



WINCHESTER
COLLEGE

Privacy Policy

1. Introduction

This privacy policy applies to all personal data processed by Winchester College and its subsidiary companies, organisations and clubs. In this policy, these are all collectively called the "School". Winchester College is a charity and our official name is the Warden and Scholars of St Mary College of Winchester and our registered charity number is 1139000. Our trading subsidiary, Winchester College Enterprises, is officially called Winchester College Trading Company Limited, Company number 02673873.

This policy provides information about how the School uses (or "processes") personal data about individuals including:

- current, past and prospective pupils
- their parents, carers or guardians (referred to in this policy as "parents")
- staff, including employees, contractors, casual workers and volunteers
- donors, friends and supporters
- visitors and other individuals connected to the School (including students enrolled on our holiday courses).

This policy applies in addition to any contract between you and the School and any other information or policies the School may provide about a particular use of personal data. The School will update this policy from time to time. We will highlight any changes that substantially affect your rights on our website or to you directly as far as practicable.

If you have any questions about your personal data or its use, please contact:

dataprotection@wincoll.ac.uk

2. What data the School processes

As part of its operations, the School may process a wide range of personal data about individuals, including by way of example:

- names, addresses, telephone numbers, email addresses and other contact details;
- car details (about those who use our car parking facilities);
- bank details and other financial information;
- current, past and prospective pupils' academic, disciplinary, admissions and attendance records, and examination scripts and marks;
- personnel files, including in connection with academics, employment or safeguarding;
- nationality and other immigration status information (eg right to work / study) including copies of passport information and any other information required in the School's capacity as a *Student Sponsor*;
- where appropriate, information about individuals' health, special needs and contact details for their next of kin;

- references given or received by the School, and information provided by previous educational establishments and/or other professionals or organisations working with pupils or previous employers;
- correspondence with and concerning staff, pupils and parents past and present; and
- images of individuals engaging in school activities, and images captured by the School's CCTV system
- Visitor logs, login credentials, digital access and other logs.

3. How the School collects personal 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, the Disclosure and Barring Service or third party service providers who credit and identity check parents and donors and their source of funds). Data may also be collected from publicly available resources, for example as part of donor wealth screening.

4. Why the School needs to process personal data

The School needs to process (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.

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**":

- For the purposes of pupil selection and 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 carry out any necessary credit checks, whether with previous schools or other third-party sources, including verifying that parents are not subject to sanctions;
- To provide education services (including musical education, physical training or spiritual development, career services, and extra-curricular activities to pupils);
- To monitor pupils' progress and educational needs, including where such services are provided remotely;
- To report to and liaise with parents and guardians about their child's progress, welfare and development, including in report and parents' meetings;
- To organise and manage meetings, events and social engagements for pupils and parents;
- To maintain 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, including donor wealth screening;
- To promote the School and its activities;

- To inform of any change to our website, services or goods and products;
- 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' 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 provide 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 School's Parent Contract;
- For security purposes, including CCTV in accordance with the School's CCTV policy;
- For the prevention and detection of crime and to assist with investigations (including criminal investigations) carried out by the police and other competent authorities;
- for regulatory and legal purposes and to comply with its legal obligations;
- For regulatory record keeping / compliance purposes in respect of immigration requirements, as an employer and/or visa sponsor;
- To carry out or cooperate with any School or external complaints, disciplinary or investigation process;
- To obtain appropriate professional advice and insurance for the School; and
- Where otherwise reasonably necessary for the School's purposes.

In addition, the School will on occasion need to process **special category personal data** (concerning health, ethnicity, religion, trade union membership, 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 comply with public health requirements, for example in respect of Covid-19 (or similar) testing: including managing on-site testing and/or processing the results of tests taken by

pupils or other members of the School community and sharing this information with relevant health authorities;

- To provide educational services in the context making reasonable adjustments for disabilities and/or special needs;
- 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, and in a pastoral, complaint or disciplinary context; or
- For legal and regulatory purposes (for example child protection, diversity monitoring and health and safety and immigration/VISA sponsorship compliance) and to comply with its legal obligations and duties of care.

5. Who has access to personal data and third parties

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).

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

- appropriate contractors;
- 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 in accordance with the School's complaints policy.

On occasion we include links to third parties on our website or in other school communications, such as newsletters. 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.

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. Access to and Sharing of Sensitive Data

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

- Health and medical /special needs records; and
- pastoral or safeguarding data.

Medical / health data. The School needs to process such information to comply with statutory duties and to keep pupils and others safe, but the School will ensure only the school doctor, medical team and other authorised staff can access information on a need-to-know basis. This may include wider dissemination if needed for School 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.

Pastoral and safeguarding data. The School uses the software program CPOMS (Child Protection Online Management System) to manage its pastoral and safeguarding data. This 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 Special Educational Needs or Disability (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, low level concern 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, CAHMS or the police.

KCSIE also requires that, whenever a child leaves the school to join another school or college, his or her child protection file is promptly provided to the new organisation. The School will retain a copy, along with any other information which the school's Designated Safeguarding Lead considers material to the ongoing care needs of any pupil. Where appropriate, the School 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 school or college is a safeguarding question that must be reserved to the School. The School 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 School's Child Protection and Safeguarding Policy.

7. How 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.

We do our utmost to ensure that all reasonable steps are taken to make sure that your data is treated and stored securely. We do not transfer personal data outside of the European Economic Area unless we are satisfied that the personal data will be afforded an equivalent level of protection.

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. The School currently keeps all safeguarding files indefinitely pending official

guidance following the recommendations of the national Independent Inquiry into Child Sexual Abuse.

A limited and reasonable amount of information will be kept for archiving purposes, for example data of historic value and interest, such as photographs, lists of pupils and records of events. 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 contact dataprotection@wincoll.ac.uk if you have any questions about record retention or archiving.

8. When we may disclose 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.

9. 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 and on social media.

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, such as the American Friends of Winchester College and the Hong Kong Friends of Winchester College;
- 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' occupations and activities, in order to maximise the School's fundraising potential. We do this carefully and do not use solely automated processing or profiling, in order to respect individuals' rights under data protection law.

You can update your contact preferences via the link in emails from the School, or on our website, or by emailing dataprotection@wincoll.ac.uk.

10. Your rights under data protection law

Data protection law gives you various rights. These are:

- **Access** – to obtain access to, and copies of, the personal data that we hold about you;
- **Rectification** – to require us to correct the personal data we hold about you if it is incorrect;
- **Erasure** – to require us to erase your personal data in certain circumstances;
- **Restriction** – to request that we restrict our data processing activities (and, where our processing is based on your consent, you may withdraw that consent, without affecting the lawfulness of our processing based on consent before its withdrawal);

- **Portability** – to receive from us the personal data we hold about you which you have provided to us, in a reasonable format specified by you, including for the purpose of you transmitting that personal data to another data controller;
- **Object** - to object, on grounds relating to your particular situation, to any of our particular processing activities where you feel this has a disproportionate impact on your rights, including a right to object to fund-raising or direct marketing purposes.

Please note that the above rights are not absolute, and we may be entitled to refuse requests where exemptions or exceptions apply.

The School will try to respond to any request as soon as is reasonably practicable and in any event within the legal time-limit. This is generally one month, but this may be extended if your request is complex. We will be more able to reply quickly if your request is smaller and targeted. If your request is obviously excessive or similar to previous requests, we may ask you to reconsider or charge a proportionate administration fee, but only where data protection law allows this.

11. Pupil personal data and parental consent

The rights under Data Protection Law 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) 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 or if required by law.

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

12. Data accuracy and security

The School tries to keep all personal data as up to date and accurate as possible. Please tell the School of any changes to important information about you, such as contact details, as soon as possible.

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 Data Protection Law.

13. Queries and complaints

If you have any queries or comments, or you believe that the School has not complied with this policy or data protection law, please contact the Bursar and his team by emailing: dataprotection@wincoll.ac.uk or by writing to: Data Protection, The Bursary, Winchester College, College Street, Winchester, SO23 9NA.

If your comments or queries are not resolved, 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 or by telephone: 0303 123 1113 Website: <https://www.ico.org.uk>.