



# BROMSGROVE SCHOOL

## PRIVACY NOTICE (EXTERNAL) BROMSGROVE SCHOOL ENTERPRISES LIMITED

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| Author:          | Bursar       |
| Reviewed:        | October 2018 |
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| Scope:           | All Schools  |

## Introduction

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

If you have any questions about this notice please contact the Commercial Manager.

This notice applies to the services provided by Bromsgrove School Enterprises Limited ("**we**") and Bromsgrove School. Bromsgrove School Enterprises Limited and Bromsgrove School are responsible for deciding how they hold and use personal information about you, and for explaining this clearly to you. To use data protection terminology, Bromsgrove School Enterprises Limited and Bromsgrove School are "data controllers". This notice applies to everyone who uses our services including:

- the hire and use of our facilities such as our sports facilities, our concert hall and our theatre, and room hires for functions and events (such as weddings);
- users and members of our sports facilities;
- members of our sports academies such as the Bromsgrove School Swimming Academy

In this notice our "services" is a reference to the above and any other services we provide or any other use of our facilities.

Bromsgrove School Enterprises Limited is a trading company wholly owned by Bromsgrove School (the **School**).

Bromsgrove School Enterprises Limited shares a lot of information with the School because the School is heavily involved in what we do. This makes the School a data controller of your personal information in addition to us. Accordingly, this notice applies to the School's use of personal information in relation to the services as well. The School helps us with all aspects of our operations. For example, the School helps us with catering for our events, so we share information about dietary requirements to ensure that those being catered for whilst accessing our services are served appropriate food. We and the School may share your personal information in connection with any of the purposes described in this notice. In addition, the School has its own legal obligations as a charity and a school, which means that the School may also need to use your personal information for its own purposes (for example, reporting to the relevant authorities if something has gone wrong). Further examples of how the School uses your information are set out throughout this notice.

## How we use your information in relation to our services

Our primary reason for using your personal information is to provide our services to you and others.

We collect personal information direct from you when you enquire about our services. If you are a customer then we will collect and process your name, email address, telephone number, address and information about your requirements so we can provide our services. Using your personal information in this way is necessary for the performance of the contract between us or to take steps prior to entering into a contract. In addition we may collect your payment details.

We collect further information from you during the period of our relationship with you and when you use our services. This applies to both our customers and also to anyone else who uses the services (for example any guest that a customer has brought onto site and children whose parents have paid for them to attend a swimming lesson). Our purposes here include:

- To administer your use of the services (and sports facilities membership if you are a member). For example, we may keep a record of your preferences and interests to enable us to deliver a better service. This is necessary for the legitimate interest of managing what we offer and improving our services.

- Information concerning your suitability to use our services. This is to look after you and other users and in relation to the management of incidents. As part of this we will use information concerning you about your health and any disability you may have. We, and the other users of our services, have a legitimate interest in ensuring that the services are used appropriately and safely. In addition, we have a legal obligation under health and safety laws to make sure that our services are used appropriately.
- If you attend our Swimming Academy we have a legitimate interest in processing information concerning your participation in the course, including your progress and attainment. Providing an education is also in the public interest.
- If there is a problem, for example, if you or someone else has made a complaint then we have a legitimate interest in using personal information in connection with that complaint, for example, so that we can find out what happened and put things right.
- We use CCTV to make sure the site is safe and so that we can investigate if there is a problem. This is in accordance with our legitimate interests. Images captured of you via CCTV will be your personal information. CCTV is not used in private areas such as toilets.
- We will take a photograph of you to be stored on our system for identification purposes. We will also take photographs of you when you take part in our activities or use our services. The photographs will be used in connection with our, and the School's, publicity, for example, they may appear on our websites, promotional material and on social media. 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. If we ask for your consent to use your personal information you can take back this consent at any time. Please speak to the Commercial Manager if you would like to withdraw any consent that you have given.

## **Other uses**

We have a legitimate interest in using your personal information in other ways as follows:

- Regardless of the relationship we have with you, we may need to use your personal information for legal reasons such as fraud prevention and to check that you are complying with our terms and conditions and to enforce our legal rights. In addition to legitimate interests, this is also necessary for the performance of any contract between us.
- We may need to use your information in order to protect our interests, and the interests of the School. For example, if you post a comment on a review website then we may provide a response to that comment or contact you directly to discuss your feedback.
- We may share your information with debt recovery suppliers if you do not pay any fees owed to us. In addition to legitimate interests, this is also necessary for the performance of the contract between us.
- We may share information about you with our professional advisors, and our insurers, for example, where there is a serious incident. We may share your personal information with our legal advisors or insurers for the purpose of obtaining legal advice or in connection with actual or contemplated litigation.
- In limited circumstances we may use your information to protect your vital interests or the vital interests of someone else (for example, if you or they are seriously hurt).
- We sometimes use contractors to handle personal information on our behalf. The following are examples:

- if we use a contractor in connection with the provision of our services, we may share information with them as appropriate. For example if we use outside caterers we may share information about dietary needs and requirements;
- IT consultants who might access information about you when checking the security of our IT network; and
- we use third party "cloud computing" services to store some information rather than the information being stored on hard drives located on the School site.

Please note that we may process your personal information without your knowledge or consent where this is required or permitted by law.

### **How we use information about children and family members**

We and the School have additional obligations because children use our services. This includes children who are pupils at the School.

We and the School may share information about you with others in your family, such as a parent or step-parent. For example, where this is part of our obligation to take care of you or your child, as part of our wider legal and regulatory obligations.

We and / or the School may share your information with others as set out below where there is a legal obligation to do so:

- With local authorities, the Independent Schools Inspectorate, the Department for Education.
- With the Health and Safety Executive if there has been a health and safety incident.
- With the Charity Commission, for example, in the event of a serious incident. This is because the School is a charity.
- With the police for the prevention and investigation of crime and the prosecution of offenders. This will only be done in specific circumstances to assist the police with their investigations.

Sometimes we will share information as described above even if we do not have a legal obligation to do so. This is for our, and the School's legitimate interest in ensuring that the services run properly and so that Bromsgrove School Enterprises Limited and the School can benefit from the advice and guidance from the relevant agencies. In many cases, sharing the information will also be in the public interest.

If you are an existing pupil or parent of the School, then we and the School will use your personal information in connection with your (or your child's) education and welfare (for example, if you are a pupil we may tell your teachers if you have done especially well at an activity or if you have misbehaved when taking part in one of our activities). Further information about how we use personal information of School pupils and parents can be found in the relevant Privacy Notices on the School website.

### **Keeping you updated**

We may contact you with marketing material by email, telephone, post or by text message but we will only do this where we are allowed to do so under data protection law. Sometimes we will need your consent first.

We may contact you regarding the administration of your membership fees.

If you tell us that you do not want to be contacted for any of these purposes then we will of course respect that. Any use of your information before you withdraw your consent remains valid. Please speak to the Commercial Manager if you would like to withdraw any consent that you have given.

## Where will we store your personal information?

Any personal information that you submit to us will be held on secure servers, based within the UK or the European Economic Area (EEA).

## Particularly sensitive information

We have extra obligations when we process particularly sensitive information called "special category" personal information under data protection law. 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. We may process "special category" personal information as follows:

- We may need to use information about your health so that we can make adjustments for example, in respect of dietary requirements or in connection with the use of our services.
- We may need to use information about any disability you may have, or any care that you may need, so that we can make adjustments for example, in respect of seating or in connection with the use of our services

Using personal information in this way is justified in the substantial public interest.

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.

## How long will we use your personal information for?

We only retain your personal information for as long as is necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal information, we consider the amount, nature and sensitivity of the personal information, the potential risk of harm from unauthorised use or disclosure of your personal information, the purposes for which we process your personal information and whether we can achieve those purposes through other means, and the applicable legal requirements.

Please see our Information and Records Retention Policy for more detailed information. This can be obtained from the Bursar.

## Your rights in relation to our processing of your personal information

You have the following rights:

- **Rectification:** if information we hold about you 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. We will also give you extra 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. 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 (please see "Our legal bases for using your information" above); 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 (for example, to send you marketing information about our services);
  - the legal basis on which we are relying is either legitimate interests or performance of a task carried out in the public interest. Please see the section "Our legal bases for using your information" above; and
  - if we ever use your information for scientific or historical research purposes or statistical purposes.

You have a right to complain to the Information Commissioner's Office if you are unhappy with our use of your personal information. If you do have a concern about how we have used your personal information, do contact us straight away if you consider that we are not handling your personal information properly so we can try and sort the problem out.

If we delete your personal information or restrict our use of it, we may not be able to provide our services to you.

If you want to exercise any of your rights, you can contact the School's Bursar. We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights).

Bromsgrove School Enterprises Limited is a company Registered in England and Wales: Company Number 02189044; Registered Office: Bromsgrove School, Worcester Road, Bromsgrove, Worcestershire B61 7DV.