Privacy Notice for Parents, Carers and Guardians

Introduction

This notice is for parents, carers and guardians of current or prospective pupils 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.

If you have any questions about this notice please contact the Bursar (contact details are provided at the end).

What is personal information?

Personal information is information that identifies you as an individual and relates to you.

This includes your contact details, next of kin and financial information. CCTV, photos and video recordings of you are also personal information.

Information that we have collected about you but which has been rendered anonymous in such a way that you are not (or are no longer) identifiable is not personal data.

How and why does Brighton College collect and use personal information?

We set out below examples of the different ways in which we use personal information and where this personal information comes from. The College's primary reason for using your personal information is to provide educational and pastoral services to your child (and for parents of prospective pupils, for purposes connected with the proposed admission of your child to the College).

- We obtain information about you from admissions forms and from your child's previous school. We may also get information from professionals such as doctors and from local authorities.
- If you withdraw your child's application for a place at the College, or your child is otherwise unsuccessful in obtaining a place, we may need to retain basic personal information about you, such as your name and address, to comply with our responsibilities to HMRC.
- If you submit a contact form on the school website, the relevant department may retain information provided on this form in order to respond to your message.
- We may have information about any family circumstances which might affect your child's welfare or happiness.
- We may receive information about you from your child, spouse, prior spouse, partner or prior partner or another individual.
- We may need information about any court orders which relate to you. This is principally so that we can safeguard the welfare and well-being of your child and the other pupils at the College.
- We use CCTV to make sure the College site is safe. CCTV is not used in private areas such as toilets.
- We will use your personal data to take other steps to make sure the College site and buildings are safe, for example, we keep a record of visitors to the College at any given time.
- We may take photographs or videos of you at College events to use on social media and on the College website. This is principally to show prospective parents and pupils what we do

here and to advertise the College. We may continue to use these photographs and videos after your child has left the College.

- We may send you information to keep you up to date with what is happening at the College. For example, by sending you information about events and activities taking place (including fundraising events) and the College newsletter. Please see below under "Keeping in touch and supporting the College" for more information.
- If there is a complaint or grievance made to the College which involves you then we will use your information in connection with that complaint or grievance.
- We may use your information when ensuring network and information security, for example, our anti-virus software might scan files containing information about you.
- We may use information about you if we need this for historical research purposes or for statistical purposes.
- We will process financial information about you in relation to the payment of fees. In some cases we get information about you from third parties such as credit reference agencies or from your child's previous school(s).
- We may hold information about bankruptcy petitions and statutory demands.
- We may search the files of any licensed credit reference agency in order to verify your identity. This also allows us to assess your application for the award of a bursary or for credit in contemplation of an agreement for the deferment of fees.
    - The credit reference agency will keep a record of that search and details about your application.
    - This record will be seen by other organisations which make searches about you.
    - Failure to supply information may result in a refusal of an award or credit.
- We may obtain information about you from publicly available sources such as Companies House and Zoopla to assess your ability to pay College fees.
- As described in our Standard Terms and Conditions, we may ask you to provide us with information so that we can verify the source of funds for payment of fees.
- We may screen your personal information against public records and third-party sources, including sanctions and Politically Exposed Persons lists searched by us or our representatives and intermediaries.

Sharing personal information with third parties

- In accordance with our legal obligations, we may share information with local authorities, inspectorates and the Department for Education, for example, where we have any safeguarding concerns.
- On occasion, we may need to share information with the police or the National Crime Agency.
- We may also need to share information with our legal advisers for the purpose of obtaining legal advice.
- Occasionally we may use consultants, experts and other advisors to assist the College in fulfilling its obligations and to help or improve the running of the College. We might need to share your information with them if this is relevant to their work.
- We collect details of your nationality to make sure that your child has the right, and is complying with the terms of their permission, to study in the UK. We might have to provide information about you to UK Visas and Immigration to comply with the terms of our sponsor licence.

- We may share some information with our insurance company, for example, where there is a serious incident at the College.
- We use an external concussion management service provider, Return2Play, and we will share your contact details with them when you join the Senior School, allowing for streamlined referrals to specialist advice in the event that your child sustains a head injury or suspected concussion.
- We may share your information with 3rd parties, including the Immunisation Service, in order to contact your regarding carrying out vaccinations, visual acuity tests, and eye tests for your children at the school.
- We may share information with caterers or organisers of trips or events connected with the College who, for example, may need your contact details and be made aware of any dietary or medical needs.
- If your child volunteers for local charities, as part of community service, or takes part in any activity where the College is partnered or linked with another school for outreach, public benefit or similar purposes, we may share your personal information with the partner charity or school.
- Some of the College's processing activity is carried out on our 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.
- Selected information regarding you and your children, kept on iSAMS, SOCS, and other College systems, is synced daily with My School Portal, and made available to you. This database also allows you to update information about yourselves and your children, which will be sent back to the iSAMS database, where records will be updated.
- If you have unpaid fees while your child is at the College we may share information about this with debt recovery suppliers and other schools or educational establishments to which you intend to send your child.
- If your child leaves us to attend another school we may need to provide that school with information about you. For example, details of family circumstances for safeguarding reasons.
- We may share information about you with others in your family, such as another parent or step-parent. For example, where this is part of our obligation to take care of your child, as part of our wider legal and regulatory obligations, or in connection with College fees.
- We may need to share information if there is an emergency, for example, if you are hurt whilst on College premises.
- We may share your information with Governors if it concerns something they should know about.
- We may share your personal information with third party representatives and intermediaries to enable them to carry out anti-money laundering checks and searches of databases including sanctions and Politically Exposed Persons lists.
- We may share your information with the UK-based Brighton College family of schools, details of which are on our website. This sharing may include basic personal data with other schools within the wider group to aid pupil transfer and integration, as well as images to be used in school newsletters, social media, websites and prospectuses of members of the wider schools' group.

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Keeping in touch and supporting the College

The College is more than just a school – it is a community. The Development and Engagement Office offers a thriving programme of activity which you can participate in. We will use your contact details to keep you updated about the activities of the College and events of interest, including by sending updates and newsletters, by email and by post.

Our Development and Engagement Office has produced a fuller Privacy Notice addressed to current and former pupils, parents, staff and donors which explains the College's activities in this area and the use of your information to further those activities. You can access it here.

You always have the right to withdraw consent, where given, or otherwise object to direct marketing or fundraising: please contact development@brightoncollege.net. Please be aware that the College may need nonetheless to retain some of your details (not least to ensure that no more communications are sent to that particular address, email or telephone number).

Our legal grounds for using your information

This section contains information about the legal basis that we are relying on when handling your information.

Legitimate interests

The College relies on legitimate interests for most of the ways in which it uses your information. This means that the College uses your personal data in accordance with the legitimate interests of the College, or others, so long as these are not outweighed by the impact on you.

Specifically, the College has a legitimate interest in:

- Providing educational services to your child.
- Efficient admissions operations for prospective pupils.
- Safeguarding and promoting the health and welfare of your child, pupils, staff and others with whom you come into contact.
- Promoting the objects and interests of the College. This includes fundraising and using photographs of you at our school events in promotional material. It also includes making sure that we are able to enforce our rights against you, for example, so that we can contact you if unpaid school fees are due.
- Facilitating the efficient operation of the College.
- Ensuring that all relevant legal obligations of the College are complied with (for example in relation to the retention of financial records for HMRC purposes).
- To track patterns of applications over extended periods of time, to facilitate efficient admissions and marketing processes.
- 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 (details of these schools are available on our website).

In addition your personal information may be processed for the legitimate interests of others. For example another school will have a legitimate interest in knowing if you have not paid College fees that are due to us.

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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 a contract

We will need to use your information in order to perform our obligations under our contract with you. For example, we need your name and contact details so that we can update you on your child's progress and so that we can contact you if there is a concern, and we may share your contact details with College contractors, such as concussion management service providers who may need to contact you regarding your child's suspected concussion.

Legal obligation

The College might need to use your information in order to comply with a legal obligation, for example to report a concern to Children's Services. We may also have to disclose your information to third parties such as the courts, the local authority or the police where legally obliged to do so.

Vital interests

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:

- Providing your child with an education.
- Safeguarding and promoting your welfare, your child's welfare and the welfare of others.
- Facilitating the efficient operation of the College.
- Ensuring that we comply with all of our legal obligations.
- Carrying out research or statistical work solely for the performance of a public task carried out in the public interest.

Special Category Data

The College must also comply with an additional condition where it processes 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. Our legal grounds for processing information falling into these categories are listed below.

Substantial public interest

The processing is necessary for reasons of substantial public interest.

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.

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Social protection and social security laws

The College may use your information to comply with social protection law (e.g. to look after your child) and social security laws. Social protection law is concerned with preventing, managing, and overcoming situations that adversely affect people's wellbeing.

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.

If you have any questions or concerns about the College's legal grounds for processing your information, please write to the Bursar.

Criminal offence information

We may only use information relating to criminal convictions and offences where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations or to exercise our rights.

Less commonly, we may use information relating to criminal convictions and offences where it is necessary in relation to legal claims, where it is necessary to protect our pupils and you are not capable of giving your consent, or where you have already made the information public.

More than one basis

In many cases we rely on more than one legal basis for a particular use of your information. For example we will rely on contract, legitimate interests and public interest bases when using your information to provide your child with an education.

The basis that we will rely on for a particular purpose may vary depending on the circumstances. For example, if we decide to tell the local authority something about a parent for safeguarding reasons, sometimes this will be because we have a legal obligation to do so but on other occasions we may tell the local authority because we are worried about the child even if we don't have a legal obligation to report something (in which case we would be relying on legitimate interests and public interests).

Consent

We may ask for your consent to use your information in certain ways as an alternative to relying on any of the bases in the table 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 and before it is acknowledged by the College remains valid. Please write to the Bursar if you would like to withdraw any consent 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.

How long do we keep your information for?

We keep your information for as long as we need to in order to process your child's application, educate and look after your child. We will keep some information after your child has left the College, for example, to comply with safeguarding requirements, or after you have withdrawn your child's application to the College or it has been unsuccessful, for example, where we need to retain personal information about you to comply with our responsibilities to HMRC.

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.

We can keep information about you for a very long time or even indefinitely if we need this for historical, research or statistical purposes. For example, if we consider the information might be useful if someone wanted to write a book about the College.

In all cases, the College will retain personal data securely and only in line with how long it is necessary to keep for a legitimate reason.

Information which has been rendered anonymous in such a way that you are not (or are no longer) identifiable is not personal data and may be retained indefinitely.

The College has a Retention and Deletion Schedule that sets out how long we keep your personal information.

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 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. This applies where (a) the information has been provided by you; (b) the basis that we are relying on to process your information is consent or contract; and (c) the information is being processed by us on computer.
- Restriction: our use of information about you may be restricted 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

This notice is to explain how we use your personal information. The Bursar is the person responsible at the College for managing how we look after personal information and deciding how it is shared. Please get in touch if you would like us to update the information we hold about you.

The College will update this Privacy Notice from time to time. You are recommended to look at it at the start of every school year. Any substantial changes that affect your rights made other than at the start of the year will be provided to you directly as far as is reasonably practicable.

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.

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How to get in touch

- Email: GDPR@brightoncollege.net
- Write to: The Bursar, Brighton College, Eastern Road, Brighton, East Sussex, BN2 0AL

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