BCI Privacy Notice

Who we are

This is the Privacy Notice of Brighton College International Limited (**BCI** or **we**).

BCI is a wholly owned subsidiary of Brighton College (the **College**). Our principal activity is to advise on the promotion, establishment and quality standards of British curriculum schools established under the 'Brighton College' brand. These currently comprise schools in Abu Dhabi, Al Ain, Dubai, Bangkok, Singapore, Vietnam, and Kensington. In this notice we refer to these schools, and others that may open in the future, as 'sister schools'.

BCI is a data controller registered with the Information Commissioner's Office under registration number ZA693197. This is a separate registration to that of the College. Whilst the activities of BCI and the College are closely linked, this notice applies specifically to the activities of BCI.

Introduction

This notice is intended to provide information about how we will use personal data about individuals in a number of categories including: BCI employees; staff and governors of the College or sister schools; pupils of the College or sister schools; and partners and investors. It covers current, past and prospective individuals within each of those categories.

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

Personal information or personal data is information that we hold about you and which identifies you. Examples include: your name and contact details; financial information; and photos and video recordings of you.

Why we process personal data

We need to process personal data about individuals in order to carry out our ordinary operations and responsibilities.

We commonly use personal information for:

- ensuring that we provide a safe and secure work environment;
- fulfilling our contractual and other legal obligations to promote, establish and support sister schools;
- protecting and promoting BCI and the College's interests and objectives; and
- personnel, administrative and management purposes and to enable us to meet our legal obligations as an employer, like paying and appraising employees.

Some of this activity we will need to carry out in order to fulfil our legal rights, duties or obligations, including those under a contract. Other uses of personal data will be made in accordance with our legitimate interests, or the legitimate interests of the College or sister schools, provided that these are not outweighed by the impact on individuals. More information about our legal grounds for processing your personal information is included later in this notice.

Often, you provide us with information about yourself during the course of our relationship with you. In addition, we will sometimes obtain your information from other sources. We set out below examples of the different ways in which we gather, use and share personal information.

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BCI employees

- Information about you is gathered during the recruitment process, for example:
    - information about your education, qualifications and professional achievements;
    - information you have provided to us, for example, on your application form and during any interviews;
    - information obtained by us from publicly available sources such as your social media profiles; and
    - information (from you and third parties) received to enable us to carry out pre-employment checks; for example, when we receive references, confirmation of your fitness to work, your right to work in the UK and criminal records checks.
- We will hold information about your job performance. This includes information about skills, achievements, career progression, performance and disciplinary related matters.
- We hold and use your financial information, such as your bank details, your salary and pension details.
- If you inform us, we may have information about your religious beliefs and practices or information that may indicate such; for example, if you do not eat certain foods.
- We will hold information about any physical or mental health condition you may have which is disclosed to us during the recruitment process or at any stage during your employment.
- We will hold information about any protected characteristics you may have (e.g. a disability) which you provide.
- Some of your personal information will be created internally by us during the course of your employment, such as appraisal documentation.
- Some of your personal information may be acquired from outside BCI such as from occupational health practitioners or from public authorities.
- All this information is shared with the College HR department and some of your personal information will be held on the College's Single Central Register.

Staff and governors of the College and sister schools

- We may hold some of the information identified above (under 'BCI employees'), for example:
    - You may have shared with us your personal information, such as your name, educational and professional history and passport details from your CV and job application forms if you apply via us for roles at the College or sister schools.
    - We have personal information such as your name, passport details and loyalty schemes from your submitted expense claim forms or when we arrange travel or accommodation for you on BCI business – and we would share it with travel agents and airlines as necessary.
- In connection with our role to support and improve educational standards at sister schools, we will have, and will share with College staff, information arising out of our educational assessment visits and/or received from sister schools, derived from lesson observations, staff/pupil feedback, self assessment and meetings.
- The College and sister schools may share staff photos and videos with us to:
    - show prospective pupils what we do here and to advertise the College
    - support the promotion and marketing of BCI and sister schools and prospective sister schools, most likely during the pre-opening phase
    - support the development and establishment of prospective sister schools, including promoting the College to prospective partners and investors.

    - We may use these photos or videos on our website and social media sites and may continue to use these photographs and videos after you are no longer employed.
- We may have emergency contact details and medical information on staff who visit the College or sister schools, so that those who look after you may safeguard your welfare and provide appropriate medical care, including in the event of an emergency. We may need to share information about your health and well-being with others, such as the catering contractor, the College Nurse, Counsellor or members of the College Health Centre team and each of their equivalents in sister schools.
- Sister schools may share criminal records information with us in case we need to consider referrals to regulators in the UK.

Pupils

- The College and sister schools may share pupil photos and videos with us to support the marketing of BCI and sister schools and prospective sister schools, most likely during the pre-opening phase, and to support the development and establishment of prospective sister schools, including promoting the College to prospective partners and investors. We may use these photos or videos on our website and social media sites and may continue to use these photographs and videos after you are no longer a pupil.
- We may have emergency contact details and medical information on overseas pupils who visit the College so that staff and others who look after you may safeguard your welfare and provide appropriate pastoral (and where necessary, medical) care, including in the event of an emergency. We may need to share information about your health and well-being with others, such as the catering contractor, the College Nurse, Counsellor or members of the College Health Centre team.

Parents of pupils

- If there is a complaint or grievance made to us about a sister school, we may need to use and share your information to obtain advice or seek to resolve the issue.
- We may receive information about late payers or those in debt to our sister schools as part of out role on school financial committees.

Partners and investors

- We may have personal information, financial information, passport details as part of due diligence into our partners and investors.
- We may use and share your personal data for background checks, as part of performing our due diligence on our potential partners, assessing whether they are suitable for us and the College to work with. This data will be shared with the College and third party processors undertaking the checks.
- We may take photographs or videos of you to use in our publicity or on our social media platforms and website.
- The Development and Engagement Office of Brighton College may share your contact details with us if you have volunteered to help the school develop its overseas school network.

Others

- We may have and share personal information about visitors to BCI, the College or sister schools in order to liaise and organise visit schedules.

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Our legal grounds for using your information

This section contains information about the legal basis that we are relying on when handling your information. In many cases we will rely on more than one basis for a particular use of your information. The basis that we will rely on for a particular purpose may vary depending on the circumstances.

Legitimate interests

We will use your information when this is necessary for our legitimate interests except when your interests and fundamental rights override these. Specifically, we have a legitimate interest in:

- looking after staff health, welfare and development and the health, welfare and development of others;
- safeguarding and promoting the health and welfare of pupils;
- ensuring that we provide a safe and secure work environment;
- fulfilling our contractual and other legal obligations to promote and support sister schools;
- protecting and promoting BCI and the College's interests and objectives;
- using appropriate photographs for promotional purposes;
- promoting the objects and interests of the College and the 'Brighton College' brand;
- making sure that both we and you are complying with relevant employment and statutory obligations;
- making sure that BCI and sister schools are well managed so as to protect the College's reputation and brand;
- using your information in connection with legal disputes;
- to show prospective pupils what we do here and to advertise the College;
- to support the promotion and marketing of the College and its family of schools, both here in the UK and overseas;
- to support the development and establishment of prospective sister schools , including promoting the College to prospective partners and investors; and
- intra-group transmission of personal data necessary for internal administrative purposes. For these purposes, we include each school that makes up the Brighton College family of schools.

In addition, your personal information may be processed for the legitimate interests of others, including the College and sister schools.

Recognised legitimate interests

The College may rely on recognised legitimate interests where one of the following conditions is met:

- Where we share personal data with another organisation which has requested it because they need it for their public task or official functions.
- To respond to, or deal with, an emergency situation.
- To prevent, detect or investigate crimes.
- To protect the physical, mental or emotional well-being of people who need extra support to do this or protect them from harm or neglect.

Necessary for contract

We will need to use your information in order to comply with our contractual obligations and for you to perform your obligations as well. For example:

- we need employee name and bank details so that we can pay you your salary or process expense claims; and
- to discharge our responsibilities to support sister school improvement and senior appointments.

Legal obligation

As a wholly owned subsidiary of a school we have to comply with various laws and this entitles us to use your information where necessary. For example:

- to make sure that staff have the right to work in the UK;
- to fulfil our duty of care to you and your colleagues;
- to fulfil our safeguarding duties towards pupils; and
- sometimes we will be legally obliged to disclose your information to third parties such as the DBS, local authorities or the police.

Vital interests

We may use your information where this is necessary to protect your vital interests or someone else's; for example, to prevent someone from being seriously harmed or killed.

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

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

- looking after your welfare and development and the welfare and development of others;
- safeguarding and promoting the welfare of our pupils;
- making sure that staff are complying with employment obligations; and
- ensuring that we comply with all of our legal obligations.

Special category personal information

We may also process 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. The reasons why we may need to process this information might include:

- to safeguard your welfare and take appropriate action in the event of an emergency, incident or accident, including by disclosing details of an individual's medical condition where it is in the individual's interests to do so; and
- for legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with legal obligations and duties of care.

Our lawful conditions for processing information falling into these categories are listed below.

Substantial public interest

We are allowed to use special categories of personal information where doing so is necessary in the substantial public interest.

Employment and social protection and social security law

There will be times when we need to use your information because we are an employer or to comply with social protection law.

Vital interests

To protect the vital interests of any person where that person cannot give consent, for example, if they are seriously hurt and are unconscious.

Legal claims

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.

Criminal offence information

We will collect information about your criminal convictions history where we are required or entitled to carry out a criminal records check in order to satisfy ourselves that there is nothing in your criminal convictions history which makes your relationship with the College unsuitable.

We may also ask you to provide information about your suitability to work with children by completing a self-declaration form. In this form you will be required to provide details of all spent and unspent convictions and cautions which are not filtered in accordance with DBS filtering rules.

Any criminal records information that is disclosed will be handled in accordance with any guidance and/or code of practice published by the DBS and with reference to the College's policy on the recruitment of ex-offenders.

Consent

We may ask for your consent to use your information in certain ways as an alternative to relying on any of the legal grounds mentioned 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. We may also ask for your explicit consent before processing certain types of special category data. 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 contact Rishi Soni if you would like to withdraw any consent that you have given.

Sending information to other countries

There are some circumstances in which we may need to send your information outside the UK. For example, this might arise where:

- We store information on servers based overseas.
- Third parties with whom we have a contractual arrangement store information on servers based overseas.
- We communicate with you or your family when you are overseas (for example, during the summer holidays if you live or are travelling overseas).

The level of protection for personal information varies from country to country, particularly those outside the EU or EEA. We are permitted to transfer personal data into countries covered by UK adequacy regulations. For other countries, we will only transfer personal data where there are appropriate safeguards in place and after we have carried out a transfer risk assessment, or where there is an exception under UK GDPR permitting the transfer.

If you have any questions about the safeguards that are in place, please write to the Bursar.We may send your information overseas to sister schools which have entered into a contract with us

incorporating standard data protection clauses recognised or issued in accordance with UK data protection law. These contracts consist of either standard contractual clauses issued by the European Commission (supplemented where necessary by an International Data Transfer Addendum issued by the ICO) or an International Data Transfer Agreement issued by the ICO. Each of the European Commission and the ICO, respectively, has determined that these mechanisms offer sufficient safeguards on data protection for data to be transferred internationally.

How long do we keep your information for?

We keep your information for as long as we need to. 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. In all cases, we will retain personal data securely and only in line with how long it is necessary to keep for a legitimate reason.

What decisions can you make about your information?

Data protection legislation gives you a number of rights regarding your information. We have summarised these below but please note that the legislation is complex and your rights are often not absolute and/or may be subject to other overriding considerations. In summary, your rights are as follows:

- Rectification: if information 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. You may also ask for other supplementary information, such as why we use this information about you, where it came from and what types of people we have sent it to. Please note that the College will make reasonable and proportionate searches for your data and we may ask you to clarify your request if it appears overly-broad, to ensure that we are searching for the right categories of data.
- 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 in certain circumstances.
- Restriction: our use of information about you 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 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; or
    - we are using it for historical or scientific research purposes or archiving purposes, unless the processing is necessary for the performance of a task carried out for reasons of public interest.

Further information and guidance

Rishi Soni is the person responsible for managing how we look after personal data and deciding how it is shared. Email: BCI@brightoncollege.net or write to: BCI Head of Finance and Legal, Brighton College, Eastern Road, Brighton, East Sussex, BN2 0AL

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Complaints

You can make a complaint to us if you think we have infringed your rights in your personal data. We have a data protection complaints policy which is available on request. To make a complaint, you can do any of the following:

- Ask for a complaint form: email GDPR@brightoncollege.net and we will send you a blank form which you can complete and return to us by email or post
- Write to us: The Bursar, Brighton College, Eastern Road, Brighton, East Sussex, BN2 0AL
- Email us: GDPR@brightoncollege.net

We aim to respond to all complaints without undue delay and will acknowledge a complaint within 30 days from the date on which we received them.

We are committed to dealing with all data protection complaints in a timely and courteous manner. However, we understand that there may be occasions where individuals are unhappy with our process or the outcome. You have the right to complain to, or seek advice from, the ICO. Further details are available at: www.ico.org.uk. It is important to note that the ICO may decline to deal with a complaint unless our internal complaints process set out above has been followed first.

Updated: 23.07.26