



WINCHESTER
COLLEGE

Privacy Policy

Review date: February 2021

Next review date: December 2021

Authors: CAHG/JPC/PDT

This policy is intended to provide information about how we, Winchester College (“the School”) will use (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").

It applies in addition to the School's Terms and Conditions, and any other information the School may provide about a particular use of personal data.

1. Responsibility for Data Protection

In accordance with EU GDPR of May 2018 and the Data Protection Act 2018 (the Act), the School has notified the Information Commissioner's Office of its processing activities. The School's ICO registration number is Z5751669 and its registered address is Winchester College, College Street, Winchester, SO23 9NA. Registered Charity No. 1139000.

The School has appointed its Domestic Bursar as Data Protection Liaison Officer ("DPLO") who will endeavour to ensure that all personal data is processed in compliance with this Policy and the Act.

DPLO contact email address: cahg@wincoll.ac.uk

2. Types of personal data processed by the School

As part of its operations, the School may process a wide range of personal data about individuals including current, past and prospective employees, as well as current, past and prospective pupils and their parents, including 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 who pay fees to the School;
- current, 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 academics, employment or safeguarding;
- where appropriate, information about individuals' health, and contact details for their next of kin;

- references given or received by the School about pupils, and 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 (and occasionally other individuals) engaging in school activities, and images captured by the School's CCTV system.

Generally, the School receives personal data from the individual directly (or, in the case of pupils, from parents). However, in some cases personal data may be supplied by third parties (for example another school, or other professionals or authorities working with that individual), or collected from publicly available resources.

The School may, from time to time, need to process "sensitive personal data" regarding individuals. Sensitive personal data includes information about an individual's physical or mental health, race or ethnic origin, political or religious beliefs, sex life, trade union membership or criminal records and proceedings. Sensitive personal data is entitled to special protection under the Act, and will only be processed by the School with the explicit consent of the appropriate individual, or as otherwise permitted by the Act.

3. Use of personal data by the School

The School will use (and where appropriate share with third parties) personal data about individuals for a number of purposes as part of its operations.

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

We collect and use pupil information under:

General Data Protection Regulations

- Article 6(1)(e) – the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.
- Article 9(2)(g) – the processing is necessary for reasons of substantial public interest.

We use the pupil data:

- to protect pupil welfare and carry out safeguarding activities.

Other uses of personal data will be made in accordance with the School'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 School expects that the following uses will fall within that category of its (or its community's) "**legitimate interests**":

- To provide information relating to our products, education services (including SEN), career services, and extra-curricular activities of pupils; monitoring pupils' progress and educational needs; and maintaining relationships with alumni and the School community, including direct marketing of fundraising activity;
- For the purposes of donor due diligence, and to confirm the identity of prospective donors and their background;

- To provide information relating to other products. Such information will only be provided where there is consent to receive such information;
- To inform of any change to our website, services or goods and products.
- For the purposes of pupil selection and to confirm the identity of prospective pupils and their parents;
- 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 the relevant authorities to monitor the School'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 School;
- To safeguard pupils' welfare and provide appropriate pastoral (and where necessary, medical) care, and to take appropriate action in the event of an emergency 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, insurance purposes or to organisers of School trips;
- To monitor (as appropriate) use of the School's IT and communications systems in accordance with the School's IT Acceptable Use Policy;
- To make use of photographic images and video of pupils in school publications, on the School's website and other communication channels owned by the School, in accordance with Section 11 of the School's Parent Contract;
- For security purposes, and for regulatory and legal purposes (for example Child Protection and Health & Safety) and to comply with its legal obligations;
- To carry out or cooperate with any School or external complaints, disciplinary or investigation process; and
- Where otherwise reasonably necessary for the School's purposes, including to obtain appropriate professional advice and insurance for the School.

In addition, the School 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 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 medical condition or other relevant information where it is in the individual's interests to do so: for example for medical advice, for social protection, safeguarding, and cooperation with police or social services, for insurance purposes or to caterers or organisers of School trips who need to be made aware of dietary or medical needs;
- To provide educational services in the context of any special educational needs of a pupil;
- To provide spiritual education in the context of any religious beliefs;
- In connection with recruitment and employment of its staff, for example DBS checks, welfare, union membership or pension plans; 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.

4. How the School collects data

Generally, the School 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 school, or other professionals or authorities working with that individual); or collected from publicly available resources.

5. Who has access to personal data and third parties

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

- appropriate contractors, such as visiting music teachers;
- professional advisors (e.g. lawyers and insurers);
- government authorities (e.g. HMRC, DfE, police or the local authority);
- examination boards;
- appropriate regulatory bodies (e.g. the Teaching Regulation Agency, the Independent Schools Inspectorate, the Charity Commission or the Information Commissioner); and
- Stage 3 complaints panels, which will include independent panel members.

On occasion we include links to third parties on our website. Where we provide a link it does not mean that we endorse or approve that site's policy towards visitor privacy. You should review their privacy policy before sending them any personal data.

For the most part, personal data collected by the School will remain within the School, 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, held and accessed only by the School doctor and appropriate medical staff under his/her supervision, or otherwise in accordance with express consent; and
- pastoral or safeguarding files.

In the case of pastoral and safeguarding files, the School uses CPOMS, which is monitored, maintained and processed by appropriate individuals only in accordance with strict access protocols (i.e. on a 'need to know' basis).

However, a certain amount of any SEND 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 School is under duties imposed by law and statutory guidance (including [Keeping Children Safe in Education](#)) 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 such as the LADO or police. For further information about this, please view the School's Safeguarding Policy.

Finally, in accordance with Data Protection Law, some of the School's processing activity is 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 School's specific directions. The School also employs a number of third party applications to process and store personal information on employees and others who have contracted agreements with the School.

6. How long we keep personal data

The School 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 staff and pupil personnel files is up to 7 years following departure from the

School. However, incident reports, safeguarding files and related records will need to be kept much longer, in accordance with specific legal requirements and official guidance.

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 deletion, please contact the DPLO (contact details in Section 1 of this policy). However, please bear in mind that the School will often have lawful and necessary reasons to hold on to some personal data **even following such requests**.

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"). Please refer to our Data Retention Policy and schedule for details.

7. Our Website and use of Cookies

In running and maintaining our website we may collect and process the following data about you:

- Information about your use of our site including details of your visits such as pages viewed and the resources that you access. Such information includes traffic data, location data and other communication data.
- Information provided voluntarily by you. For example, when you make an enquiry or register for information.
- Information that you provide when you communicate with us by any means.

Cookies provide information regarding the computer used by a visitor. We may use cookies where appropriate to gather information about your computer in order to assist us in improving our website.

We may gather information about your general internet use by using the cookie. Where used, these cookies are downloaded to your computer and stored on the computer's hard drive. Such information will not identify you personally. It is statistical data. This statistical data does not identify any personal details whatsoever.

You can adjust the settings on your computer to decline any cookies if you wish. This can easily be done by activating the reject cookies setting on your computer.

Cookies used on our website

CookieID	Name	Expiration date	Description	Intrusiveness Level
_ga	Google Analytics	2 years	Determining Visitor Session	Low
_gat_UA-81121548-9	Google Analytics	Not set	Determining Visitor Session	Low
_gid	Google Analytics	1 day	Identifying Unique Visitors	Low

CookieID	Name	Expiration date	Description	Intrusiveness Level
XSRF-TOKEN	CSRF tokens	1 hour	Cross-site request forgery	Zero
wincollege_session	Website session data	1 day	Used for user session	Zero

8. Storing your personal data

We store all personal data within the UK or European Union. This includes data collected via our website. By providing your personal data to us, you agree to this. We do our utmost to ensure that all reasonable steps are taken to make sure that your data is treated and stored securely.

9. Disclosing your information

We will not disclose your personal information to any other party other than in accordance with this Privacy Policy and in the circumstances below:

- Where we are required by law to disclose your personal information.
- To further fraud prevention and reduce the risk of fraud.

10. Keeping in touch and supporting the School

The School will use the contact details it has been given by parents, alumni and other members of the School community to keep them updated about the activities of the School, including by sending updates and newsletters by email and by post, and by making contact by telephone.

Unless the relevant individual objects and informs the School of this in writing, the School may also:

- Share personal data about parents and/or alumni, as appropriate, with organisations set up to help establish and maintain relationships with the School community;
- Contact parents and/or alumni (including via the organisations above) by post and e-mail and telephone in order to promote and raise funds for the School;
- Collect information from publicly available sources about parents' and former pupils' occupation and activities, in order to maximise the School's fundraising potential.

Should you wish to limit or object to any such use, or would like further information about them, please contact the DPLO in writing.

11. Access to information

In accordance with EU GDPR of May 2018 you have the right to access personal data held by the School, subject to certain exemptions and limitations set out in the Act. Any individual wishing to access their personal data should put their request in writing to the DPLO. The School will endeavour to respond to any such written requests (known as "Subject Access Requests") as soon as is reasonably practicable and in any event within statutory time-limits.

You should be aware that certain data is exempt from the right of access under the Act. This may include information which identifies other individuals, or information which is subject to

legal professional privilege. The School is also not required to disclose any pupil examination scripts (though examiners' comments may be disclosed), nor any reference given by the School for the purposes of the education, training or employment of any individual.

Pupils can make Subject Access Requests for their own personal data, provided that, in the reasonable opinion of the School, they have sufficient maturity to understand the request they are making. Pupils aged 12 or over are generally assumed to have this level of maturity, although this will depend on both the child and the personal data requested. All Subject Access Requests from current pupils will therefore be considered on a case by case basis.

A person with parental responsibility will generally be expected to make a Subject Access Request on behalf of younger children. A pupil of any age may ask a parent or other representative to make a Subject Access Request on their behalf, though the pupil must confirm in writing that they have made that request.

12. Rights under the Act

The rights under the Act belong to the individual to whom the data relates. However, the School will in most cases rely on parental consent to process personal data relating to pupils (if consent is required under the Act) unless, given the nature of the processing in question, and the pupil's age and understanding, it is more appropriate to rely on the pupil's consent. Parents should be aware that in such situations they may not be consulted.

In general, the School will assume a pupil's consent to 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, unless, in the School'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 School will maintain confidentiality unless, in the School's opinion, there is a good reason to do otherwise; for example, where the School believes disclosure will be in the best interests of the pupil or other pupils.

Pupils are required to respect the personal data and privacy of others and to comply with the School's IT: Acceptable Use Policy and the School Rules.

13. Data accuracy and security

The School 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 notify the School of any changes to information held about them.

An individual has the right to request that inaccurate information about them is erased or corrected (subject to certain exemptions and limitations under the Act) and may do so by contacting the School in writing.

The School will take appropriate technical and organisational steps to endeavour to ensure the security of personal data it holds about individuals. All staff will be made aware of this Policy and their duties under the Act.

14. Queries and complaints

Any comments or queries on this Policy should be directed to the DPLO in writing using the following contact details:

The Domestic Bursar
Data Protection Liaison Officer
Winchester College
College Street
Winchester
SO23 9NA

If an individual believes that the School has not complied with this Policy or acted otherwise than in accordance with the Act, they should also notify the DPLO.

If your comments or queries are not resolved by the DPLO you can also contact the ICO, although the ICO recommends that steps are taken to resolve the matter with the School first (including, where appropriate, through the School's complaints process):

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113

Website: <https://www.ico.org.uk>