

Privacy Notice for Younger Children

Introduction

This notice is for parents, carers and guardians of younger children (who may be current or prospective pupils) to help you understand **how** and **why** we collect your child's personal information and **what** we do with that information. It also explains the decisions that you can make about your child's information.

We are giving you this notice because you are able to exercise your child's data protection rights on their behalf. When your child is older they will be considered mature enough to exercise their own data protection rights. The College has produced a separate privacy notice for older pupils, which can be viewed [here](#).

We encourage you to explain the effect of this notice to your child, particularly as the data protection rights in your child's information belong to them, even though you exercise them until they are older. If you or your child have any questions please contact the Bursar (contact details are provided at the end).

What is personal information?

Personal information is information that the College holds about your child and which identifies your child.

This includes information such as their date of birth and address as well as things like exam results, medical details and behaviour records. CCTV, photos and video recordings of your child are also personal information.

Information that we have collected about you but which has been rendered anonymous in such a way that you are not (or are no longer) identifiable is not personal data.

How and why does Brighton College collect and use personal information?

We set out below examples of the different ways in which we use personal information, where this personal information comes from and with whom we might share it. The College's primary reason for using your child's personal information is to provide them with an education and keep them and others safe (and for prospective pupils, for purposes connected with their proposed admission to the College).

- The admissions forms give us personal information about your child. We get information from you, your child's teachers and other pupils. Your child's old school also gives us information about your child so we can process your application for their admission, teach and care for them.
- If you withdraw your child's application for a place at the College, or your child is otherwise unsuccessful in obtaining a place, we may need to retain basic personal information about you, such as your name and address, to comply with our responsibilities to HMRC.
- Sometimes we get information from your child's doctors and other professionals to help enable us to look after your child.
- The staff and others who look after your child need to know their medical information (such as allergies or sporting injuries), and whether they require additional support with certain activities. This is to safeguard their welfare and provide appropriate pastoral (and where necessary, medical) care, including in the event of an emergency. We may need to share

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information about your child's health and well-being with the catering contractor, College Nurse, Counsellor, members of the College Health Centre team or (in relation to head injuries and suspected concussion) the College's outsourced concussion management services provider, Return2Play and their medical staff.

- We may share your child's information with 3rd parties, including the Immunisation Service, in order to carry out vaccinations, visual acuity tests, and eye tests at the school.
- We will collect and hold additional medical and ethnicity information about your child from you as part of the College's efforts to provide a safe and secure learning environment during the ongoing COVID-pandemic.
- We hold any ethnicity, sexuality, and gender information you provide on your child, so that we can complete our annual census returns to the DfE and ISC on an aggregated basis, and allow the College to have a greater understanding of the racial and ethnic diversity of the pupil body. This information will also be held on your child's pupil profile.
- Where there are safeguarding concerns we may share your child's personal information with social services, the police and other outside organisations.
- When the Independent Schools Inspectorate visit the school, we may share your child's personal details with them.
- CCTV is used around the school to ensure your child's safety. CCTV is not used in private areas such as changing rooms.
- We keep biometric information for security and attendance purposes.
- We record your child's attendance and if your child has time away from school we record the reason(s) why, and may be obliged to share this information with the local authority.
- We use a school tracking and registration system for the home to school bus service, which will track your child's location when they tap on and off the school buses, allowing the College to better manage the system, and allowing you to see that your child has safely boarded the bus.
- Selected information kept on iSAMS, SOCS, Firefly, and other College systems, is synced daily with My School Portal, and made available to you. This database also allows you to update information about yourself and your children, which will be sent back to the iSAMS database, where records will be updated.
- We share your child's name and gender with the companies that take our official photographs, so they can identify your child and post you the correct image.
- When your child leaves and dependent on their age at that time, we ask for your and/or their contact details. These enable us to keep in touch and update you/them with news from the College and other Old Brightonians. Please see below under "Keeping in touch and supporting the College" for more information.
- To keep you and your child informed about activities and sports fixtures, we share your child's name with the company that manages our online calendar.
- If your child takes part in any activity where the College is partnered or linked with another school for outreach, public benefit or similar purposes, we may share their personal information with the partner school.
- We may need to report some of your child's information to the government. For example, we may need to tell the local authority that your child attends the College or let them know if we have any concerns about your child's welfare.
- We may need information about any court orders which relate to your child. This is so that we can safeguard your child's welfare and well-being and the other pupils at the College.

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- If your child is not British, we have to make sure that they have the right to study in the UK, as the College has responsibilities to ensure that all pupils have permission to study at the College by virtue of its licence to sponsor overseas pupils. This information may also need to be shared with UK Visas and Immigration.
- Depending on where your child will go when they leave us we may need to provide your child's information to other schools, colleges and universities or potential employers. For example, we may share information about your child's exam results and provide references. We may need to pass on information which they need to look after your child.
- We may need to share information with the police or our legal advisers on occasion or to help with an inquiry. For example, if a pupil is injured at College or if there is a burglary.
- Occasionally we may use consultants, experts and other advisors to assist the College in fulfilling its obligations or to help or improve the running of the College. We might need to share your child's information with them if this is relevant to their work.
- If your child has misbehaved in a serious way and the police have become involved, we may need to use information about the action taken by the police.
- We may share some information with our insurance company to make sure that we have the insurance cover that we need.
- We may share your child's academic and (where fair) behaviour records with you so you can support their schooling.
- We may share your child's information with caterers or organisers of trips or events connected with the College who, for example, may need their contact details and be made aware of any dietary or medical needs.
- We will only share your child's information with other people and organisations when we have a good reason to do so. In exceptional circumstances we may need to share it more widely than we would normally.
- We will monitor your child's use of email, the internet and mobile electronic devices e.g. iPads. This is to check that your child is not misbehaving when using this technology or putting themselves or others at risk of harm.
- We will automatically collect information about your child's participation in online and remote learning and assessment activities, and all forms of assessment activities (essays, exams, etc.). We will also add to their record any activities that they carry out on our VLE. This might include quizzes, forms, or surveys you complete. If your child uses a Brighton College email address and other Microsoft Office 365 services, then we collect log data about their use of the service.
- We may use photographs or videos of your child for the College's website and social media sites, prospectus, and in bespoke marketing brochures, to show prospective pupils what we do here and to advertise the College, and to support the promotion and marketing of the College and its family of schools, both here in the UK and overseas. We may continue to use these photographs and videos after your child has left the College.
- We may share images of your child with the Senior School, so that they can use images of BCPS pupils in their school newsletter. *
- In some cases, we may create videos and photographs for use by Brighton College International Schools and overseas affiliate schools, most likely during the pre-opening phase, to support the development and establishment of prospective new schools overseas, including promoting the College to prospective partners and investors. * Please see the section below on 'Sending information to other countries' for the protections in place.

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- Sometimes we use photographs and videos for teaching purposes, for example, to record a drama lesson.
- We may share photographs, in some cases including their name, or videos of your children, taken during performances, with pupils and parents for a limited time online, or in event programmes and other internal publications, so that we can celebrate your children's achievements, allow parents to stay connected, and foster our school community.
- To allow the College to facilitate remote learning or teaching where necessary, we have increased our recording and streaming of school activities. This involves the installation of cameras in classrooms, streaming/filming lessons and teaching, filmed induction videos, assemblies, and speeches.
- We publish our public exam results, sports fixtures and other news on the website and put articles and photographs in the local news to tell people about what we have been doing.
- We also keep some information forever for archiving purposes and for historical research purposes. This includes our legitimate interest in keeping a record of what the College was like in the past.
- We may share your child's information with Governors if it concerns something they should know about. For example, this would apply if your child has done something really well or if there is a problem at the school they need to know about.

**If you wish to opt out of use of your child's images for this purpose, please email Preprepoffice@brightoncollege.net (Nursery to Year 3) or Prepoffice@brightoncollege.net (Years 4 to 8)*

Keeping in touch and supporting the College

The College is more than just a school – it is a community. The Development and Engagement Office offers a thriving programme of activity which your child can participate in. Dependent on their age, we will use your/your child's contact details to keep them updated about the activities of the College and events of interest, including by sending updates and newsletters, by email and by post.

Our Development and Engagement Office has produced a fuller Privacy Notice addressed to current and former pupils, parents, staff and donors which explains the College's activities in this area and the use of your child's information to further those activities. You can access it [here](#).

You always have the right to withdraw consent, where given, or otherwise object to direct marketing or fundraising: please contact development@brightoncollege.net. Please be aware that the College may need nonetheless to retain some of your/your child's details (not least to ensure that no more communications are sent to that particular address, email or telephone number).

Our legal grounds for using your child's information

This section contains information about the legal basis that we are relying on when handling your child's information.

Legitimate interests

The College relies on legitimate interests for most of the ways in which it uses your child's information. This means that the College uses your child's personal data in accordance with the legitimate interests of the College or others, so long as these are not outweighed by the impact on your child.

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The core purpose of the College is to provide your child with an education whilst safeguarding and promoting your child's welfare and the welfare of others.

Specifically, the College has a legitimate interest for the following uses:

- For the purposes of pupil selection and to confirm identity.
- To track patterns of applications (for example, the identity of feeder schools or the year group entry points) over extended periods of time, to facilitate efficient admissions and marketing processes.
- To provide education services, including musical education, physical training or spiritual development, career services, and extra-curricular activities to pupils, and monitoring pupils' progress and educational needs.
- Complying with our agreement with you for your child to be at the College.
- Maintaining relationships with pupils and former pupils, including direct marketing or fundraising activity.
- Improving the College e.g. if we want to raise money to build new buildings or to make sure that we are providing your child and their classmates with a good schooling experience.
- For the purposes of delivering exchange trips, educational partnerships and other outreach activities, both to College pupils and other children.
- To enable relevant authorities to monitor the College's performance and to intervene or assist with incidents as appropriate.
- Ensuring that all relevant legal obligations of the College are complied with (for example in relation to inspections or the retention of financial records for HMRC purposes).
- 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.
- To safeguard and promote pupils' health, welfare and security and provide or procure the provision of appropriate pastoral and medical care.
- To monitor (as appropriate) use of the school's IT and communications systems.
- To make use of photographic images and videos of pupils in College publications, bespoke marketing brochures, on the College website, newsletters, and (where appropriate) on the College's social media channels:
 - to let others know about the College and what we do here,
 - to support the promotion and marketing of the College and its family of schools, both here in the UK and overseas
 - to promote and foster the relationship between BCPS and the Senior School. *
 - to support the development and establishment of prospective new schools overseas, including promoting the College to prospective partners and investors. *
- Using your and/or your child's information in connection with legal disputes.
- Where otherwise reasonably necessary for the College's purposes, including to obtain appropriate professional advice and insurance.
- Making sure that the College is well managed and that we protect the College's reputation.

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**If you wish to opt out of use of your child's images for this purpose, please email*

Preprepoffice@brightoncollege.net (Nursery to Year 3) or Prepoffice@brightoncollege.net (Years 4 to 8)

In addition your child's personal information may be processed for the legitimate interests of others. For example, we may use information about your child when investigating a complaint made by another parent or pupil.

Legal obligation

Where the College needs to use you and/or your child's information in order to comply with a legal obligation, for example to report a concern about your child's well-being to Children's Services. We may also have to disclose your and/or your child's information to third parties such as the courts, the local authority or the police where legally obliged to do so.

Vital interests

For example, to prevent someone from being seriously harmed or killed.

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

This applies where what we are doing is for the benefit of people generally. The following are examples of where this applies:

- Providing your child and others with an education.
- Safeguarding and promoting your child's welfare and the welfare of others.
- Facilitating the efficient operation of the College.
- Ensuring that we comply with all of our legal obligations.

The College may also process 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. The reasons why the College may need to process this information might 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 where it is in the individual's interests to do so: for example for medical advice including third parties whose medical services we use for managing head injuries and suspected concussion, social services, insurance purposes or to organisers of school trips.
- To provide educational services in the context of any special educational needs of a pupil.
- To run any of its systems that operate on biometric data, such as for security and other forms of pupil identification.
- For legal and regulatory purposes (for example child protection, diversity monitoring and health and safety) and to comply with its legal obligations and duties of care.
- To provide aggregated data for the annual census returns to the DfE and the ISC.
- Ethnic and racial information you provide will be used to provide the College with a more accurate understanding of the ethnic and racial mix of the pupil body, and trace how this evolves over time.

Our legal grounds for processing information falling into these categories are listed below.

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Substantial public interest

The College is 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. For example the College will use information about your child's health to look after them. We may also use other types of special category personal data about your child to provide them with an education, to look after your child and their classmates or when the College is inspected.

Employment and social protection and social security law

There will be times when the College needs to use your child's information because we are an employer. Also the College will use your child's information to comply with social protection law (e.g. to look after your child) and social security laws.

Vital interests

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

Legal claims

The processing is necessary for the establishment, exercise or defence of legal claims. This allows us to share information with our legal advisors and insurers. This applies whenever sharing special category data is necessary in relation to legal claims.

Medical purposes

This includes medical treatment and the management of healthcare services, such as specialist third parties who assist and manage treatment where there is a suspected or confirmed incident of concussion or head injury.

If you have any questions or concerns about the College's legal grounds for processing your child's information, please write to the Bursar.

Criminal offence information

In exceptional circumstances, we may use information about criminal convictions or offences. We will only do this where the law allows us to. This will usually be where such processing is necessary to carry out our obligations, to exercise our rights or to look after our pupils.

More than one basis

In many cases we will rely on more than one basis for a particular use of your child's information. For example, we will rely on legitimate interests and public interest grounds when using your child's information to look after your child and his / her classmates and when providing your child with an education.

The basis that we will rely on for a particular purpose may vary depending on the circumstances. For example, if we decide to tell the local authority something about a pupil because we are worried about their welfare, sometimes this will be because we have a legal obligation to do so but on other occasions we may tell the local authority because we are worried about the pupil even if we don't have a legal obligation to report something (in which case we would be relying on legitimate interests and public interests).

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Consent

We may ask for your consent to use your child's information in certain ways as an alternative to relying on any of the grounds 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 child's personal information you can take back this consent at any time.

Wherever in this notice we have highlighted with an asterisk that you may opt out of an intended use of your child's image, please note that our legal basis for the intended use is legitimate interests and not consent.

Any use of your child's information before you withdraw your consent and before it is acknowledged by the College remains valid. Please write to the Bursar if you would like to withdraw any consent given.

Sending information to other countries

We may send your child's information to other countries where:

- we store information on computer servers based overseas; or
- we communicate with you or your child when you are overseas (for example, during the summer holidays if you live in a different country).

The European Commission has produced a list of countries which have adequate data protection rules. The list can be found here: https://commission.europa.eu/law/law-topic/data-protection/international-dimension-data-protection/adequacy-decisions_en#:~:text=The%20European%20Commission%20has%20so,commercial%20organisations%20participating%20in%20the

If the country that we are sending your child's 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 the UK.

Please note that all Brighton College international schools are required to sign up to standard contractual clauses, providing for international data transfers using model contracts. The European Commission has determined that these clauses offer sufficient safeguards on data protection for data to be transferred internationally.

If you have any questions about the safeguards that are in place please contact the Bursar.

How long do we keep your child's information for?

We keep your child's information for as long as we need to in order to process your application for their admission, educate and look after them. We will keep some information after your child has left the College, for example, to comply with safeguarding requirements, or after you have withdrawn your child's application to the College or it has been unsuccessful, for example, where we need to retain personal information about you to comply with our responsibilities to HMRC.

In exceptional circumstances we may keep your child's 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.

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We can keep information about your child 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 if someone wanted to write a book about the College.

In all cases, the College will retain personal data securely and only in line with how long it is necessary to keep for a legitimate reason.

Information which has been rendered anonymous in such a way that you are not (or are no longer) identifiable is not personal data and may be retained indefinitely.

What decisions can you make about your child's information?

Data protection legislation creates a number of rights regarding your child's information. We have summarised these below but please note that the legislation is complex and these rights are often not absolute and/or may be subject to other overriding considerations. In summary, your child's rights are as follows:

- **Rectification:** if information is incorrect you can ask us to correct it.
- **Access:** you can also ask what information we hold about your child and be provided with a copy. This is commonly known as making a subject access request. You may also ask for other supplementary information, such as why we use this information about your child, 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 your child in certain circumstances. For example, where we no longer need the information.
- **Portability:** you can request the transfer of your child's information to you or to a third party in a format that can be read by computer in certain circumstances.
- **Restriction:** our use of information about your child may be restricted to simply storing it 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 child's information where:
 - we are using it for direct marketing purposes;
 - the legal basis on which we are relying is either legitimate interests or performance of a task carried out in the public interest;
 - we are using it for historical or scientific research purposes or archiving purposes, unless the processing is necessary for the performance of a task carried out for reasons of public interest.

Further information and guidance

This notice is to explain how we use your child's personal information. The Bursar is in charge of the College's data protection compliance. Please write to the Bursar if:

- You object to us using your child's information for marketing purposes e.g. to send your child information about College events.
- You would like us to update the information we hold about your child.
- You would prefer that certain information is kept confidential although please note that we may not be able to do this where it conflicts with other requirements such as safeguarding.

The College will update this Privacy Notice from time to time. You are recommended to check the notice at the start of every school year. Any substantial changes other than at the start of the school year that affect your child's rights will be provided to you directly as far as is reasonably practicable.

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If you consider that we have not acted properly when using your child's personal information you can contact the Information Commissioner's Office - ico.org.uk.

How to get in touch

- Email: GDPR@brightoncollege.net
- Write to: The Bursar, Brighton College, Eastern Road, Brighton, East Sussex, BN2 0AL

Updated: 07.05.24