

ENGLISH NATIONAL BALLET SCHOOL

PRIVACY POLICY AUGUST 2023

Introduction

English National Ballet School is committed to respecting and protecting any data processed which belongs to a data subject. For the purposes of this policy, an 'individual' refers to any data subject whose data we may process, such as past, present and future staff, students, parents and/or guardians, sponsors, donors, short course participants and the School's wider audience. The intention of this policy is to inform such individuals how we will collect and process their personal data. A list of definitions can be found at the end of this policy.

Individuals are encouraged to read this policy to better understand the School's obligations to its entire community. Collecting and using personal data allows us to work more effectively and provide a tailored and efficient service throughout all of our operations.

Occasionally we will publish updates to this policy and we recommend that you check our website to stay up to date. If we make any significant updates to this policy which may affect the way we process your data, then we will contact you directly to make you aware of the changes.

This Privacy Policy applies alongside any other policies and terms and conditions issued by the School. We will always use your information strictly in accordance with all applicable laws concerning the protection of personal data and in accordance with this policy.

This policy will explain:

1. Who we are
2. Why we collect personal data
3. What personal data we may collect and when
4. How we might use your personal data
5. Your rights as a data subject
6. How to contact us
7. Key definitions

1. Who we are

English National Ballet School is a Registered Charity (No. 800512) and a Registered Company (No. 2319478) in England and Wales. Our registered office is Carlyle Building, Hortensia Road, London, SW10 0QS. English National Ballet School is registered as a Data Controller under the Data Protection Act 1998 with the Information Commissioner's Office (ICO) (No. ZB293705). English National Ballet School is committed to following the UK GDPR requirements and respecting any data processed which belongs to a data subject.

2. Why we collect personal data

We may collect personal data at any point in order to comply with the operational duties of the School. We will process a wide range of data, which is required to support needs of the School and any individuals. The processing of this data will sometimes be needed for the School to comply with its legal duties and any contractual obligations.

2.1. Legitimate Interest

In some circumstances, we collect and use personal data while relying on the legal basis of 'legitimate interest'. When we believe we have a legitimate organisational interest in using your personal data to contact you, respond to you, or process your details as part of a contract in line with our values, we will process your data in this manner whilst making sure there is no overriding prejudice that will negatively affect you.

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 teaching and monitor students' progress, including their artistic and educational needs.
- Maintaining relationships with alumni (see below).
- 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 share publicly the achievements of students at 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 ICT Acceptable Use Policy.
- To make use of photographic images of students in School publications, on the School's website and (where appropriate) on the School's social media channels and in regional, national and international press, marketing and advertising.
- To carry out or cooperate with any internal 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.

2.2. Special Category Data

Due to the nature of the School's operational needs, we will often need to process special category data, including information regarding health, ethnicity, religion and criminal records information. We will only process special category data when we have a lawful basis to do so and explicit consent from the individual has been provided.

For example, we may need to collect special category data to,

- provide educational support to students who may have special educational needs,
- to provide student or staff support in relation to medical or health needs,
- in relation to the employments of the School's staff, e.g. DBS checks and,
- for legal and regulatory purposes, such as diversity monitoring and health and safety.

3. What personal data might we collect and when

Most often, the School receives data from the individual directly, or where the individual is a student, the data is provided by a parent or guardian. Most personal data is received via paper or electronic forms or through email communication. We also receive data through the course of general interaction or communication.

The School will sometimes receive data via third parties, such as from other schools, public authorities and professional service providers.

3.1. Types of data we collect

Examples of data that we collect or receive include,

- Personal details (names, dates of birth, addresses, telephone numbers, e-mail addresses and other contact details)
- Bank and financial details
- Photographic and video footage
- Information related to students' enrolment and progression, e.g. academic and attendance reports, references and disciplinary reports
- Employee and student personnel files in relation to academics, employment and safeguarding
- Correspondence with and concerning staff, students and parents, past and present
- Survey and questionnaire feedback
- Emergency contact details for next of kin

We may also request the following special category data,

- Employee and student health information
- Details regarding racial or ethnic origin
- Criminal records information to complete DBS checks

Depending on your settings or privacy policies for social media, you may give us permission to access personal data from these accounts or services.

We do not use Cookies on our website, however some of the pages on our site contain embedded content from third-party websites – like a video from YouTube for example which may use Cookies. For more information on what data we process on our website, please visit www.enbschool.org.uk/privacy

4. How we might use your personal data

The majority of the data the School collects will be used to fulfil the obligations of any daily operational needs or as part of a contract of services the School holds with the individual. Data will only be processed and accessed within School by the appropriate members of staff and additional safeguards will apply to the processing of special category data. We will on occasion use third parties when processing your data.

4.1. Third parties

Some of the School's processing activity is carried out by third parties (such as IT support systems and cloud storage providers). This activity is monitored by the School and there are contractual assurances in place to make sure that data is kept secure and in accordance with the School's regulations.

We will not sell, rent, trade or distribute your personal data to any third parties, unless we have your prior permission or we are required by law to do so. We may sometimes share your data with trusted service providers who are authorised to act on our behalf, such as email delivery, payroll processing and educational service providers. The data supplied to these processors will only be used for the purpose to which they are providing their services.

The School will sometimes need to share individuals' data with other third parties, such as professional advisers, government authorities and appropriate regulatory bodies.

4.2. Transferring Data

We do not transfer any personal data to countries outside of the European Economic Area (EEA). If it is ever required to send your information abroad, we will only do so to countries within the European Union (EU) or to a third country that the EU has determined provides an adequate level of protection and where you are able to exercise your rights to access your personal data under the UK General Data Protection Regulations.

In addition, we will make every effort to ensure that the data you provide is recorded accurately and that it is only passed to companies who comply with the UK General Data Protection Regulations.

4.3. Security

Any personal data held by the School is contained securely within the premises and held behind encrypted servers and networks. The School is committed to reviewing and enforcing its security measures to ensure that all data is not susceptible to loss, damage or use by any unauthorised persons. Staff are made aware of this Privacy Policy and the School's Data Protection Policy and Procedures and where necessary will receive appropriate training.

4.4. Retention

Data will only be held for a legitimate and lawful reason and only for as long as necessary to fulfil the purpose at which it was originally collected. Most of the personal data we hold will be kept for seven years, which is in accordance with our tax and accounting requirements. To satisfy legal requirements, some information, such as details relating to safeguarding or incidents may be held for much longer periods.

The School may archive basic personal details regarding past alumni, which will be used to help develop the individual's personal careers and to provide a record of the School's history and cultural heritage.

Where your information is no longer required, we will ensure it is disposed of or deleted in a secure manner. Should you require further information regarding the retention of your data, please email data@enbschool.org.uk.

4.5. Accuracy

We will endeavour to keep all personal data that we hold on individuals as accurate as possible. You can help us keep your information up to date by informing us of any changes or if you would like to change the way in which we contact you. If you would like to update the details we hold or change your contact preferences please email data@enbschool.org.uk.

4.6. Fundraising

English National Ballet School fundraises from individuals, companies, trusts and foundations who want to help support the School and its students. The support we receive from these organisations helps us to provide world class training to dancers from all around the world.

To facilitate our development and for reasons of legitimate interest, we may complete some limited research on potential organisations to see whether we have a shared interest or suitable reason to contact them. We may also carry out public research on our current supporters to enable us to tailor our communications and create an improved engagement experience.

To do this we may,

- analyse donations already made to the School,
- segment personal data provided (for example we might send information to a specific group of people who live in the same area) or,
- access publicly available information about you to create a refined profile about you.

You can opt out of your data being used for this kind of profiling and unsubscribe from future communications by contacting data@enbschool.org.uk

5. Your Rights as a Data Subject

5.1. Subject Access Requests

At any time, any individual is entitled to make a Subject Access Request (SAR) to understand what data we hold on them. Individuals are entitled to request that their data be erased, amended, transferred, for the School to stop processing it or for their consent to be withdrawn.

The SAR will be subject to certain exemptions and limitations under the Data Protection Law. Certain data that we process may be exempt from the right of access, this may include information which identifies other individuals, information relating to legal cases, examination scripts and educational or professional references relating to any individual.

Any Subject Access Requests should be emailed to data@enbschool.org.uk. All requests will be considered on a case by case basis and provided within the statutory rights of the individual.

5.2. Student, Parent and/or Guardian Rights

The rights under Data Protection Law belong to the individual to whom the data relates. Therefore, a student can make a Subject Access Request, providing that they understand the request that they are making. The individual student (of any age) may also ask a parent or guardian to make a request on their behalf.

5.3. Consent

Should you withdraw your consent to us contacting you, we may retain your details on a suppression list to help ensure that we do not continue to contact you. If your consent is withdrawn for any other purpose or you request us to stop processing your data, the School may have another lawful reason to process the personal data in question even without your consent.

In some cases where consent is required regarding a student, it may be necessary or appropriate given the nature of the processing in question, and the individual student's age and understanding, to seek the student's consent. Parental consent will always expire when the child reaches the age of understanding – or the age at which they can consent for themselves. In such situations and depending on the interests of the child, parents should be aware that they may not be consulted regarding the need for their child's consent.

6. Contact us

If you have any questions relating to this policy or would like more information on how we process your data, please contact data@enbschool.org.uk or write to us at: Data Queries, English National Ballet School, Carlyle Building, Hortensia Road, Chelsea, SW10 0QS.

If you believe that the School has not complied with this policy, you should contact us at data@enbschool.org.uk. Complaints can also be made to the ICO, although it is recommended that any issues are attempted to be resolved with the School before involving the regulator.

7. Key Definitions

Definitions as defined by the ICO -

Breach

A personal data breach means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data. This includes breaches that are the result of both accidental and deliberate causes.

Consent

Any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.

Data Controller

A person who (either alone or jointly or in common with other persons) determines the purposes for which and the manner in which any personal data are, or are to be, processed.

Data Subject

Means an individual who is the subject of personal data.

Data Processor

Means any person (other than an employee of the data controller) who processes the data on behalf of the data controller.

Legitimate Interest

Processing is necessary for the purposes of the legitimate interests pursued by the controller, or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.

Personal Data

Means data which relate to a living individual who can be identified –

(a) from those data, or

(b) from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller,

and includes any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual.

Third Party

Means any person other than –

(a) the data subject,

(b) the data controller, or

(c) any data processor or other person authorised to process data for the data controller or processor.