



MARLBOROUGH COLLEGE

Privacy Notice

This Privacy Notice applies to all personal data and information processing activities performed by Marlborough College - registered charity 309486, The Marlburian Club, Marlborough College Enterprise Limited (MCEL), Marlborough College (Overseas) Ltd (MCOL) and associated charities, societies and clubs (Marlborough College Concert Series (MCCS), Marlborough College Foundation, The Mound Trust, Marlborough College Charity Fund (MCCF), Friends of Marlborough Telescope (FOMT)). For the purpose of this notice all of these organisations will be termed “the College”.

Marlborough College reserves the right to modify this Privacy Notice at any time. Please review it occasionally. If the College makes changes to this Privacy Notice, the updated Privacy Notice will be published in a timely manner and if it makes material changes, it will provide a prominent notice or communicate any changes to draw attention to such changes.

Introduction

The College is a data controller for the purposes of data protection.

The College processes data in accordance with current data protection legislation and this notice is designed to give you information about how and why we process personal data as well as what types of personal data is involved.

The College has appointed the Bursar, Mr A G Hart as the Data Protection Controller as the Data Protection Controller (DPC) who, with the support of the Data Protection (DP) Office, will endeavour to ensure that all personal data is processed in compliance with current data protection legislation, published policies and contracts.

This privacy notice applies in addition to the published documents that provide information about data protection, such as our Data Protection Policy, ICT Policy, CCTV Policy, or other specific contracts. It should be read in conjunction with the Data Protection Policy which includes definitions used in this document.

1. Why do we process personal data?

The College processes relevant personal data regarding members of staff, applicants for vacancies, volunteers, visitors, pupils, parents, alumni, families, customers and suppliers as part of its day to day operations, objectives, statutory obligations and interests as follows:

- The selection and admission of pupils, including awarding and reporting relating to scholarships and bursaries.
- The provision of education and related service to pupils and parents, including pupil records, results and reports, trips, co-curricular activities, sports, matches, exams, school curriculum, timetable, pupil and teacher exchanges, the Almanac, university applications and guidance.

- The safeguarding of pupils and children, provision of pastoral and medical care and services.
- Compliance with legislation, statutory reporting, regulation, inspection and audit including Subject Access Requests under data protection legislation.
- Checks on individuals or organisations making payments or donations, to comply with money laundering or ethical acceptance of gifts legislation and guidance¹.
- Operational Management, including visitors, general administration, procurement of goods and services, management of property and assets, rentals, CCTV, catering, campus security, health and safety, fire risk management and building maintenance.
- Selection and employment of staff including volunteers, temporary staff, contract staff, and Council members, including Disclosure and Barring Service (DBS) checks and social media or other published content.
- Ongoing management of staff, including vacations, absences, performance reviews, salaries, benefits, taxation, payroll, disciplinary records, occupational health and statutory reporting.
- Alumni management, networking and communication.
- Fundraising activities, which may include wealth screening.
- Management of clubs and societies.
- Promotion of the College.
- Financial management, including debtors, creditors, fees, invoices, accounts, fiscal management and bursary applications.
- Commercial activities, including marketing, managing customers, events, insurance.

2. Types of Personal Data processed

The College processes personal data about:

- Prospective, current and past pupils and their parents, guardians or fee payers.
- Staff including full time staff, job applicants, volunteers, contract staff and Council members.
- Customers and visitors, including adults and children attending Summer School courses, sports club members, events.
- Donors, Friends of the College, Club memberships (Old Marlburian Club), society memberships (Marlborough College Concert Series, Friends of Marlborough Telescope)
- Suppliers, contractors and service providers.

The personal data we process may be factual, opinion, images, video, or other recorded information and may be held in a variety of forms, digital, paper, film etc.

Examples of the type of data we process are:

- Titles and names and other necessary identifying details, such as date of birth.
- Addresses, telephone numbers, email addresses and other contact details.
- Password and Visa details.
- Admissions related information, references, academic, co-curricular activities, interests and achievements.
- Pastoral, health and special needs, attendance and disciplinary records.
- Exam scripts, digital media submissions to exam boards, marks and reports.
- Education and employment information including references and referees, performance reviews, disciplinary records.

¹ Either using publicly available information or commercial services such as 'World-Check'.

The *World-Check Privacy Statement* can be found at:

<https://www.refinitiv.com/en/products/world-check-kyc-screening/privacy-statement>

- Security photographs and access information or access logs, including CCTV footage.
- Video or still photographs of sports matches, training & other events.
- Visitor logs.
- Financial information.
- Training records, including courses, conferences, activities and meetings attended.
- Personal vehicle details, including vehicle registrations, proof of licence entitlements, proof of insurance.
- Correspondence between staff, pupils, parents, and other individuals.
- Contracts.
- Login credentials, email addresses and other system identifiers.
- Digital access and other logs, including web logs, system audit logs, firewall logs & email archival.
- Social media, including posts, images and video and other Internet content / publications.
- Fitness and sport related training data including training load, achievements, GPS related data from training and matches, heart rate, “kcal” related to training and matches and dietary requirements.

The legal basis for processing this data is typically fulfilment of contract or legitimate interest. In some exceptional cases the College relies on consent to process this data.

The College also processes sensitive personal data when necessary for statutory obligation, fulfilment of contract, legitimate interest or where it is in the best interest of the data subject or public health. Sensitive data may include:

- Pastoral, welfare, physical or mental health data.
- Medical data. (The NHS is the data controller for Pupils, although the College may process some medical information for operational or statutory reasons.)
- Gender, ethnicity and religion.
- Medical data, including medical test participation and results, where specifically related to a declared pandemic or necessary on public health grounds, in relation to staff, pupils, families and contacts where necessary to ensure the safety of staff, pupils, visitors and the workplace or to satisfy public health or other statutory requirements including notifiable diseases and causative organisms.

In very specific cases we process ‘special category’ data, e.g. Enhanced DBS checks are required for all staff and unsupervised contractors. Where convictions or adverse findings are present that data is used as part of a risk assessment.

3. Collection of personal data

The collection points for some of this personal data are paper or digital forms. Some data is provided by third parties, such as references for pupils and staff, examination boards or the disclosure and barring service for DBS checks. Other personal data is collected during the course of normal operations of running the College.

Personal data collection has been reviewed and the College does not process personal data that is not required for a specific purpose and in most cases provides specific privacy notice detail on individual forms, especially those where consent is the legal basis.

4. Access to and sharing personal data.

Personal data processed by the College remains within the College and is processed by appropriate members of staff for the purpose for which it was collected. Technical and procedural steps, processes and procedures are in place to protect access to physical and digital personal data.

The College does not sell personal data. In some cases, we may be required to disclose personal data, for example statutory reporting of health and safety incidents, safeguarding incidents where external organisations are involved, the emergency services and in other lawful and legitimate cases.

The College may rely on external data processors for some systems and services, including some cloud-based 'software as a service' providers² and ensures that compliant contracts are in place. Health and medical information collected during the admissions process is passed to the NHS.

The College shares data where necessary with third parties, including:

- Other schools and organisations or persons to facilitate trips, events and sport events and matches.
- Examination boards, Independent Schools Inspectorate (ISI), co-curricular organisations, drama, music, Combined Cadet Force (CCF) (MoD), DofE.
- Commercial organisations such as hotels, travel companies etc.
- Safeguarding hubs, emergency services, local authorities, Department of Health and Social Care (DHSC), National Health Service (NHS), Public Health England (PHE), Teaching Regulation Agency (TRA), The Charity Commission for England and Wales and the police.
- Universities and Colleges relating to pupil applications.
- UK Visas and Immigration.
- In some cases, trips are made to countries outside the countries of adequacy as defined in data protection legislation, for example, China. Under such circumstances trip consent forms will make it clear that this is the case, the data subject will be required to consent to this as a condition of undertaking the trip.

These organisations are typically data controllers in their own right and may also share data with other organisations.

Individual data controllers publish their own privacy notices and policies and relevant Subject Access Requests may be made directly to these third parties.

Specific rules and exemptions apply to exam results, requests for exam results and examination papers.

In some circumstances we may publish, in a restricted way, personal data or sensitive personal data, allergy or other medical conditions for example, where having that information freely available to relevant staff is clearly in the best interest of the data subject and necessary for operational reasons.

5. Retention periods for personal data

The College retains personal data for differing periods of time for different purposes as required by statute or best practice. Individual departments incorporate retention times into the processes and manuals. Other statutory obligations, legal processes & enquiries may also necessitate the retention or extended retention of certain data.

In general, we keep personal data for no longer than is required for the purpose for which it was collected, some exceptions are:

- The Marlburian Club, as an alumni centred organisation keeps personal data relating to its members in accordance with its constitution.
- The College Archive, some personal data of historic value, including photographs, school photographs, historical pupil lists and may be archived in perpetuity.

² Details of Controllers, Joint Controllers, Processors and Sub-Processors may be requested using an access request.

6. Rights in respect of personal data.

Data subjects have the following rights under applicable Data Protection laws:

- Right of Access - the right to be informed of and request access to the personal data we process about you.
- Right to Rectification - the right to request that we amend or update your personal data where it is inaccurate or incomplete.
- Right to Erasure - the right to request that we delete your personal data.
- Right to Restrict - the right to request that we temporarily or permanently stop processing all or some of your personal data.
- Right to Object -
 - the right, at any time, to object to us processing your personal data on grounds relating to your particular situation.
 - the right to object to your personal data being processed for direct marketing purposes.
- Right to Data Portability - the right to request a copy of your personal data in electronic format and the right to transmit that personal data for use in another party's service;
- Right not to be subject to Automated Decision-making - the right to not be subject to a decision based solely on automated decision making, including profiling, where the decision would have a legal effect on you or produce a similarly significant effect.

This Privacy Notice is published as part of these rights. If you wish to exercise any of these rights, with the exception of the right to access, please contact the College department processing that information in the first case. Information on the right of access and how to exercise that are specifically detailed in the Data Protection policy published on the College website.

Please note that not all rights are applicable to all processing of personal data, depending on the lawful basis that personal data is being processed under.

Websites

Websites in use by the College, including:

www.marlboroughcollege.org

www.marlburianclub.org

www.marlboroughcollegefoundation.org

www.summerschool.co.uk

marlboroughconcertseries.org

www.blackettobservatory.org

parents.marlboroughcollege.org

firefly.marlboroughcollege.org

estream.marlboroughcollege.org

and other internal websites, use “cookies” to facilitate website functionality, but not for tracking or other marketing purposes. Some websites use analytics tools to analyse website use and trends.

Log files for all websites may be kept for up to 13 months for safeguarding or law enforcement purposes.

Contacts

If you have any issues relating to data protection relating to the College, or you feel like the College has not respected your rights or wishes in respect of data protection, please contact the Data Protection Controller or the Data Protection Office in writing at the published main college address, or via email at DPO@marlboroughcollege.org.