

# Privacy Notice for Pupils

## Introduction

This notice is for pupils and 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.

We are giving you this notice because we believe you are mature enough to make decisions about your personal information.

If you have any questions about this notice you can talk to any of the following: your tutor, Housemaster/mistress, the Deputy Head (Pupils) or the Bursar.

This notice also contains information relevant to children who are not (and not applying to be) College pupils, such as pupils of other schools partnered with the College.

## What is personal information?

Personal information is information that the College holds about you and which identifies you.

This includes information such as your name, date of birth and address as well as things like exam results, medical details and behaviour records. 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, where this personal information comes from and with whom we might share it. The College's primary reason for using your personal information is to provide you with an education and keep you and others safe (and for prospective pupils, for purposes connected with your proposed admission to the College).

- The admissions forms which your parents complete give us personal information about you. We get information from you, your parents, your teachers and other pupils. Your old school also gives us information about you so we can process your application for admission, teach and care for you.
- If you withdraw your application for a place at the College, or you are 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 or your parents 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.
- Sometimes we get information from your doctors and other professionals to help enable us to look after you.
- The staff and others who look after you need to know your medical information (such as allergies or sporting injuries), and whether you require additional support with certain activities. This is to 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 the Catering contractor, the College

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Nurse, Counsellor, members of the College Health Centre team or (in relation to head injuries and suspected concussion) the College's outsourced concussion management services provider, Return2Play and their medical staff.

- We may share your information with 3<sup>rd</sup> parties, including the Immunisation Service, in order to carry out vaccinations, visual acuity tests, and eye tests at the school.
- We hold any ethnicity, sexuality, and gender information you provide, so that we can complete our annual census returns to the DfE and ISC on an aggregated basis, and allow the College to have a greater understanding of the racial and ethnic diversity of the pupil body. This information will also be held on your pupil profile.
- Where there are safeguarding concerns we may share your personal information with social services, the police and other outside organisations.
- When the Independent Schools Inspectorate visit the school, we may share your personal details with them.
- As part of our pre-testing and examination process, we may send your information to exam boards. When you take public examinations (e.g. GCSEs) we will need to share information about you with examination boards and the Joint Council for Qualifications. For example, if you require extra time in your exams.
- CCTV is used around the school to ensure your safety. CCTV is not used in private areas such as changing rooms.
- Wristbands (passive RFID devices) are used to improve the efficiency and accuracy of registers in the case of a fire alarm or a fire emergency. The wristband access to houses in the College is also more secure than keypad access. These wristbands will not track your location, only tell is when you have tapped in or out of the College site/buildings.
- We record your attendance and if you have time away from school we record the reason(s) why, and may be obliged to share this information with the local authority.
- We use a school tracking and registration system for the home to school bus service, which will track your location when you tap on and off the school buses, allowing the College to better manage the system, and allowing your parents to see that you have safely boarded the bus.
- Selected information kept on iSAMS, SOCS, and other College systems, is synced daily with My School Portal, and made available to your parents. This database also allows parents to update information about themselves and you, which will be sent back to the iSAMS database, where records will be updated.
- We share your name and gender with the companies that take our official photographs, so they can identify you and post you the correct image.
- When you leave, we ask for your contact details. These enable us to keep in touch and update you with news from the College and other Old Brightonians. Please see below under "Keeping in touch and supporting the College" for more information.
- To keep you informed about activities and sports fixtures, we share you name with the company that manages our online calendar.
- When you volunteer for local charities, as part of community service, they will ask for your contact details. Similarly, 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 school.
- The Duke of Edinburgh's Award also require personal information to process your award.
- Similarly, if you join the Combined Cadet Force, you will be asked to share personal information as part of your contract with the military.

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- We may need to report some of your information to the government. For example, we may need to tell the local authority that you attend the College or let them know if we have any concerns about your welfare.
- We may need information about any court orders which relate to you. This is so that we can safeguard your welfare and well-being and the other pupils at the College.
- We collect details of your nationality to make sure that you have the right to study in the UK, as the College has responsibilities to ensure that all pupils have permission to study at the College by virtue of its licence to sponsor overseas pupils. This information may also need to be shared with UK Visas and Immigration.
- Depending on where you will go when you leave us we may need to provide your information to other schools, colleges and universities or potential employers. For example, we may share information about your exam results and provide references. We may need to pass on information which they need to look after you.
- We may need to share information with the police or our legal advisers on occasion or to help with an inquiry. For example, if one of your classmates is injured at College or if there is a burglary.
- Occasionally we may use consultants, experts and other advisors to assist the College in fulfilling its obligations or 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.
- If you have misbehaved in a serious way and the police have become involved, we may need to use information about any actions taken by the police.
- We may share some information with our insurance company to make sure that we have the insurance cover that we need.
- We may share your academic and your behaviour records with your parents or guardian(s) so they can support your schooling.
- 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.
- We may share your information with Brighton College International (a subsidiary company of the College) so that Brighton College affiliated schools overseas can use, for example, images of College pupils in their publicity materials. Please see the section below on 'Sending information to other countries' for the protections in place.
- Unless you have previously opted out of this, we may share your images with the UK-based Brighton College Family of Schools, so that these schools can use images of College pupils in their school newsletters, social media, websites and prospectuses.
- We will only share your information with other people and organisations when we have a good reason to do so. In exceptional circumstances we may need to share it more widely than we would normally.
- We will monitor your use of email, the internet and mobile electronic devices e.g. iPads. This is to check that you are not misbehaving when using this technology or putting yourself or others at risk of harm.
- We will automatically collect information about your participation in online and remote learning and assessment activities, and all forms of assessment activities (essays, exams, etc.). We will also add to your record any activities that you carry out on our Pupil Hub. This might include quizzes, forms, or surveys you complete. If you use a Brighton College email address and other Microsoft Office 365 services, then we collect and log data about your use of the service.

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- We may use photographs or videos of you for the College's website and social media sites, prospectus, and in bespoke marketing brochures, to show prospective pupils what we do here and to advertise the College, and to support the promotion and marketing of the College and its family of schools, both here in the UK and overseas. We may continue to use these photographs and videos after you have left the College.
- In some cases, we may create videos and photographs for use by Brighton College International and overseas affiliate schools, most likely during the pre-opening phase, to support the development and establishment of prospective new schools overseas, including promoting the College to prospective partners and investors. \*
- Sometimes we use photographs and videos for teaching purposes, for example, to record a drama lesson.
- We may share photographs, in some cases including your name, or videos of you, taken during performances, with yourself, fellow pupils, and parents for a limited time online, or in event programmes and other internal publications, so that we can celebrate your achievements, allow parents to stay connected, and foster our school community.
- To allow the College to facilitate remote learning or teaching when necessary, we have installed equipment for the recording and streaming of school activities. This equipment allows for the streaming/filming of lessons and teaching, filmed induction videos, and virtual open mornings, assemblies, and speeches, if social distancing is required in the future.
- We publish our public exam results, sports fixtures and other news on the website and put articles and photographs in the local news to tell people about what we have been doing.
- We also keep some information forever for archiving purposes and for historical research purposes. This includes our legitimate interest in keeping a record of what the College was like in the past.
- We may share your information with Governors if it concerns something they should know about. For example, this would apply if you have done something really well or if there is a problem at the school they need to know about.

If you have concerns about any of the above please speak to your tutor, Housemaster/mistress, the Deputy Head (Pupils) or the Bursar.

*\*If you wish to opt out of use of your images for this purpose, please email [marketing@brightoncollege.net](mailto:marketing@brightoncollege.net)*

## Children who are not pupils or prospective pupils

We hold personal information on children who are not (and are not applying to be) pupils of the College, such as exchange pupils and children who join in to College-supported activities as part of partnership, outreach, community, public benefit or similar work. We may obtain information on these children from their schools, parents, carers or guardians. We will use any personal information for purposes connected with the exchange trip, outreach work or similar in order to deliver the educational objectives and to safeguard the welfare of the children. Please see the other sections of this notice for further information about, for example, our legal grounds for processing this information, how long we keep the information for and your rights.

## 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

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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](mailto: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.

The core purpose of the College is to provide you with an education whilst safeguarding and promoting your welfare and the welfare of others.

Specifically, the College has a legitimate interest for the following uses:

- For the purposes of pupil selection and to confirm identity.
- To track patterns of applications (for example, the identity of feeder schools or the year group entry points) over extended periods of time, to facilitate efficient admissions and marketing processes.
- To provide education services, including musical education, physical training or spiritual development, career services, and extra-curricular activities to pupils, and monitoring pupils' progress and educational needs.
- Complying with our agreement with your parents for you to be at the College.
- Maintaining relationships with pupils and former pupils, including direct marketing or fundraising activity.
- Improving the College e.g. if we want to raise money to build new buildings or to make sure that we are providing you and your classmates with a good schooling experience.
- For the purposes of delivering exchange trips, educational partnerships and other outreach activities, both to College pupils and other children.
- To enable relevant authorities to monitor the College's performance and to intervene or assist with incidents as appropriate.
- Ensuring that all relevant legal obligations of the College are complied with (for example in relation to inspections or the retention of financial records for HMRC purposes).
- To give and receive information and references about past, current and prospective pupils, including relating to outstanding fees or payment history, to/from any educational institution that the pupil attended or where it is proposed they attend; and to provide references to potential employers of past pupils.
- To enable pupils to take part in national or other assessments, and to publish the results of public examinations or other achievements of pupils.

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- To safeguard and promote pupils' health, welfare and security and provide or procure the provision of appropriate pastoral and medical care.
- To monitor (as appropriate) use of the school's IT and communications systems.
- To make use of photographic images and videos of pupils in College publications, bespoke marketing brochures, on the College website, newsletters, and (where appropriate) on the College's social media channels:
  - to let others know about the College and what we do here.
  - to support the promotion and marketing of the College and its family of schools, both here in the UK and overseas.
  - to promote and foster the relationship between the College and the schools that make up the UK Brighton College family of schools.
  - to support the development and establishment of prospective new schools overseas, including promoting the College to prospective partners and investors. \*
- Using your information in connection with legal disputes.
- Where otherwise reasonably necessary for the College's purposes, including to obtain appropriate professional advice and insurance.
- Making sure that the College is well managed and that we protect the College's reputation.

*\*If you wish to opt out of use of your images for this purpose, please email [marketing@brightoncollege.net](mailto:marketing@brightoncollege.net)*

In addition your personal information may be processed for the legitimate interests of others. For example, we may use information about you when investigating a complaint made by one of your fellow pupils.

### Legal obligation

Where the College needs to use your information in order to comply with a legal obligation, for example to report a concern about your well-being 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)

This applies where what we are doing is for the benefit of people generally. The following are examples of where this applies:

- Providing you and others with an education.
- Safeguarding and promoting your 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.

The College 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

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information; and information about sex life or orientation. The reasons why the College may need to process this information might include:

- To safeguard pupils' 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 where it is in the individual's interests to do so: for example for medical advice including third parties whose medical services we use for managing head injuries and suspected concussion, social services, insurance purposes or to organisers of school trips.
- To provide educational services in the context of any special educational needs of a pupil.
- To run any of its systems that operate on biometric data, such as for security and other forms of pupil identification.
- For legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with its legal obligations and duties of care.
- To provide aggregated data for the annual census returns to the DfE and the ISC.
- Ethnic and racial information you provide will be used to provide the College with a more accurate understanding of the ethnic and racial mix of the pupil body, and trace how this evolves over time.

Our legal grounds for processing information falling into these categories are listed below.

### Substantial public interest

The College is allowed to use special categories of personal information where doing so is necessary in the substantial public interest. This is similar to "public interest" in the table above. For example, the College will use information about your health to look after you. We may also use other types of special category personal data about you to provide you with an education, to look after you and your classmates or when the College is inspected.

### Employment and social protection and social security law

There will be times when the College needs to use your information because we are an employer (e.g. we employ your teachers). Also the College will use your information to comply with social protection law (e.g. to look after you) and social security laws.

### 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.

### Medical purposes

This includes medical treatment and the management of healthcare services, such as specialist third parties who assist and manage treatment where there is a suspected or confirmed incident of concussion or head injury.

If you have any questions or concerns about the College's legal grounds for processing your information, please speak to your tutor, Housemaster/mistress, the Deputy Head (Pupils) or the Bursar.

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### Criminal offence information

In exceptional circumstances, we may use information about criminal convictions or offences. We will only do this where the law allows us to. This will usually be where such processing is necessary to carry out our obligations, to exercise our rights or to look after our pupils.

### More than one basis

In many cases we will rely on more than one basis for a particular use of your information. For example we will rely on legitimate interests and public interest bases when using your information to look after you and your classmates and when providing you 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 pupil because we are worried about their welfare, 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 pupil 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 tables 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.

Wherever in this notice we have highlighted with an asterisk that you may opt out of an intended use of your image, please note that our legal basis for the intended use is legitimate interests and not consent.

Any use of your information before you withdraw your consent remains valid. Please contact the Bursar 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.

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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 application, educate and look after you. We will keep some information after you have left the College, for example, to comply with safeguarding requirements, or after you have withdrawn your 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.

### 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.
- **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.

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### Further information and guidance

This notice is to explain how we use your personal information. The Bursar is in charge of the College's data protection compliance. You can ask your tutor to speak to the Bursar or speak to the Bursar yourself. Alternatively, you can ask your parents to write to the Bursar on your behalf if you prefer.

Please write to the Bursar if:

- You object to us using your information for marketing purposes e.g. to send you information about College events.
- You would like us to update the information we hold about you.
- You would prefer that certain information is kept confidential although please note that we may not be able to do this where it conflicts with other requirements such as safeguarding.

The College will update this Privacy Notice from time to time and you may wish to check the notice at the start of every school year. Any substantial changes other than at the start of the school year that affect your rights will be provided to you directly as far as is reasonably practicable.

If you consider that we have not acted properly when using your personal information you can contact the Information Commissioner's Office - [ico.org.uk](https://ico.org.uk).

### How to get in touch

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

Updated: 17.04.26