



WELLINGTON COLLEGE

PRIVACY NOTICE

INTRODUCTION

The Wellington College is a registered charity with number 309093 (the “**College**”).

The College is a data controller for the purposes of data protection legislation as we process personal data. This notice is designed to give you information about how we process that data. Our duties in respect of personal data are very important to us and we are committed to using the personal data we hold in accordance with the law. The College’s Legal & Compliance Director is responsible for data protection at the College and will endeavour to ensure that the College complies with its responsibilities. Any queries should be directed to her by email at data@wellingtoncollege.org.uk or by post at The Bursary, Wellington College, Duke’s Ride, Crowthorne, RG45 7PU.

This 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. The notice should be read in conjunction with our other policies and contracts which apply to you and which make reference to personal data. This includes any contract you have entered into with the College, our safeguarding, pastoral (including the Taking, Storage and Use of Pupil Images Policy, the CCTV policy and the Biometrics Policy) and health & safety policies, our IT policies (including the Acceptable Use Policy). Separate privacy notices apply to Wellington College Enterprises Limited, the Wellington Community and our staff.

It should be noted that the College also has safeguarding and child protection duties and that, if there is a potential conflict between these duties and those under data protection legislation, the welfare of the child is paramount.

The College expects individuals to whom this notice applies to respect the personal data and privacy of others to whom the notice applies and to staff of the College.

WHAT TYPE OF PERSONAL DATA DOES THE COLLEGE PROCESS?

We process personal data about prospective, current and past: pupils and their parents (which includes guardians and carers as well as anyone with parental responsibility for that pupil); staff, governors and volunteers; suppliers and contractors; members of staff, governors and pupils of other schools in the Wellington family of schools (including Eagle House School and the international schools); members of staff and customers of our subsidiary companies; job applicants; persons hiring College facilities for education related purposes; adults and children attending an educational course (residential or non-residential), conference or other activity or event organised or hosted by the College (whether sole organiser or in partnership with any other organisation) (collectively “**educational events**”); adults and children attending events hosted by the College other than educational events; donors, friends

and supporters; family members of any of the foregoing; families of members of staff living on site; those who visit the College for any reason; and others connected with the College.

The personal data we process takes different forms (it may be factual information, opinion, images or other recorded information) and the type of data processed will depend on your relationship with the College. Examples of the personal data we process include:

- names;
- addresses, telephone numbers, email addresses and other contact details;
- biometric information;
- past, present and prospective pupils' admissions, academic, sport, co-curricular information, pastoral, health and any special needs information, attendance and disciplinary records and examination scripts and marks;
- protected characteristics;
- education and employment information;
- nationality and other immigration status information;
- audio and video recordings;
- in respect of those who access the College site, images and video footage;
- bank details and other financial information;
- courses, conferences, activities, events or meetings attended;
- car details and driving licence details; and
- correspondence with and concerning individuals.

We may also need to process special category personal data (for example, regarding physical or mental health, ethnicity, religion or biometric data) and criminal records information about some individuals (particularly staff). Where we process this type of data, we will seek your express consent unless we can either rely on rights or duties imposed on us by law (for example, in respect of safeguarding, health and safety or employment) or one of the other conditions for processing special category personal data set out in the legislation.

HOW DOES THE COLLEGE COLLECT PERSONAL DATA?

Most of the personal data processed by us is provided by the individual (or, in the case of pupils, by their parents or, in the case of children attending events (educational or otherwise), their parents or school or other organiser of the event). This may be provided via a form or simply in the ordinary course of interaction or communication. However, some personal data is provided to us by third parties (for example, previous schools, referees, the Disclosure & Barring Service, other schools participating in the Teaching School Partnership programmes, professionals or authorities working with the individual) with the consent of the individual or is obtained by us from publicly available resources.

WHO HAS ACCESS TO PERSONAL DATA?

For the most part, personal data held by the College will remain within the College and will be processed by appropriate members of staff for the purpose for which the data was collected. We have taken appropriate technical and organisational steps to protect your personal data and have implemented policies addressing use of technology and devices and access to the College's IT systems. Particularly strict rules of access apply in the context of medical records and pastoral or safeguarding records although a certain amount of information will need to be disseminated more widely in order to provide the necessary care and education that the pupil requires (for example, details of any allergies).

The College will always consider which staff can access your data. Some information will only be accessed by authorised staff, for example, certain medical information which is only usually accessible to Health Centre staff. However, there may be circumstances where other staff are given access to this data, for example if a pupil goes on a school trip and it is considered appropriate that staff leading and accompanying the school trip are made aware of some or all of the medical information held. Other medical information, for example, information about SEND or allergies, is accessible to all staff to ensure that the necessary care and education can be provided.

Some of the College's systems are provided by third parties with some being hosted by the College and others externally. Those hosted internally include the parent portal, our safeguarding database and certain finance and administrative functions. Those hosted externally include the College's website, event and trip booking systems. The organisations providing these systems are aware of the requirements of current data protection legislation and our contracts with them contain assurances that personal data will be kept securely and only in accordance with our specific directions. 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.

In certain circumstances, we share personal data (including, where necessary, special category personal data) with third parties in order to further the objectives and interests of the College and facilitate the efficient operation of the College. Examples of the third parties with whom we share personal data are other schools within the Wellington College family (including Eagle House and the international schools), our subsidiaries, Wellington College Enterprises Limited and Wellington College International Limited, relevant government authorities and regulatory bodies (such as the Local Children Safeguarding Board, the Police, DBS, NCTL, UKVI, HMRC, the Home Office, DfE, DWP, the Charity Commission, the Independent Schools Inspectorate, the Information Commissioner's Office), the emergency services, examination boards, third parties who provide or support academic, musical, sporting or co-curricular tuition, activities and training or school trips on behalf of or in conjunction with the College (for example, the CCF, the Duke of Edinburgh Award Scheme and travel operators), other schools and universities, employers, the College's doctors, independent panel members hearing Stage 3 complaints, other schools involved in the Teaching Schools Partnership programmes, other delegates at educational events, our service providers (such as Sodexo, our caterers) and the College's professional advisers and insurers. Where we have specific consent or, as appropriate, your child, we may also share specified personal data with third parties such as Podium Analytics or Unifrog.

The College has duties imposed on it under law and 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 file 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 school or college, his or her child protection file is promptly provided to the new organisation along with any other information which the school's Designated Safeguarding Lead considers material to the ongoing care needs of any pupil. Whilst the College will consider the views of the pupil and/or their family, the decision as to what information should be shared is ultimately a safeguarding question to be determined by the College.

WHY DO WE PROCESS PERSONAL DATA?

We process personal data to support the College's operations, objectives and interests. This broad purpose encompasses the following:

- **the selection and admission of pupils**, including the awarding of scholarships and bursaries;
- **the provision of education and related services to pupils (and their parents)**, including academic, sporting, musical and co-curricular tuition, training and activities (and in the context of any special educational needs of a pupil), personal and spiritual development, school trips, participation in exams, administration of the school curriculum and timetable, monitoring pupil progress and needs, reporting on the same internally and to parents, provision of references and career services (including after a pupil has left the College);
- **the safeguarding of pupil's welfare and provision of pastoral and medical care, and to take appropriate action in the event of an emergency, incident or accident** whether by their tutor, house master, matron, member of the medical centre team or other member of the teaching or non-teaching staff;
- **the selection for, the provision of education and related services, the safeguarding of welfare and provision of pastoral and medical care to those children attending educational events** where the arrangement has been entered into between the parent of that child and the College;
- **research into and development of effective teaching and learning methods and best practice** through our Teaching Schools Partnership;
- **compliance with legislation and regulation**, including that relating to safeguarding, health and safety, employment, charities and independent schools;
- **operational management** including the compilation of pupil records, the administration of invoices, fees and accounts, the management of the College's property, the management of security and safety arrangements (including the use of CCTV in accordance with our CCTV policy, to run any of its systems that run off biometric data in accordance with our Biometrics Policy and monitoring of the College's IT and communication systems in accordance with our Acceptable Uses Policy) management planning and forecasting, research and statistical analysis, the administration and implementation of the College's rules and policies for pupils, staff and others, the maintenance of historic archives, enabling the relevant authorities to monitor the College's performance, and other operational purposes;
- **staff administration**, including the recruitment of staff, governors and other volunteers and engagement of contractors (including compliance with DBS procedures), administration of payroll, pensions, sick leave and other benefits, review and appraisal of performance, conduct of any grievance, capability or disciplinary procedures, the maintenance of appropriate human resources records for current and former staff and providing references;
- **the promotion of the College and activities organised by it** including through its own websites, the prospectus and other publications and communications and including by publishing the results of public examinations or other achievements of pupils of the College or using photographic images of pupils in College publications, on any College website and, where appropriate, on College social media channels;
- **maintaining relationships with alumni and the wider Wellington community**, including direct marketing or fundraising activity;
- **conducting appropriate donor due diligence**, including confirming the identity of any prospective donor and carrying out any background checks considered necessary;
- **provision of educational events and other events**, including the direct marketing, promotion, administration, monitoring, development and performance of such educational events and maintenance of relationships with former attendees and including by publishing images of attendees at such educational events and other events in College publications, any College website, College social media channels and, where appropriate, external publications and websites;
- **compliance with any College or external complaints, disciplinary or investigation process**;

- **for legal and regulatory purposes and to comply with its legal obligations and duty of care;**
- **obtaining appropriate professional advice and insurance for the College;**
- **facilitating the monitoring of the College's performance** by relevant authorities and to intervene or assist with incidents as appropriate; and
- **where specifically requested by the individuals concerned.**

ON WHAT BASES DO WE PROCESS PERSONAL DATA?

The College may process your data for the above purposes because:

- **it is necessary for the performance of a contract** (eg a Parent Contract or an employment contract with a member of staff) or in order to take steps at a contracting party's request prior to entering into such a contract;
- **it is necessary for our compliance with our legal obligations.** For example, we may use personal data to exercise or perform any right or obligation conferred or imposed by law in connection with employment and/or for the prevention and detection of crime and/or in order to assist with investigations (including criminal investigations) carried out by the police and other competent authorities;
- **it is necessary for our or a third party's legitimate interests.** Examples of our "legitimate interests" include our interests in providing the best education possible to our pupils, safeguarding and promoting the welfare of our pupils, managing and operating the College to the highest standards of a school, promoting the objects and interests of the College, keeping the College site safe and protecting the College's reputation;
- **it is necessary to protect an individual's vital interests** in certain limited circumstances. For example, where a person has a life-threatening accident or illness whilst at College and we have to process that person's personal data in order to ensure that they receive prompt and appropriate medical attention.
- **it is necessary for the establishment, exercise or defence of legal claims;**
- **it is necessary for the performance of a task carried out in the public interest (or carrying out public tasks).**
- **it is necessary for reasons of substantial public interest,** including safeguarding purposes;
- **it is necessary for medical purposes,** including medical diagnosis and the provision of health care and treatment for pupils, managing related health care systems and/or for assessing the working capacity of staff;
- **it is necessary for archiving, research or statistical purposes;**
- **we have an individual's specific or, where necessary, explicit consent to do so.**

Where examples are given above, that basis is not limited to those examples.

In some cases, we will rely on more than one basis for a particular use of your information. In addition, we may move from one of the legal bases listed above to another as circumstances change.

As an alternative to relying on any of the bases listed above, we may rely on your consent to use your information in certain ways. If we ask for your consent to use your personal data, you may withdraw this consent at any time. Such withdrawal will not affect the lawfulness of our processing of any data on the basis of that consent prior to that date.

KEEPING IN TOUCH AND SUPPORTING THE SCHOOL

The College and our Community Office will use the contact details of parents, former parents, alumni and other members of the College community to keep them updated about the activities of the College

or alumni, parents and friends 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, former parents, alumni and friends as appropriate with organisations set up by the College or by third parties to help establish and maintain relationships with the College community, such as WellyConnect and OW societies;
- contact parents, former parents, alumni and/or friends (including via the organisations above) by post and email in order to promote and raise funds for the College and, where appropriate, other causes involving pupils or alumni of the College;
- collect information from publicly available sources about parents' and alumni's occupation and activities, in order to maximise the College's fundraising potential.

If you wish to limit or object to any such use or would like further information, please contact the Head of the Wellington Community 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).

More detail about how the Community Office processes personal data and complies with data protection legislation can be found in its Privacy Notice.

FOR HOW LONG DO WE KEEP PERSONAL DATA?

Personal data will be kept securely and for no longer than is necessary or required by law. As this period will vary depending on the piece of personal data and the purpose for which it was collected, we have implemented a retention programme which details the time periods for each different category. If you have any specific questions in respect of retention, please direct them to the Legal & Compliance Director.

Wellington Community

The College will keep the contact details of parents, alumni, parents of alumni, current and former staff and other members of the Wellington Community so that those individuals can be updated about the activities of the College or about alumni, parent or community events of interest unless the relevant individual notifies the Wellington Community Office that they no longer wish to receive such updates. More information can be found in the [Privacy Notice – Wellington Community \(www.wellycom.net\)](https://www.wellycom.net). Individuals who are part of the Wellington Community should be aware that certain personal data held by the Wellington Community is held and processed outside of the European Economic Area.

Archive

It should be noted that records considered by the College to be of historic value are retained in the College's archive indefinitely. Personal data in the archive relating to the living individuals which is not otherwise in the public domain is not shared with third parties without that individuals' consent.

WHAT RIGHTS DO YOU HAVE IN RESPECT OF YOUR PERSONAL DATA?

If we process personal data about you, you have a number of rights in respect of that data. Subject to certain exemptions and limitations specified by law, you can:

- require the College to change incorrect or incomplete data;
- require the College to delete your data in certain circumstances;
- withdraw your consent to the College processing certain personal data where the College is relying on your consent to do so;

- object on grounds relating to your particular situation to the College processing your data where we are relying on our legitimate interests or public interest to do so where you feel that it has a disproportionate impact on your rights or where we are processing your data for direct marketing purposes;
- require the College to transfer your personal data to another organisation if (a) such personal data has been provided by you; (b) the basis on which we are relying to process your data is consent or contract; and (c) the information is being processed by us on a computer; or
- access and obtain a copy of your data on request.

If you would like to exercise any of these rights, please contact the Legal & Compliance Director by email at data@wellingtoncollege.org.uk or by post at The Bursary, Wellington College, Duke's Ride, Crowthorne, RG45 7PU. We will respond to such written requests as soon as is reasonably practicable and in any event within the time limits permitted by law which is typically one month but may be extended if your request is complex.

The College will be better able to respond quickly to smaller, targeted requests for information. In circumstances where we consider a request to be manifestly unfounded or excessive and data protection law permits, we may ask you to reconsider or charge a proportionate fee.

You should be aware that certain data is exempt from the right of access. This may include information which identifies individuals or information which is subject to legal privilege. We are also not required to disclose any pupil examination scripts (though examiners' comments may fall to be disclosed) nor any confidential reference given or received by the College for the purposes of the education, training or employment of any individual.

Data relating to children

Rights in respect of personal data belong to the individual to whom the data relates. However, in respect of children, we will often rely on parental authority or notice to process personal data (if consent is required) unless we consider that, given the age and understanding of the child and the type of processing, it is more appropriate to rely on the child's consent. Parents should be aware that whether they are consulted or not will depend upon the interests of the child, the parents' rights and all other circumstances.

In general, we will assume that a child's consent is not required before ordinary disclosure of their personal data to their parents (for example, to keep parents informed of their child's progress, behaviour and activities or in the interests of the child's welfare) unless the College considers that there is a good reason to do otherwise.

However, if a child seeks to raise concerns confidentially with a member of staff and expressly withholds their consent to their personal data being disclosed to their parents, the College may be obliged to keep the information confidential unless the College considers that there is a good reason to do otherwise.

Children can make a subject access request for their own personal data if they have sufficient maturity to understand the request they are making. The College's pupils are generally assumed to have this level of maturity. A child may ask a parent or other representative to make a request on their behalf. Whilst a parent will generally be entitled to make a subject access request on behalf their child, the personal data will always be considered to be the child's at law and, if of sufficient maturity, that child's consent or authority may be required to be obtained by the parent making the request. All information requests from, on behalf of or concerning children – whether made under subject access or simply as an incidental request – will therefore be considered on a case-by-case basis.

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 relevant HM or, if no relevant HM, the Legal & Compliance Director of any significant changes to important information, such as contact information, held about them.

An individual has the right to request that incorrect information held about them is corrected and that any information held about them is erased. However, we will sometimes have compelling reasons to refuse specific requests to amend, delete or stop processing you (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.

The College will take appropriate technical and organisational steps to ensure the security of personal data about individuals, including policies around the use of technology and devices and access to the College's IT systems.

THIS NOTICE

The College will update this notice from time to time. Any substantial changes that affect your rights will be notified on our website and, as far as reasonably practicable, notified to you.

This privacy notice does not, and is not intended to, give you any rights which you did not already have. For example, it does not give you any additional contractual rights.

If you believe that the College has not complied with this notice or acted other than in accordance with data protection laws, you may make a complaint in accordance with the College's Complaints Policy. 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. You can also find out more about your rights under data protection law from the ICO website (www.ico.org.uk).

*Legal & Compliance Director August 2021
KEJB Reviewed & updated September 2022*