SALESIAN COLLEGE FARNBOROUGH LIMITED

PRIVACY NOTICE

WHO WE ARE

Salesian College Farnborough Limited is a company registered in England and Wales, registration number 06753037. The registered office is at 119 Reading Road, Farnborough, Hampshire, GU14 6PA.The charity registration number is 1130166.

Salesian College Farnborough Limited is the data controller for the purposes of the relevant legislation ("Data Protection Law").

This Privacy Notice does not cover the activities of any separate alumni organisation such as the Old Salesians Association or the College's Parent Teacher Association, the latter being a separate legal entity.

WHAT THIS PRIVACY NOTICE IS FOR

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

This makes the College a data controller of your personal information and this information is provided because data protection law gives individuals rights to understand how their data is processed. This Privacy Notice sets out how we will use that information and what your rights are in respect of the data we hold about you. Please note that the College has a separate Data Protection Policy and Privacy Notice applicable to its employees and other staff.

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 online or paper form. This Privacy Notice also applies in addition to the College's other relevant terms and conditions and policies, 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 children;
- the College's CCTV policy;
- the College's safeguarding, pastoral, or health and safety policies, including as to how concerns or incidents are recorded;
- the College's IT policies, including its pupil's Code of Conduct & College Rules, Computer & Internet Use policy, Laptop policy, Mobile Phone policy and iPad Responsible Use policy (Staff & Students); and
- the College's Staff Data Protection Privacy notice and Personal Data Retention and Erasure guidelines.

RESPONSIBILITY FOR DATA PROTECTION

The College has appointed the Bursar as Data Protection Controller (DPC) 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. The Bursar can be contacted at bursar@salesiancollege.com or at Salesian College Farnborough Ltd, 119 Reading Road, Farnborough, Hampshire GU14 6PA.

WHY THE COLLEGE NEEDS TO PROCESS PERSONAL DATA

In order to carry out our ordinary duties to staff, pupils and parents, the College needs to process a wide range of personal data about our community as part of our daily operations.

Some of this activity the College will need to carry out in order to fulfil our legal rights, duties or obligations – including those under a contract with our staff, or parents of our 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 will fall within that category of our (or our community's) "**legitimate interests**":

- For the purposes of pupil selection, to confirm the identity of prospective pupils and their parents, and retain a record (if appropriate) for the purposes of future applications or openings;
- 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, including where such services are provided remotely (either temporarily or permanently);
- To report to and liaise with parents about their child's progress, welfare and development including by way of regular reports and parents' evenings;
- To organise and manage meetings, events and social engagements for pupils and parents;
- To maintain relationships with alumni and the College community, including by direct marketing or fundraising activity ;
- 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 and current 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' health and welfare and provide appropriate pastoral care (including following the requirements and recommendations of the government's guidance on Keeping Children Safe in Education (or "KCSIE");

- To monitor (as appropriate) use of the College's IT and communications systems in accordance with the College's IT 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 CCTV in accordance with the College's CCTV policy;
- For the prevention and detection of crime, and in order to assist with investigations (including criminal investigations) carried out by the police and other competent authorities;
- To carry out or cooperate with any College or external complaints, disciplinary or investigation process;
- To promote the College to prospective parents and pupils; 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 or sexual life) or criminal records information (such as when carrying out DBS 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 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 health / medical condition or other relevant information where it is in the individual's interests to do so: for example for emergency medical care, to arrange the assessment and diagnosis of a pupil's health and medical conditions and special educational needs, for social protection, safeguarding, and cooperation 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 comply with public health requirements*;
- To provide educational services in the context of making reasonable adjustments for a pupil's disability and/or any special educational needs of a pupil;
- To provide spiritual education in the context of any religious beliefs;
- As part of any College or external complaints, disciplinary or investigation process that involves such data, for example if there are SEND, health or safeguarding elements*; or
- For legal and regulatory purposes (for example child protection, diversity monitoring, health and safety and immigration / visa sponsorship compliance) and to comply with its legal obligations and duties of care.

TYPES OF PERSONAL DATA PROCESSED BY THE COLLEGE

This will include by way of example:

- names, addresses, telephone numbers, e-mail addresses and other contact details;
- car details (about those who use our car parking facilities);
- bank details and other financial information, e.g. about parents (or others) who pay fees to the College, and any source of funds and/or anti-money laundering information we are required to collect by law;
- past, present and prospective pupils' academic, disciplinary, admissions, safeguarding and attendance records, and examination scripts and marks;
- nationality and other immigration status information (e.g. right to enter, live and work or study in the United Kingdom), including copies of passport information];

- information about pupils' health and medical conditions, special educational needs and family circumstances / living arrangements;
- contact details for 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 pupils and parents (past and present); and
- images of pupils (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 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 College, or other professionals or authorities, or third party service providers who credit and identity check parents and their source of funds); or collected from publicly available resources.

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

Processing by third parties. 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). However, some functions are outsourced including [e.g. accounting, IT, cloud storage / records management, monitoring, mailing]. In accordance with data protection law, this type of external data processing is always subject to contractual assurances that personal data will be kept securely and used only in accordance with the College's specific directions.

Data sharing. Occasionally, the College – including its governing board – will need to share personal information relating to its community of pupils and parents with third parties, such as:

- appropriate contractors, such as visiting music teachers;
- professional advisers (e.g. lawyers, insurers, PR advisers and accountants);
- examination boards;
- Stage 3 complaints panels, which may include independent panel members such as when a complaint is raised (and in accordance with the College Complaints Procedure, this requires the involvement of independent panel members);
- third parties and their advisers in the event of a possible or actual sale, merger or other restructuring of the College; and
- government authorities (e.g. HMRC, DfE, CAFCASS, police, Home Office, a relevant public health / NHS body and / or local authority) and/or appropriate regulatory bodies e.g. the Teaching Regulation Agency, the Independent Colleges Inspectorate, [the Charity Commission] etc..
- If you are a parent and a member of the Parent Teacher Association ("PTA"), the College may share your contact details with the PTA. The PTA is a separate data controller and the College is not responsible for the PTA's processing of personal data.

ACCESS TO, AND SHARING OF, SENSITIVE DATA

Particularly strict rules of access apply in the context of "special category" data, most notably:

- health and medical / special needs records; and
- pastoral or safeguarding files.

Medical / health data. The College needs to process such information to comply with statutory duties and to keep pupils and others safe, but the College will ensure only authorised staff can access information on a need-to-know basis. This may include wider dissemination if needed for College trips or for catering purposes. Express consent will be sought where appropriate. However, a certain amount of any 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.

Safeguarding data. The College is under duties imposed by law and statutory guidance (including Keeping Children Safe in Education or 'KCSIE') 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 notes on personnel or safeguarding files, low-level concerns records kept about adults (which may include references to pupils or family members), and in some cases referrals to relevant authorities such as the LADO, Children's Services, CAMHS or the police.

KCSIE also requires that, whenever a child leaves the College to join another College or college, his or her child protection file is promptly provided to the new organisation, along with any other information which the College's *Designated Safeguarding Lead* considers material to the ongoing care needs of any pupil. Where appropriate, the College will consult with parents as to how these needs are best served, but ultimately the decision as to what information is necessary to share with the new College or college is a safeguarding question that must be reserved to the College. The College will retain a copy of the child protection file in accordance with its retention policy for material related to safeguarding matters.

For further information about this, please view the College's Safeguarding Policies.

HOW LONG WE KEEP PERSONAL DATA

The College will retain personal data securely and only in line with how long it is necessary to keep for a legitimate and lawful reason. Typically, the legal recommendation for how long to keep ordinary parent and pupil files is up to 7 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 the Bursar (bursar@salesiancollege.com). 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; and even where you have requested 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 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 will 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 Salesian College Parent Teachers Association and the Old Salesians Association.
- Contact parents and/or alumni (including via the organisations above) 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 Bursar 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).

YOUR RIGHTS

Individuals (both pupils and parents) have various rights under data protection law to access and understand their own personal data held and processed by the College, and in some cases ask for it to be erased or amended, or to have it transferred elsewhere, or for the College to stop processing it – but subject to certain exemptions and limitations.

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 (which is generally one month, but actually fulfilling more complex or multiple requests, e.g. those involving third party information, may take 1-2 months longer).

Rights of access, etc.

The College will be better able to respond quickly to smaller, targeted requests for information made during term time. If the request for information is manifestly excessive or similar to previous requests, the College may ask you to reconsider, or require a reasonable fee for the administrative costs of complying with the request, or in certain cases refuse the request (but only where data protection law allows it, and in accordance with relevant regulatory guidance).

If you consider that the personal data we hold on you is inaccurate, please let us know. However, the College will not necessarily delete or amend views, opinions, notes or records purely on the request of an individual who disputes the account, although we may keep a record of all parties' viewpoints.

Requests that cannot be fulfilled

You should be aware that UK GDPR rights (including the right of access) are limited to your own personal data, and certain data is exempt. 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, or where a duty of confidence is owed by a legal adviser).

The College is also not required to:

- disclose any pupil examination scripts (or other information consisting solely of pupil test answers, potentially including in mock exam scripts or other types of exams / tests used to assess performance – although markers' comments may still be disclosable if they constitute pupil personal data); or
- provide examination or other test marks ahead of their ordinary publication date, nor share any confidential reference held by the College that was (or will be) given for the purposes of the education, training, appointment 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: for example, a legal requirement, or where it falls within a proportionate legitimate interest identified in this Privacy Notice. Generally, if the College still considers the processing of the personal data to be reasonably necessary, it is entitled to continue. All such requests will be considered on their own merits.

Requests by or on behalf of pupils

Pupils can make subject access requests 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/her 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 the child's. For older pupils, the parent making the request may need to evidence their child's authority for the specific request. Requests not considered in the child's best interests may sometimes be refused.

Pupils at senior College aged 13 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.

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, court orders, or pastoral issues.

All information requests from, on behalf of, or concerning pupils – whether made under subject access 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). 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 even without your consent.

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 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, either alongside or in place of parental 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 College's opinion, 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 e.g. IT: acceptable use policy and the College rules.

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 Bursar 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.

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. This Privacy Notice was last updated on 1 November 2023.

QUERIES AND COMPLAINTS

Any comments or queries on this policy should be directed to the DPC using the following contact details –

The Bursar (DPC), Salesian College Farnborough Ltd, 119 Reading Road, Farnborough, Hampshire GU14 6PA; or
Bursar@salesiancollege.com

If an individual believes that the College has not complied with this policy or acted otherwise than in accordance with Data Protection Law, they should utilise the College complaints / grievance procedure and should also notify the Bursar. 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.

Updated: 1 November 2023