



ROYAL
BALLET
SCHOOL

SETTING THE STANDARD

PRIVACY POLICY

AUGUST 2019

Registered address: 46 Floral Street • Covent Garden • London WC2E 9DA

www.royalballetschool.org.uk

Updated: 20 August 2019 (JH) Next Review: May 2020

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PRIVACY NOTICE

Who we are

The Royal Ballet School (the "School") acts as the Data Controller for the purpose of Data Protection Law.

Registered Address:

46 Floral Street
Covent Garden
London
WC2E 9DA

Charity: 214364

Data Protection Law

- General Data Protection Regulation (EU 2016/679)
- UK Data Protection Act 2018

Introduction

This Privacy notice is intended to provide information about how the School will use (or "process") personal data about individuals including: its staff; its current, past and prospective students; and their parents, carers or guardians (referred to in this policy as "parents"), donors, sponsors and audiences.

This information is provided because Data Protection Law gives individuals rights to understand how their data is used. Staff, parents, students, donors, students and audiences are all encouraged to read this Privacy Notice and understand the School's obligations to its entire community.

This Privacy Notice applies alongside any other information the School 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 School's other relevant terms and conditions and policies, including:

- any contract between the School and its staff or the parents of students;
- the School's policy on taking, storing and using images of children;
- the School's CCTV policy;
- the School's retention of records policy;
- the School's safeguarding, pastoral, and health and safety policies, including as to how concerns or incidents are recorded; and
- the School's Staff & Student IT Acceptable Use policies.

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Anyone who works for, or acts on behalf of, the School (including staff, volunteers, governors and service providers) should also be aware of and comply with this Privacy Notice and the School'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 School has appointed the Compliance Officer who will deal with all your requests and enquiries concerning the School'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

contact email address: Jason.hughes@royalballetschool.org.uk

Why the School needs to process personal data

In order to carry out its ordinary duties to staff, students and parents, the School 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 School 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 School'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 School expects that the following uses will fall within that category of its "**legitimate interests**":

- For the purposes of student selection (and to confirm the identity of prospective students and their parents);
- To provide education and artistic services, including musical education, physical training, spiritual development, career services, and extra-curricular activities to students, and monitoring students' progress and educational and artistic needs;
- Maintaining relationships with alumni (see below) and the School community
- For the purposes of donor due diligence, and to confirm the identity of prospective donors and their background and relevant interests;
- 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 School'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 School;
- To safeguard students' welfare and provide appropriate pastoral care;
- To monitor (as appropriate) use of the School's IT and communications systems in accordance with the School's IT Acceptable Use policy;
- To make use of photographic images of students in School publications, on the School website and (where appropriate) on the School's social media channels in accordance with the School's policy on taking, storing and using images of children;
- For security purposes, including CCTV in accordance with the School's CCTV policy;
- To carry out or cooperate with any school or external complaints, disciplinary or investigation process; and
- Where otherwise reasonably necessary for the School's purposes, including to obtain appropriate professional advice and insurance for the School.

In addition, the School will on occasion need to process **special category personal data** (concerning health, ethnicity, religion, 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, for example DBS checks, welfare, union membership or pension plans;
- As part of any School or external complaints, disciplinary or investigation process that involves such data, for example if there are any SEN, health or safeguarding elements; or
- 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.

Types of personal data processed by the School

This will include by way of example:

- names, addresses, telephone numbers, e-mail addresses and other contact details;
- bank details and other financial information, e.g. about parents who pay fees to the School;
- 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 student and staff health, and contact details for their next of kin;
- references given or received by the School about students, and information provided by previous educational establishments and/or other professionals or organisations working with students;
- correspondence with and concerning staff, pupils and parents past and present;

- still and moving images of students (and occasionally other individuals) engaging in School activities, and images captured by the School's CCTV system (in accordance with the School's policy on taking, storing and using images of children);
- transaction and order details
- demographic information
- information relating to surveys and other feedback

How the School collects data

Generally, the School 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 School, or other professionals or authorities working with that individual); or collected from publicly available resources.

How we use data

We will not sell, rent, trade or distribute your personal data to any third parties for marketing purposes unless we have received your prior permission to do so. Data may be shared with trusted service providers who are authorised to act on the School's behalf and have entered into data processing agreements with us. These services may include payment processing, event ticketing, database services, website hosting and email delivery services. In these circumstances your data will only be used for the agreed purpose relating to the service that they are providing. Where we are required to transfer any personal data to countries outside of the European Economic Area (EEA) we will endeavour to ensure that sufficient safeguards and security measures are in place to protect your rights as outlined in this policy.

Who has access to personal data and who the School shares it with

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

- professional advisers (lawyers, insurers, PR advisors and accountants)
- examination boards
- Stage 3 complaints panels, which will include independent panel members
- government authorities (HMRC, DfE, police or the local authority); and
- appropriate regulatory bodies (e.g. NCTL, the Independent Schools Inspectorate, the Charity Commission, the Information Commissioner).

For the most part, personal data collected by the School will remain within the School, 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 School Healthcare Manager and appropriate medical staff under his/her supervision, 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 School 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 School's Safeguarding Policy.

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

How long we keep personal data

The School 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 personnel files is up to 7 years following departure from the School. However, incident reports and 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 the Compliance Officer by email at Jason.hughes@royalballetschool.org.uk. However, please bear in mind that the School will often have lawful and necessary reasons to hold on to some personal data even following such request.

For further information please refer to the School's Retention of Records Policy.

Keeping in touch and supporting the School

The School will use the personal data of parents, alumni and other members of the School community so that we may keep them informed, by post or email, of the School's developments, provide opportunities to attend events and reunions, and identify ways they can support the School, through financial and non-financial means. We may occasionally submit surveys to gain their feedback and views to help improve the service we currently deliver.

We may also keep personal data of alumni within our archives to demonstrate the organisation's cultural heritage and provide a resource for alumni to support their professional career and/or public image.

Should you wish to limit or object to any such use, or would like further information about them, please contact alumni@royalballetschool.org.uk. You always have the right to withdraw consent, where given, or otherwise object to direct marketing or fundraising. However, the School may need nonetheless to retain some of your details (not least to ensure that no more communications are sent to that particular address, email or telephone number).

Fundraising

- *See Fundraising Privacy Notice*

As a registered charity, we rely on funds raised from a variety of different sources including individuals, companies, charitable trusts and other grant-giving bodies. The generosity of these supporters enables the School to train exceptionally talented young dancers, from around the world, regardless of their economic background.

Where we believe there is 'legitimate interest', we may seek additional information before contacting individuals or companies to determine whether there is a suitable reason to engage with them, such as a shared interest or potential connection. We may also use public research to better understand the interests of our current supporters and Friends so we may improve our communication and suggest relevant opportunities to increase engagement with us.

We endeavour to tailor communication and improve the experience our supporters and Friends have with the School. To do this we may segment personal data provided (for example in order to send an invitation to contacts geographically located close to the event location), analyse donations made to The Royal Ballet School and access publicly available information to build a profile of interests and preferences (This might include: LinkedIn, Companies House, Charity Commission, amongst other legitimate media sources).

You can request that your data is not used for this kind of profiling and/or unsubscribe from future communications by contacting development@royalballetschool.org.uk

Your rights

Rights of access etc.

Individuals have various rights under Data Protection Law to access and understand personal data about them held by the School, and in some cases ask for it to be erased or amended or have it transferred to others, or for the School 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 Compliance Officer.

The School 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 School 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 School may ask you to reconsider or require a proportionate fee, but only where Data Protection Law allows it.

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

Requests that cannot be fulfilled

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 professional privilege (for example legal advice given to or sought by the school, or documents prepared in connection with a legal action).

The school is also not required to disclose any pupil examination scripts (or other information consisting solely of pupil test answers), provide examination or other test marks ahead of any ordinary publication, nor share any confidential reference given by the school 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, 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 School, they have sufficient maturity to understand the request they are making (see section Whose Rights? below). A student of any age may ask a parent or other representative to make a subject access request on his/her behalf.

Indeed, while a person with parental responsibility will generally be entitled to make a subject access request on behalf of younger students, the law still considers the information in question to be the child's.

For older students the parent making the request may need to evidence their child's authority for the specific request.

Students of year 9 and above are generally assumed to have this level of maturity, although this will depend on both the child and the personal data requested, including any relevant circumstances at home. Younger students may be sufficiently mature to have a say in this decision, depending on the child and the circumstances

Parental requests, etc.

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 student.

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, in most cases, 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, or 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 School 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). Please be aware however that the School may 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 Policy, 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 a parents' association has been requested).

Whose rights?

The rights under Data Protection Law belong to the individual to whom the data relates. However, the School 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 School relying on strict consent as outlined 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 School 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 School'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 School may be under an obligation to maintain confidentiality unless, in the School's opinion, there is a good reason to do otherwise; for example where the School 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 School's Student IT Acceptable Use policy and the School rules. Staff are under professional duties to do the same covered under the relevant staff policy.

Data accuracy and security

The School 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 Compliance Officer 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 School may need to process your data, of who you may contact if you disagree.

The School 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 School systems. All staff and governors will be made aware of this policy and their duties under Data Protection Law and receive relevant training.

This policy

The School 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 Compliance Officer at Jason.hughes@royalballetschool.org.uk

If an individual believes that the School has not complied with this policy or acted otherwise than in accordance with Data Protection Law, they should utilise the School complaints procedure and should also notify the Compliance Officer. The School 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 School before involving the regulator.