

## PRIVACY NOTICE

### **WHO WE ARE**

Cambridge Centre for Sixth-form Studies (CCSS) is a non-selective, independent sixth-form college for British and International students aged 14-21. In 2001, the college became an educational charitable trust and now operates as a not-for-profit organisation, with all surpluses used to further the College's educational provision.

The General Data Protection Regulation (effective across the UK from 25 May 2018 and to continue regardless of the UK's position in the European Union) is the biggest change to data protection law in 20 years. One of its core tenets is "transparency", meaning an emphasis on how data controllers tell data subjects how they use their personal data, in clear language.

This Privacy Notice covers uses of staff and alumni data as well as that of parents and students, but only in general terms. This replaces the previously titled Data Protection Policy.

### **WHAT THIS PRIVACY NOTICE IS FOR**

This Privacy Notice is intended to provide information about how the college will use (or "process") personal data gives individuals rights to understand how their data is used. Staff, parents and students are all encouraged to read this Privacy Notice and understand the college's obligations to its entire community.

This **Privacy 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.

This **Privacy Notice also** applies in addition to the college's other relevant terms and conditions and policies, including

- any contract between the college and its staff or the parents of students;
- the college's policy on taking, storing and using images of children;
- the college's safeguarding, pastoral, or health and safety policies, including as to how concerns or incidents are recorded; and
- the college's IT policies, including its ICT Acceptable Use policy, Internet Safety and Lone Working policies.

Anyone who works for, or acts on behalf of, the college (including staff, volunteers, contractors and trustees) should also be aware of and comply with this Privacy Notice [the college's data protection policy for staff], which also provides further information about how personal data about those individuals will be used.

### **RESPONSIBILITY FOR DATA PROTECTION**

The College has appointed the Finance and Operations Director as responsible for Data Protection, dealing with all requests and enquiries concerning the college's uses of your personal data (see section on Your Rights below) and endeavour to ensure that all personal data is processed in compliance with this policy and Data Protection Law. She can be contacted on [data@ccss.co.uk](mailto:data@ccss.co.uk) or via our Benet Place campus.

### **WHY THE COLLEGE NEEDS TO PROCESS PERSONAL DATA**

In order to carry out its ordinary duties to staff, students and parents, the college needs to process a wide range of personal data about individuals (including current, past and prospective staff, students or parents) as part of its daily operation.

Some of this activity the college 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 students.

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

- For the purposes of student selection (and to confirm the identity of prospective students and their parents);
- To provide education services, including career services, and extra-curricular activities to students, and monitoring students' progress and educational needs;
- Maintaining relationships with alumni and the college community, including direct marketing;
- 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 relevant authorities to monitor the college's performance and to intervene or assist with incidents as appropriate;
- To give and receive information and references about past, current and prospective students, including relating to outstanding fees or payment history, to/from any educational institution that the student attended or where it is proposed they attend; and to provide references to potential employers of past students;
- To enable students to take part in national or other assessments, and to publish the results of public examinations or other achievements of students of the college;
- To safeguard students' welfare and provide appropriate pastoral care;
- To monitor (as appropriate) use of the college's IT and communications systems in accordance with the college's ICT acceptable use policy;
- To make use of photographic images of students in college publications, on the college website and (where appropriate) on the college's social media channels in accordance with the college's policy on taking, storing and using images of children;
- For security purposes, including biometrics and CCTV in accordance with the College's policy.
- To carry out or cooperate with any College or external complaints, disciplinary or investigation process; and
- Where otherwise reasonably necessary for the college's purposes, including to obtain appropriate professional advice and insurance for the college.

In addition, the college will on occasion need to process **special category personal data** (concerning health, 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 students' 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 student;
- In connection with employment of its staff or contractors, for example DBS checks, welfare, union membership or pension plans
- To run any of its systems that operate on biometric data, such as for security and other forms of pupil identification (ID card for lunch, etc.);
- As part of any College or external complaints, disciplinary or investigation process that involves such data, for example if there are SEN, health or safeguarding elements; or
- For legal and regulatory purposes (for example safeguarding and health and safety) and to comply with its legal obligations and duties of care.

## **TYPES OF PERSONAL DATA PROCESSED BY THE COLLEGE**

This will include by way of example:

- names, addresses, telephone numbers, e-mail addresses and other contact details;
- car details (for those with parking permits);
- biometric information, which will be collected and used by the college e.g. Passport and visa documentation, ID cards, fingerprint for lunch system, etc.
- bank details for employee wages, payments and parent refunds.
- and other financial information, e.g. parents bursary and scholarship forms;
- past, present and prospective students' 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 welfare, and contact details for their next of kin;
- references given or received by the college about students, and relevant information provided by previous educational establishments and/or other professionals or organisations working with students;
- correspondence with and concerning staff, students and parents past and present; and
- images of students (and occasionally other individuals) engaging in college activities, and images captured by the college's CCTV system (in accordance with the college's policy on taking, storing and using images of children);

## **HOW THE COLLEGE COLLECTS DATA**

Generally, the college receives personal data from the individual directly (including, in the case of students, 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 college, agent, guardian or other professional working with that individual); or collected from publicly available resources

## **WHO HAS ACCESS TO PERSONAL DATA AND WHO THE COLLEGE SHARES IT WITH**

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

- **professional** advisers (e.g. lawyers, insurers, PR advisers and accountants);
- **government** authorities (e.g. HMRC, DfE, police or the local authority); and
- appropriate **regulatory** bodies (e.g. NCTL, the Independent Schools Inspectorate, the Charity Commission or the Information Commissioner).

For the most part, personal data collected by the college will remain within the college, 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 college nurse and appropriate Senior Leadership staff, or otherwise in accordance with express consent]; and
- pastoral or safeguarding files.

However, a certain amount of any SEN student's relevant information will need to be provided to staff more widely in the context of providing the necessary care and education that the student requires.

Staff, students and parents are reminded that the college 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 college's Safeguarding Policy.

Finally, in accordance with Data Protection Law, some of the college'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 college's specific directions.

#### HOW LONG WE KEEP PERSONAL DATA

The college 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 student files is up to 7 years following departure from the college, except registration forms which may be kept since the college's incorporation. Safeguarding files will need to be kept much longer, in accordance with specific legal requirements.

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 erasure, please contact us on [data@ccss.co.uk](mailto:data@ccss.co.uk). However, please bear in mind that the college will often have lawful reasons to hold on to some personal data even following such request.

**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").**

#### KEEPING IN TOUCH AND SUPPORTING THE COLLEGE

The college will use the contact details of parents, alumni and other members of the college community to keep them updated about the activities of the college, or alumni and parent 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 and students, with other organisations as appropriate.
- Contact parents and/or alumni by post and email in order to promote and raise funds for the college.

- Should you wish to limit or object to any such use, or would like further information about them, please contact [data@ccss.co.uk](mailto:data@ccss.co.uk). You always have the right to withdraw consent, where given, or otherwise object to direct marketing or fundraising communications. 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).

## **YOUR RIGHTS**

Individuals have various rights under Data Protection Law to access and understand personal data about them held by the college, and in some cases ask for it to be erased or amended or have it transferred to others, or for the college to stop processing it, but subject to certain exemptions and limitations.

Any individual wishing to access or amend their personal data, or wishing it to be transferred to another person or organisation, or who has some other objection to how their personal data is used, should put their request in writing to the Finance and Operations Director.

The college will endeavour to respond to any such written requests as soon as is reasonably practicable and in any event within statutory time-limits, which is one month in the case of requests for access to information. The college will be better able to respond quickly to smaller, targeted requests for information. If the request for information is manifestly excessive or similar to previous requests, the college may ask you to reconsider or require a proportionate fee, but only where Data Protection Law allows it.

You should be aware that the right of access is limited to your own personal data, and certain data is exempt from the right of access. This will include information which identifies other individuals (and parents need to be aware this may include their own children, in certain limited situations – please see further below), or information which is subject to legal privilege (for example legal advice given to or sought by the College, or documents prepared in connection with a legal action).

The school is also not required to disclose any student examination scripts or other information consisting solely of student test answers), provide examination or other test marks ahead of any ordinary publication, nor share any confidential reference given by the College itself for the purposes of the education, training or employment of any individual.

You may have heard of the "right to be forgotten". However, we will sometimes have compelling reasons to refuse specific requests to amend, delete or stop processing your (or your child's) personal data: for example, a legal requirement, or where it falls within a legitimate interest identified in this Privacy Notice. All such requests will be considered on their own merits.

## **STUDENT REQUESTS**

Students can make subject access requests for their own personal data, provided that, in the reasonable opinion of the college, they have sufficient maturity to understand the request they are making (see section Whose Rights below). All students at CCSS are aged 14 and over and may make their own subject access request.

It should be clearly understood that the rules on subject access are not the sole basis on which information requests are handled. Parents may not have a statutory right to information, but they and others will often have a legitimate interest or expectation in receiving certain information about pupils without their consent. The school may consider there are lawful grounds for sharing with or without reference to that pupil.

Parents will in general receive educational and pastoral updates about their children, in accordance with the Parent Contract. Where parents are separated, the school will aim to provide the same information to each person with parental responsibility, but may need to factor in all the circumstances including the express wishes of the child.

All information requests from, on behalf of, or concerning students – whether made under subject access or simply as an incidental request – will therefore be considered on a case by case basis.

## **CONSENT**

Where the college is relying on consent as a means to process personal data, any person may withdraw this consent at any time (subject to similar age considerations as above). Examples where we do rely on consent are e.g. biometrics, certain types of uses of images. Please be aware however that the college may not be relying on consent but have another lawful reason to process the personal data in question even without your consent.

That reason will usually have been asserted under this Privacy Notice, or may otherwise exist under some form of contract or agreement with the individual (e.g. an employment or parent contract, or because a purchase of goods, services or membership of an organisation such as an alumni or parents' association has been requested).

## **WHOSE RIGHTS**

The rights under Data Protection Law belong to the individual to whom the data relates. However, the college will often rely on parental authority or notice for the necessary ways it processes personal data relating to students for example, under the parent contract, or via a form. Parents and students should be aware that this is not necessarily the same as the College relying on strict consent (see section on Consent above).

Where consent is required, it may in some cases be necessary or appropriate – given the nature of the processing in question, and the student's age and understanding, – to seek the student's consent.

Parents should be aware that in such situations they may not be consulted, depending on the interests of the child, the parents' rights at law or under their contract, and all the circumstances.

In general, the college will assume that students' consent is not required for ordinary disclosure of their personal data to their parents, e.g. for the purposes of keeping parents informed about the student's activities, progress and behaviour, and in the interests of the student's welfare. That is, unless, in the college's opinion, there is a good reason to do otherwise.

However, where a student 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 college may be under an obligation to maintain confidentiality unless, in the college's opinion, there is a good reason to do otherwise; for example where the college believes disclosure will be in the best interests of the student or other students, or if required by law.

Students are required to respect the personal data and privacy of others, and to comply with the college's ICT acceptable use policy and the college rules. Staff are under professional duties to do the same.

## **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 us of any significant changes to important information, such as contact details, held about them.

An individual has the right to request that any out-of-date, irrelevant or inaccurate or information about them is erased or corrected (subject to certain exemptions and limitations under Data Protection Law): please see above for details of why the college may need to process your data, of who you may contact if you disagree.

The college will take appropriate technical and organisational steps to ensure the security of personal data about individuals, including policies around use of technology and devices, and access to college systems. All staff and trustees will be made aware of this policy and their duties under Data Protection Law and receive relevant training, if necessary.

## **THIS POLICY**

**The college will update this Privacy Notice from time to time. Any substantial changes that affect your rights will be provided to you directly as far as is reasonably practicable.**

## **QUERIES AND COMPLAINTS**

Any comments or queries on this policy should be directed to the Finance and Operations Director by email at [data@ccss.co.uk](mailto:data@ccss.co.uk).

If an individual believes that the college has not complied with this policy or acted otherwise than in accordance with Data Protection Law, they should utilise the college [complaints / grievance] procedure and should also notify the Finance and Operations Director. 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.

May 2018

## PRIVACY NOTICE – APPENDIX 1

Appendix 1 outlines any third party who we may share information with on a need to know basis:

<b>Service</b>	<b>Supplier</b>	<b>Information shared</b>
Exams and testing	AQA	Current student data
Exams and testing	Cambridge Assessment	Current student data
Exams and testing	Department for Education	Current student data
Exams and testing	Education and Skills Funding Agency	Current student data
Exams and testing	JCQ	Current student data
Exams and testing	Pearson Edexcel	Current student data
Exams and testing	WJEC	Current student data
Exams and testing	Centre for Evaluation for Monitoring and Durham University	Prospective & Current student data
IT Support	1 Plex	IT/Network data
Alumni relations	Aluminati	Alumni data
Counselling services	Cambridge Consultancy in Counselling	Current student data
Guardianship agency	Gabbitas Educational Consultants	Current student data
HR Consultancy	Harmony HR Solutions	Staff data
IELTS testing	International House London	Current student data
Database	iSAMS	Prospective & current student, current and former staff.
Marketing	Mediahawk	Prospective student data
Payroll services	PEM	Staff data
Marketing	Precision Marketing	Prospective student data
Archive storage	Shredall SDS	Alumni and former staff data
ESL teaching	Studio Cambridge	Current student data
Auditing	Streets	Current Student and staff data
University admissions	UCAS	Current student data

As of 15th May 2018