



CAMPBELL
COLLEGE

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DATA
PRIVACY NOTICE

THE PURPOSE OF THIS PRIVACY NOTICE

This Privacy Notice is intended to provide information about how Campbell College will use (or 'process') personal data about individuals including: its staff; its current, past and prospective pupils; and their parents, carers or guardians (referred to in this policy as 'parents').

This information is provided because Data Protection Law gives individuals rights to understand how their data is used. Staff, parents and pupils are all encouraged to read this Privacy Notice and understand the College's obligations to its entire community.

This Privacy Notice applies alongside any other information the College may provide about a particular use of personal data, for example when collecting data via an on-line or paper form.

It also applies in addition to the other relevant terms, conditions and policies of the College, including:

- any contract between the College and its staff, or the parents of pupils;
- the College's policy on taking, storing and using images of pupils;
- the College's CCTV and/or biometrics policy;
- the College's disposal of records policy;
- the College's safeguarding, pastoral, or health and safety policies, including concerns or incidents are recorded; and
- the College's IT policies, including its: Acceptable Use policy; eSafety policy; WiFi policy; Remote Working policy; and Bring Your Own Device policy.

Anyone who works for, or acts on behalf of the College (including staff, volunteers, Governors and service providers) should also be aware of and comply with this Privacy Notice and the College's data protection policy for staff, which also provides further information about how personal data about those individuals will be used.

RESPONSIBILITY FOR DATA PROTECTION

The College has appointed **Mr Darren Walker** as **Privacy & Compliance Officer (PCO)** who will deal with all your requests and enquiries concerning the College's uses of your personal data (see section on 'Your Rights' below) and endeavour to ensure that all personal data is processed in compliance with this policy and Data Protection Law.

WHY THE COLLEGE NEEDS TO PROCESS PERSONAL DATA

In order to carry out its ordinary duties to staff, pupils and parents, the College needs to process a wide range of personal data about individuals (including current, past and prospective staff, pupils or parents) as part of its daily operation.

The College will need to carry out some of this activity in order to fulfil its legal rights, duties or obligations – including those under a contract with its staff, or parents of its pupils.

Other uses of personal data will be made in accordance with the College's legitimate interests, or the legitimate interests of another, provided that these are not outweighed by the impact on individuals, and provided it does not involve special or sensitive types of data.

The College expects that the following uses of personal data will fall within that category of its (or its community's) '**legitimate interests**':

- For the purposes of pupil selection (and to confirm the identity of prospective pupils and their parents);
- To provide education services, including musical education; physical training; career services; extra-curricular activities to pupils; and monitoring pupils' progress and educational needs;
- Maintaining relationships with alumni and the College community, including direct marketing or fundraising activity;

- For the purposes of donor due diligence (and to confirm the identity of prospective donors and their background and relevant interests);
- For the purposes of management planning and forecasting; research and statistical analysis, including that imposed or provided for by law (such as tax, diversity or gender pay gap analysis);
- To enable relevant authorities to monitor the College's performance and to intervene, or assist with incidents as appropriate;
- 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 of the College;
- To safeguard pupils' welfare and provide appropriate pastoral care;
- To monitor (as appropriate) use of the College's IT and communications systems in accordance with the its 'Acceptable Use' Policy;
- To make use of photographic images of pupils in College publications, on the College website and (where appropriate) on the College's social media channels, in accordance with the College's policy on taking, storing and using images of children;
- For security purposes, including biometrics and CCTV in accordance with the College's biometrics and CCTV policies;
- To carry out or co-operate with any College, or external complaints, disciplinary or investigation process; and
- Where otherwise reasonably necessary for the College's purposes, including to obtain appropriate professional advice and insurance for the College.

In addition, the College will on occasion need to process **special category personal data** (concerning health, ethnicity, religion, biometrics or sexual life) or criminal records information (such as when processing vetting checks) in accordance with rights or duties imposed on it by law, including as regards safeguarding and employment, or from time-to-time by explicit consent where required.

These reasons will include:

- To safeguard the welfare of pupils 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 or other relevant information where it is in the individual's interests to do so: eg for medical advice; for social protection; safeguarding; and co-operation with police or social services; for insurance purposes; or to caterers or organisers of College trips who need to be made aware of dietary, or medical needs;
- To provide educational services in the context of any special educational needs (SEN) of a pupil;
- In connection with employment of its staff, for example checks;
- To run any of its systems that operate on biometric data, such as for lunch and other forms of pupil identification (lockers, security access etc.);
- As part of any College or external complaints, disciplinary or investigation process that involves such data, for example if there are SEN, health or safeguarding elements; or
- 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.

TYPES OF PERSONAL DATA PROCESSED BY THE COLLEGE

Personal data processed by the College may include, by way of example:

- names, addresses, telephone numbers, e-mail addresses and other contact details;
- car details (for those who use our car parking facilities);
- biometric information, which will be collected and used by the College in accordance with the College's biometrics policy;
- bank details and other financial information, e.g. with regard to the payment of fees to the College;
- past, present and prospective pupils' academic, disciplinary, admissions and attendance records (including information about any special needs), and examination scripts and marks;
- personnel files, including in connection with academic achievements, employment or safeguarding;
- where appropriate, information about an individual's health and welfare, and contact details for their next of kin;
- references given, or received by the College about pupils, and relevant information provided by previous educational establishments and/or other professionals or organisations working with pupils;
- correspondence with and concerning staff, pupils and parents past and present; and
- images of pupils past and present (and occasionally other individuals) engaging in College activities, and images captured by the College's CCTV system (in accordance with the College's policy on taking, storing and using images of children);

HOW THE COLLEGE COLLECTS DATA

Generally, the College receives personal data from the individual directly (including, in the case of pupils, from their parents). This may be via the completion of a form, or simply in the ordinary course of interaction or communication (such as email or written assessments).

However, in some cases personal data will be supplied by third parties (for example another school, or other professionals or authorities working with that individual); or collected from publicly available resources.

WHO HAS ACCESS TO PERSONAL DATA AND WITH WHOM THE COLLEGE SHARES IT

Occasionally, the College will need to share personal information relating to its community with third parties, such as:

- professional advisers (eg lawyers, insurers, PR advisers and accountants);
- Government authorities (eg HMRC, Department of Education, Education Authority or the police); and
- appropriate regulatory bodies.

The College works in partnership with the Old Campbellian Society (OCS) in the delivery of a comprehensive Alumni Relations Strategy including the OC Website. The OCS operates under a separate governance structure and implements its own GDPR policies. For more information on these please contact Mr Walter Murphy in the Old Campbellian Society Office. All data relating to the Alumni that is held on the new OC Website is managed jointly by the College and by the OCS Office both of which are compliant under the respective GDPR policies.

For the most part, personal data collected by the College will remain within the College, and will be processed by appropriate individuals only in accordance with access protocols (i.e. on a 'need to know' basis). Particularly strict rules of access apply in the context of:

- medical records, which are held and accessed only by the College Matron and appropriate medical staff under her supervision, or otherwise in accordance with express consent; and
- pastoral, or safeguarding files.

However, a certain amount of any SEN pupil's relevant information will need to be provided to staff more widely in the context of providing the necessary care and education that the pupil requires.

Staff, pupils and parents are reminded that the College is under duties imposed by law and statutory guidance (including 'Safeguarding & Child Protection in Schools' & 'Regional Core Child Protection Policies & Procedures') to record or report incidents and concerns that arise or are reported to it, in some cases regardless of whether they are proven, if they meet a certain threshold of seriousness in their nature, or regularity. This is likely to include file notes on personnel, or safeguarding files, and in some cases referrals to relevant authorities. For further information about this, please view the College's 'Safeguarding Policy'.

For low-level concerns that do not necessarily meet a statutory threshold and a note maybe kept by the Tutor or Head of Year and an entry may be made on the SIMS system.

Finally, in accordance with Data Protection Law, some of the College's processing activity may be carried out on its 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 and only in accordance with the specific directions of the College.

HOW LONG WE KEEP PERSONAL DATA

The College will retain personal data securely and in accordance with its 'Retention if Received Policy' only for as long as it is necessary for a legitimate and lawful reason. Typically, the legal recommendation for how long to keep ordinary staff and pupil personnel files is up to seven years following departure from the College. However, incident reports and safeguarding files will need to be kept much longer, in accordance with specific legal requirements.

If you have any specific queries about how our retention policy is applied, or wish to request that personal data that you no longer believe to be relevant is considered for erasure, please contact **Mr D Walker, Privacy & Compliance Officer**. However, please bear in mind that the College will often have lawful and necessary reasons to hold on to some personal data even following such request.

A limited and reasonable amount of information will be kept for archiving purposes, for example even where you have requested that we no longer keep in touch with you, we will need to keep a record of the fact in order to fulfil your wishes (called a 'suppression record').

KEEPING IN TOUCH AND SUPPORTING THE COLLEGE

The College (and/or any relevant other organisation) will use the contact details of parents, alumni and other members of the College community to keep them updated about the activities of the College, or alumni and parent events of interest, including by sending updates and newsletters, by email and by post. Unless the relevant individual objects, the College may also:

- Share personal data about parents and/or alumni, as appropriate, with organisations set up to help establish and maintain relationships with the College community, such as the Old Campbellians Society;
- Contact parents and/or alumni (including via the Old Campbellians Society) by post and email in order to promote and raise funds for the College and, where appropriate, other worthy causes;
- Should you wish to limit or object to any such use, or would like further information about them, please contact the Mr D Walker in writing. You always have the right to withdraw consent, where given, or otherwise object to direct marketing or fundraising. However, the College is nonetheless

likely to retain some of your details (not least to ensure that no more communications are sent to that particular address, email or telephone number).

The College undertakes ongoing fundraising activity for causes including Bursaries, Scholarships and Capital Build Campaigns. Direct communications regarding these elements will be part of the wider communications from the College via platforms such as Parent Mail and Firefly and via the OC Website. Should anyone wish to be excluded from any direct mail regarding fundraising activity they should contact the College in writing.

YOUR RIGHTS

- Access to Personal Data

Individuals have various rights under GDPR to access and understand the personal data about them held by the College, and in some cases to ask for it to be erased, amended, have it transferred to others, or for the College to stop processing it - subject to certain exemptions and limitations.

Any individual wishing to access or amend their personal data, or wishing it to be transferred to another person or organisation, or who has an objection to how their personal data is used, should put their request in writing to (Mr D Walker, Privacy & Compliance Officer).

The College will endeavour to respond to any such written requests as soon as is reasonably practicable and in any event within statutory time-limits ie one month in the case of requests for access to information.

The College will be better able to respond quickly to smaller, targeted requests for information. If the request for information is manifestly excessive, or similar to previous requests, the College may ask you to reconsider, or require a proportionate fee (but only where permitted by Data Protection Law).

- Requests that cannot be fulfilled

You should be aware that the right of access is limited to your own personal data, and certain data is exempt from the right of access. This will include information which identifies other individuals (and parents need to be aware this may include their own children, in certain limited situations – please see further below), or information which is subject to legal privilege (for example legal advice given to or sought by the College, or documents prepared in connection with a legal action).

The College is also not required to disclose any pupil examination scripts (or other information consisting solely of pupil test answers), provide examination or other test marks in advance of any ordinary publication, nor share any confidential reference given by the College itself for the purposes of the education, training or employment of any individual.

You may have heard of the ‘right to be forgotten’. However, we will sometimes have compelling reasons to refuse specific requests to amend, delete or stop processing your (or your child's) personal data eg a legal requirement, or where it falls within a legitimate interest identified in this Privacy Notice. All such requests will be considered on their own merits.

- Pupil requests

Pupils can make Subject Access Requests (SAR) for their own personal data, provided that, in the reasonable opinion of the College, they have sufficient maturity to understand the request they are making (see section ‘Whose Rights?’ below). A pupil of any age may ask a parent, or other representative, to make a subject access request on his behalf.

Indeed, while a person with parental responsibility will generally be entitled to make a Subject Access Request on behalf of younger pupils, the law still considers the information in question to be that of the child - for older pupils, the parent making the request may need to provide evidence of their child's authority for the specific request.

Pupils at Senior School of **13 years of age** and above are generally assumed to have this level of maturity, although this will depend on both the child and the personal data requested, including any relevant circumstances at home. Slightly younger children may however be sufficiently mature to have a say in this decision, depending on the child and the circumstances.

- Parental requests, etc.

It should be clearly understood that the rules on subject access are not the sole basis on which information requests are handled. Parents may not have a statutory right to information, but they and others will often have a legitimate interest, or expectation, in receiving certain information about pupils without their consent. The College may consider there are lawful grounds for sharing with, or without reference to that pupil.

Parents will in general receive educational and pastoral updates about their children, in accordance with the Parent Contract. Where parents are separated, the College will, in most cases, aim to provide the same information to each person with parental responsibility, but may need to factor in all the circumstances including the express wishes of the child.

All information requests from, on behalf of, or concerning pupils - whether made under SAR or simply as an incidental request – will therefore be considered on a case-by-case basis.

- Consent

Where the College is relying on consent as a means to process personal data, any person may withdraw this consent at any time (subject to similar age considerations as above). Examples where we do rely on consent are: biometrics; certain types of uses of images; certain types of fundraising activity and our OC website membership. Please be aware however that the College may not be relying on consent, but have another lawful reason to process the personal data in question.

That reason will usually have been asserted under this Privacy Notice, or may otherwise exist under some form of contract, or agreement with the individual (e.g. an employment or parent contract, or because a purchase of goods, services or membership of an organisation, such as an alumni or parents' association, has been requested).

- Whose rights?

The rights under Data Protection Law belong to the individual to whom the data relates. However, the College will often rely on parental authority, or notice, for the necessary ways it processes personal data relating to pupils – for example, under the parent contract, or via a specific form. Parents and pupils should be aware that this is not necessarily the same as the College relying on strict consent (see section on Consent above).

Where consent is required, it may in some cases be necessary or appropriate – given the nature of the processing in question, and the pupil's age and understanding – to seek the pupil's consent. Parents should be aware that in such situations they may not be consulted, depending on the interests of the child, the parents' rights at law, or under their contract, and all the circumstances.

In general, the College will assume that pupils' consent is not required for ordinary disclosure of their personal data to their parents, e.g. for the purposes of keeping parents informed about the pupil's activities, progress and behaviour, and in the interests of the pupil's welfare. That is unless, in the opinion of the College, there is a good reason to do otherwise.

However, where a pupil seeks to raise concerns confidentially with a member of staff and expressly withholds their agreement to their personal data being disclosed to their parents, the College may be under an obligation to maintain confidentiality unless, in the College's opinion, there is a good reason to do otherwise; for example, where the College believes disclosure will be in the best interests of the pupil or other pupils, or if required by law.

Pupils are required to respect the personal data and privacy of others, and to comply with the College's eSafety policy and the rules of the College. Staff are under professional duties to do the same as covered under the relevant staff policy.

DATA ACCURACY AND SECURITY

The College will endeavour to ensure that all personal data held in relation to an individual is as up-to-date and accurate as possible. Individuals must please notify the Privacy & Compliance Officer, Mr D Walker, of any significant changes to important information, such as contact details, held about them.

An individual has the right to request that any out-of-date, irrelevant or inaccurate or information about them is erased or corrected (subject to certain exemptions and limitations under Data Protection Law): please see above for details of why the College may need to process your data, of who you may contact if you disagree.

The College will take appropriate technical and organisational steps to ensure the security of personal data about individuals, including policies around use of technology and devices, and access to College systems. All staff and Governors will be made aware of this policy and their duties under Data Protection Law and receive relevant training.

THIS POLICY

The College will update this Privacy Notice from time-to-time. Any substantial changes that affect your rights will be provided to you directly as far as is reasonably practicable.

QUERIES AND COMPLAINTS

Any comments or queries on this policy should be directed to:

Mr D Walker
Privacy & Compliance Officer,
Campbell College
Belmont Road
Belfast
BT4 2ND
Tel No. 028 9076 3076

If an individual believes that the College has not complied with this policy, or has acted otherwise than in accordance with Data Protection Law, they should notify Mr D Walker, Privacy Compliance Officer.

You can also make a referral to, or lodge a complaint with the Information Commissioner's Office (ICO), although the ICO recommends that steps are taken to resolve the matter with the College before involving the regulator.