

# WARWICK SCHOOLS ENTERPRISES LTD

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## **How We Use Your Information Privacy Notice for Customers**

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**Independent Day Schools for boys and girls, with boarding – commercial activities**

**Warwick Schools Enterprises Ltd (WSEL)**

May 2018

## Customer Privacy Notice

### Customer Privacy Notice - Key Information

This notice contains the key information about **how** and **why** we collect your personal information and **what** we do with that information. Personal information is information that identifies you and relates to you. For example, information about your family circumstances, your financial information and photographs of you.

WSEL's primary reason for using your personal information is to provide you with services including events management, sports facilities and dramatic arts performances.

You have the following rights regarding your information:

- Rectification of information held;
- Access to information held;
- Deletion of information in certain circumstances;
- Portability - the transfer of information to you or a third party;
- Restriction of use of information; and
- The right to object to the use of information in certain circumstances.

The Foundation Secretary can give you more information about these rights.

The Foundation Secretary is the person responsible within our parent company, Warwick Independent Schools Foundation (WISF) for managing how we look after personal information. The Foundation Secretary can answer any questions which you may have about how we use your personal information.

## Customer Privacy Notice

### 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 Foundation Secretary.

### What is "personal information"?

Personal information is information that identifies you as an individual and relates to you.

This includes your contact details, next of kin and financial information. We will also hold information such as your religion or ethnic group.

### Our legal bases for using your information

This section contains information about the legal bases that we are relying on when handling your information.

The two tables below contain a general description of the different legal bases but we have also used a colour code system so that you can see which bases we are relying on for each of the purposes described at paragraphs 1 to **Error! Reference source not found.** below.

#### Legitimate interests ("L")

This means that WSEL is using your information when this is necessary for the WSEL's legitimate interests except when your interests and fundamental rights override our legitimate interests.

Specifically, WSEL has a legitimate interest in:

- providing events management, sports facilities and dramatic arts performances to you;
- safeguarding and promoting the welfare of the children who attend our Schools, which is the primary use of our sites and facilities, and our employees;
- promoting the objects and interests of WSEL, WISF and its Schools. This includes using photographs in promotional material, which may be taken at times when you are on the site. It also includes making sure that we are able to enforce our rights against you, for example, so that we can contact you if unpaid fees are due;
- keeping the school buildings safe;
- using your information in connection with legal disputes. For example, if you bring a claim against us;
- protecting the reputation of WSEL, WISF and its Schools;
- facilitating the efficient operation of WSEL, WISF and its Schools; and
- ensuring that all relevant legal obligations of the WSEL, WISF and its Schools are

complied with.

In addition, your personal information may be processed for the legitimate interests of others. For example, another supplier will have a legitimate interest in knowing if you have not paid fees that are due to us.

Necessary for contract ("CT")

We will need to use your information in order to perform our obligations under our contract with you and for you to perform your obligations as well.

Legal obligation ("LO")

Where WSEL needs to use your information in order to comply with a legal obligation in relation to the fact our facilities are on School sites. We may also have to disclose your information to third parties such as the courts, the local authority or the police where legally obliged to do so.

Vital interests ("VI")

In limited circumstances we may use your information to protect your vital interests or the vital interests of someone else (e.g. if you or they are seriously hurt).

Performance of a task carried out in the public interest (or carrying out public tasks) ("PI")

The following are examples of when we use your information to perform tasks in the public interest:

- safeguarding and promoting your welfare and the welfare of children at our Schools;
- facilitating the efficient operation of the WSEL, WISF and its Schools; and
- ensuring that we comply with all of our legal obligations.

WSEL must also comply with an additional condition where it processes special categories of personal information. 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.

Substantial public interest ("SPI")

WSEL is also allowed to use special categories of personal information where doing so is necessary in the substantial public interest. This is similar to "public interest" in the table above.

Social protection and social security laws

WSEL may use your information to comply with social protection law and social security laws. Social protection law is concerned with preventing, managing, and overcoming situations that adversely affect people's wellbeing.

Vital interests ("VI")

In limited circumstances we may use your information to protect your vital interests or

the vital interests of someone else (e.g. if you or they are seriously hurt).

Legal claims ("LC")

We are allowed to use your information if this is necessary in relation to legal claims. For example, this allows us to share information with our legal advisors and insurers.

## How and why does WSEL collect and use personal information?

We set out below examples of the different ways in which we use personal information and where this personal information comes from. The letters highlighted in different colours below refer to the legal bases we are relying on. Please see the section above for an explanation.

1. WSEL's primary reason for using your personal information is to provide events management, sports facilities and dramatic arts performances to you - **LI**, **CT**, **PI**, **SPI**.
2. We will need information about any court orders or criminal petitions which relate to you. This is so that we can safeguard the welfare and wellbeing of the other pupils at the Schools on whose sites WSEL activities take place - **LI**, **CT**, **PI**, **SPI**.
3. We use CCTV to make sure the school sites are safe. Images captured of you via CCTV will be your personal information. CCTV is not used in private areas such as toilets - **LI**, **CT**, **PI**, **SPI**.
4. If a complaint or grievance is made to WISF or its Schools which involves you then we will use your information in connection with that complaint or grievance - **LI**, **PI**, **SPI**.
5. Where appropriate, the School will have information about your religious beliefs and practices. For example, if you do not eat certain foods - **LI**, **SPI**.
6. We may take photographs or videos of you at events to use on social media and on the WSEL website. This is to show prospective customers what we do here and to advertise WSEL. We may continue to use these photographs and videos after you have ceased to be a customer of WSEL - **LI**.
7. We will send you information to keep you up to date with what is happening. For example, by sending you information about events and activities taking place (including fundraising events) - **LI**.
8. We will keep details of your address after your contract with us is complete so we can send you marketing materials and to seek customer feedback. - **LI**.]
9. We may use information about you if we need this for historical research purposes or for statistical purposes, for example, if we consider the information might be useful when reviewing WSEL's activities or organisational history in the future - **LI**.
10. We may use your information when ensuring network and information security, for example, our anti-virus software might scan files containing information about you - **LI**.

11. We can keep information about you for a very long time or even indefinitely if we need this for historical, research or statistical purposes. For example, if we consider the information might be useful to review WSEL's purpose and history - **LI**

#### Financial information

12. We will process financial information about you in relation to the payment of fees. In some cases, we get information about you from third parties such as credit reference agencies - **LI, CT**.
13. We will hold information about bankruptcy petitions and statutory demands, where relevant - **LI, CT**.
14. We may search the files of any licensed credit reference agency in order to verify your identity. The credit reference agency will keep a record of that search and details about your application. This record will be seen by other organisations which make searches about you - **LI, CT**.
15. We may share your information with debt recovery suppliers if you do not pay any fees owed to WSEL - **LI, CT**.
16. We will obtain information about you from publicly available sources, such as Companies House to assess your ability to pay fees - **LI, CT**.

Failure to supply information may result in a refusal of credit.

#### Sharing personal information with third parties

17. In accordance with our legal obligations, we will share information with local authorities, and the Department for Education, for example, where we have any safeguarding concerns or to comply with our legal obligations - **LI, LO, PI, SPI**.
18. On occasion, we may need to share your information with the police for the prevention and investigation of crime and the prosecution of offenders. We will only do this in specific circumstances to assist the police with their investigations - **LI, CT, LO, PI, SPI**.
19. We may need to share information about you with the Health and Safety Executive (a government organisation) if there is a health and safety issue at WSEL, WISF or its Schools - **LI, LO, PI, SPI**.
20. In certain circumstances, we may also need to share information with our legal advisers for the purpose of obtaining legal advice - **LI, LO, PI, SPI, LC**.
21. Occasionally we may use consultants, experts and other advisors to assist WSEL, WISF and its Schools in fulfilling its obligations and to help run our commercial activities and the Schools properly (e.g. our accountants). We will share your information with them if this is relevant to their work - **LI, CT, PI, SPI**.
22. WISF is a charity which means that in exceptional circumstances we may need to share your information with the Charity Commission e.g. in the event of a serious incident - **LI, LO, PI, SPI**.

23. We may share information about you with our insurance company, for example, where there is a serious incident at WSEL, WISF or its Schools- **LI**, **SPI**, **LC**.
24. If you have unpaid fees we may share information about this with other suppliers which you intend to use - **LI**.
25. We may need to share information if there is an emergency, for example, if you are hurt whilst on our premises - **LI**, **VI**.
26. We may share information about you with the Schools which also form part of WISF. For example, financial information - **LI**, **PI**, **SPI**.]
27. If you have appointed an agent to act on your behalf, we may share information with them. For example, we may send letters to them so that they can pass these on to you - **LI**.
28. We may send you information about WSEL before entering into a contract with you. For example, marketing materials. - **LI**.

We obtain information about you from your initial enquiries and contract forms.

### **Criminal offence information**

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.

### **More than one basis**

As you will see from this notice, in some cases we will rely on more than one basis above 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. For example, as a safeguarding matter becomes more serious, we may start to rely on legal obligation to share personal information with the local authority in addition to the other legal bases which are noted for safeguarding purposes.

### **Consent**

We may ask for your consent to use your information in certain ways as an alternative to relying on any of the bases in the table above. For example, 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. Any use of your information before you withdraw your consent remains valid. Please speak to the Foundation Secretary if you would like to withdraw any consent given.

## **Sending information to other countries**

In certain circumstances, we may send your information to countries which do not have the same level of protection for personal information as there is in the UK. For example, we may store your information on cloud computer storage based overseas.

The European Commission has produced a list of countries which have adequate data protection rules. The list can be found here: [https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries_en)

If the country that we are sending your information to is not on the list, or is not a country within the EEA (which means the European Union, Liechtenstein, Norway and Iceland), then it might not have the same level of protection for personal information as there is in the UK.

We will provide you with details about the safeguards which we have in place outside of this privacy notice. If you have any questions about the safeguards that are in place please contact the Foundation Secretary.

## **For how long do we keep your information?**

We keep your information for as long as we need to in order to fulfil our contractual obligations with you, including the provision of event management, sports facilities or dramatic arts performances. We will keep some information after our contract with you has ended, for example, so that we can find out what happened if you make a complaint.

In exceptional circumstances we may keep your information for a longer time than usual but we would only do so if we had a good reason and only if we are allowed to do so under data protection law.

Please see our Information and Records Retention Policy for more detailed information. This can be found on our website here <https://www.wsvvenuesandevents.org/>.

## **What decisions can you make about your information?**

From 25 May 2018 data protection legislation gives you a number of rights regarding your information. Some of these are new rights whilst others build on your existing rights. Your rights are as follows:

- **Rectification:** if information WSEL holds 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:
  - a. we are using it for direct marketing purposes (e.g. send you promotional materials or brochures);
  - b. 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
  - c. we are using it for historical or scientific research purposes or archiving purposes. For example, we may keep photographs of you at a School event for historical reasons.

The Foundation Secretary can give you more information about your data protection rights.

### **Further information and guidance**

The Foundation Secretary is the person responsible at our school for managing how we look after personal information and deciding how it is shared.

Like other organisations we need to keep your information safe, up to date, only use it for what we said we would, destroy it when we no longer need it and most importantly - treat the information we get fairly.

This notice is to explain how we use your personal information. The Foundation Secretary can answer any questions which you may have.

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.

Please speak to the Foundation Secretary if:

- you object to us using your information for marketing purposes e.g. to send you information about school events. We will stop using your information for marketing purposes if you tell us not to; or
- you would like us to update the information we hold about you; or
- you would prefer that certain information is kept confidential.

If you fail to provide certain information when requested, we may not be able to perform our obligations under the contract we have entered into with you. We may also be prevented from complying with our legal obligations (such as to ensure the welfare of your child and their classmates).

If you consider that we have not acted properly when using your personal information you can contact the Information Commissioner's Office - [ico.org.uk](https://ico.org.uk).