some circumstances you may also have the right to:



- (a) request that we erase any personal information held about you;
- (b) restrict our processing of your personal information (for example to ask to suspend the processing of personal information to establish its accuracy or the reasons for processing it);
- (c) data portability (i.e. to request the transfer of personal information to a third party); and
- (d) object to our processing of your personal information where we are relying on a legitimate interest (or those of a third party) or a task carried out in the public interest.

5.2 Requests in respect of the above should be made in writing to our Data Compliance Officer at Hymers College, 83 Hymers Avenue, Hull, East Yorkshire, HU3 1LW or via email at DCO@hymers.org. Please contact the same address if you have any reason to believe that information we hold about you is inaccurate. We will respond to your request as soon as possible and, in any event, within one month from the date of receiving the request. Please note that we may, where legally permitted, reject any such request or limit the scope of our response (e.g. if, in the circumstances, the right does not apply to you).

5.3 In accordance with applicable data protection legislation, we follow security procedures in the storage and disclosure of your information. We may therefore request proof of your identity and rights before complying with any request of a nature described in section 5.1 above.

5.4 You will not generally have to pay a fee to exercise any of your rights described in section 5.1 above. However, we may charge a reasonable fee if you make a request to see a copy of your personal information which is clearly unfounded or excessive. Alternatively we may refuse to comply with your request in such circumstances.

6. Security, retention and destruction of your personal information

6.1 We have put in place appropriate security measures to prevent personal information about pupils and their families from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to such personal information to those employees, agents, contractors and other third parties who have a valid need to know that information.

6.2 Particularly strict rules of access apply in the context of medical records, pastoral and safeguarding files. However, a certain amount of any special educational needs pupil's relevant information will need to be provided to our staff more widely in the context of providing the necessary care and education that the pupil requires.

6.3 We have put in place procedures to deal with any suspected data security breach and will notify you and/or any applicable regulator of a suspected breach where we are legally required to do so.



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6.4 Any personal information held by us in relation to any of the purposes described in this Statement will be retained by us for as long as we need it to fulfil the purpose(s) for which it was collected (including for the purposes of satisfying any legal, accounting or reporting requirements and for the purposes of showing, in the event of a legal claim, that we have conducted any application process in a fair, transparent and non-discriminatory way). Further details of our specific retention periods are set out in our information retention policy (a copy of which is available upon request from our Data Compliance Officer).

6.5 Whilst taking into consideration our legal obligations, we will on an ongoing basis: review the length of time that we retain personal data; consider the purpose or purposes for which we hold the personal data in deciding whether (and for how long) to retain it; securely delete personal data that is no longer needed for such purpose or purposes; and update, archive or securely delete information if it goes out of date.

7. How will you know if we make any changes to this Statement?

7.1 This Statement does not form part of any parent contract or any other contract.

7.2 We may amend this Statement at any time. If we make any changes to the way in which we use personal information about pupils and their families we will notify you by writing to you or by sending you an e-mail.

8. Contact

If you have any questions about this Statement or our treatment of personal information about pupils and their families, please contact our Data Compliance Officer by email at DCO@hymers.org or by writing to Hymers College, 83 Hymers Avenue, Hull, East Yorkshire, HU3 1LW.

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