

Privacy Notice

St Helen's Enterprises Ltd
May 2018

Contents

Who We Are.....	2
What This Privacy Notice is For	2
Responsibility for Data Protection.....	2
Why the Company Needs to Process Personal Data.....	3
Types of Personal Data Processed by the Company.....	4
How the Company Collects Data.....	4
Who Has Access to Personal Data and Who the Company Shares It With	4
How Long We Keep Personal Data	5
Keeping In Touch	5
Your Rights	5
Data Accuracy and Security.....	7
This Policy	7
Queries and Complaints.....	7

Who We Are

1. St Helen's Enterprises Ltd ("the Company") is incorporated in England and Wales with company number 02834608 and registered office at St Helen's School ("the School"), Northwood, Middlesex HA6 3AS. The Company is the trading subsidiary of St Helen's School, and manages all of the commercial activities which take place on-site in order to generate income for the School's Bursary Programme.
2. The Company is the Data Controller for the purposes of the relevant legislation ("Data Protection Law"), which includes both the General Data Protection Regulation (EU 2016/679) and the UK Data Protection Act 2018, as well as potentially other relevant supporting legislation.

What This Privacy Notice is For

3. This policy is intended to provide information about how the Company will use (or "process") personal data about individuals including: its current, past and prospective staff; its current, past and prospective members and hirers; and, where appropriate, their parents, carers or guardians (referred to in this policy as "parents").
4. This information is provided because Data Protection Law gives individuals rights to understand how their data is used. Staff, parents and members are all encouraged to read this Privacy Notice and understand the Company's obligations to its entire community.
5. This Privacy Notice applies alongside any other information the Company may provide about a particular use of personal data, for example when collecting data via an online or paper form.
6. This Privacy Notice also applies in addition to the Company's other relevant terms and conditions and policies, including:
 - a. any contract between the Company and its staff or hirers/members;
 - b. the CCTV policy;
 - c. the Company's safeguarding, pastoral, or health and safety policies, including as to how concerns or incidents are recorded; and
7. Anyone who works for, or acts on behalf of, the Company (including staff, volunteers, directors and service providers) should also be aware of and comply with this Privacy Notice.

Responsibility for Data Protection

8. The Company has appointed Mr Paul Gould as the Head of IT Systems who will deal with all requests and enquiries concerning the Company's uses of 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.

9. The Head of IT Systems can be contacted via gdpr@sthelens.london or via the switchboard on 01923 843210.

Why the Company Needs to Process Personal Data

10. In order to carry out its ordinary duties to staff, members, hirers and parents, the Company needs to process a wide range of personal data about individuals (including current, past and prospective members, staff or parents) as part of its daily operation.
11. Some of this activity the Company will need to carry out in order to fulfil its legal rights, duties or obligations – including those under a contract with its staff or members/hirers.
12. Other uses of personal data will be made in accordance with the Company'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.
13. The Company expects that the following uses will fall within that category of its (or its community's) "**legitimate interests**":
- a. To provide leisure services, including swimming lessons, sports coaching, fitness membership, personal training and similar services;
 - b. Maintaining relationships with members, hirers and the School community, including direct marketing activity;
 - c. 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);
 - d. To enable swim school members to take part in national or other assessments;
 - e. To safeguard junior members' welfare and provide appropriate pastoral care;
 - f. To make use of photographic images of members and hirers in Company publications, on the website and (where appropriate) on social media channels to promote the Company's business;
 - g. For security purposes, including collection of CCTV images in accordance with the CCTV Policy;
 - h. To carry out or cooperate with any external complaints, disciplinary or investigation process; and
 - i. Where otherwise reasonably necessary for the Company's purposes, including to obtain appropriate professional advice and insurance.
14. In addition, the Company will on occasion need to process **special category personal data** (concerning health, biometrics or disabilities) 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:
- a. To safeguard children's 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 or for insurance purposes;

- b. In connection with employment of its staff, for example DBS checks, welfare, union membership or pension plans;
- c. To run any of its systems that operate on biometric data, such as for security and other forms of identification;
- d. As part of any external complaints, disciplinary or investigation process that involves such data, for example if there are health or safeguarding elements; or
- e. 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 Company

15. This will include by way of example:
- a. names, dates of birth, gender, addresses, telephone numbers, e-mail addresses and other contact details;
 - b. bank or payment details;
 - c. personnel files, including in connection with employment or safeguarding;
 - d. where appropriate, information about individuals' health and welfare, and contact details for their next of kin;
 - e. correspondence with and concerning staff, members, hirers and parents past and present; and
 - f. images of members and hirers (and occasionally other individuals) engaging in Company provided activities, and images captured by the School's CCTV system (in accordance with the School's CCTV policy;

How the Company Collects Data

16. Generally, the Company receives personal data from the individual directly (including, in the case of children, from their parents). This may be via a registration form, or simply in the ordinary course of interaction or communication (such as email or written assessments).
17. In some cases personal data will be supplied by third parties (for example from a previous employer, or other professionals or authorities working with that individual); or collected from publicly available resources.

Who Has Access to Personal Data and Who the Company Shares It With

18. Occasionally, the Company will need to share personal information relating to its community with third parties, such as:
- a. the School;
 - b. professional advisers (e.g. lawyers, insurers, PR advisers and accountants);
 - c. government authorities (e.g. HMRC, DfE, police or the local authority); and
 - d. appropriate regulatory bodies (the [Independent Schools Inspectorate](#), the [Charity Commission](#) or the [Information Commissioner](#)).
19. For the most part, personal data collected by the Company will remain within the Company, 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:

- a. Health and medical information accessed only by appropriate staff under the Sports Complex Manager's supervision, or otherwise in accordance with express consent; and
 - b. pastoral or safeguarding files.
20. Finally, in accordance with Data Protection Law, some of the Company's processing activity is carried out on its behalf by third parties, such as IT systems, payroll providers, 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 Company's specific directions.

How Long We Keep Personal Data

21. The Company 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 member personnel files is up to 7 years following departure from the Company. However, incident reports and safeguarding files will need to be kept much longer, in accordance with specific legal requirements.
22. 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 Mr Paul Gould, Head of IT Systems, via gdpr@sthelens.london. However, please bear in mind that the Company will often have lawful and necessary reasons to hold on to some personal data even following such request.
23. A limited and reasonable amount of information will be kept for archiving purposes 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

24. The Company will use the contact details of members, hirers and, where appropriate, their parents to keep them updated about the activities of the Company, or events of interest, including by sending updates and newsletters, by email and by post.
25. Should you wish to limit or object to any such use, or would like further information about them, please contact the Mr Paul Gould, Head of IT Systems, via gdpr@sthelens.london. You always have the right to withdraw consent, where given, or otherwise object to direct marketing. Please note that, even if you opt out of receiving marketing messages, we may still send you service related communications where necessary. The Company is also 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

- Rights of access, etc.
26. Individuals have various rights under Data Protection Law to access and understand personal data about them held by the Company, and in some cases ask for it to be erased or amended or have it transferred to others, or for the Company to stop processing it – but subject to certain exemptions and limitations.
 27. 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 Head of IT Systems via gdpr@sthelens.london.
 28. The Company 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).

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

· Requests that cannot be fulfilled

30. 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 Company, or documents prepared in connection with a legal action).
31. 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.

· Consent

32. Where the Company is relying on consent as a means to process personal data, any person may withdraw this consent at any time. Examples where we do rely on consent include certain types of uses of images. Please be aware however that the Company may not be relying on consent but have another lawful reason to process the personal data in question even without your consent.
33. 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 membership contract, or because a purchase of goods, services or membership has been requested).

· Whose rights?

34. The rights under Data Protection Law belong to the individual to whom the data relates. However, the Company will often rely on parental authority or notice for the necessary ways it processes personal data relating to children. Parents and children should be aware that this is not necessarily the same as the Company relying on strict consent (see section on Consent above).
35. Where consent is required, it may in some cases be necessary or appropriate – given the nature of the processing in question, and the child's age and understanding – to seek the child'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.
36. In general, the Company will assume that children's 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 child's activities, progress and behaviour, and in the interests of the pupil's welfare. That is unless, in the Company's opinion, there is a good reason to do otherwise.
37. However, where a pupil 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 Company may be under an obligation to maintain confidentiality unless, in the Company's opinion, there is a good reason to do otherwise; for example where the Company believes disclosure will be in the best interests of the child or other children, or if required by law.
38. Children are required to respect the personal data and privacy of others. Staff are under professional duties to do the same covered under the relevant staff policy.

Data Accuracy and Security

39. The Company will endeavour to ensure that all personal data held in relation to an individual is as up to date and accurate as possible. Individuals should notify the Sports Complex staff (for sports members and hirers) via fitness&swimming@sthelens.london or the Facilities and Lettings Manager (for non-sports hirers) via lettings@sthelens.london of any significant changes to important information, such as contact details, held about them. Current staff should inform the HR Manager of any changes to their details.
40. 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 Company may need to process your data, of who you may contact if you disagree.
41. The Company 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 directors will be made aware of this policy and their duties under Data Protection Law and receive relevant training.

This Policy

42. The Company 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

43. Any comments or queries on this policy should be directed to the Head of IT Systems using the contact details provided on page 3 of this Policy.
44. If an individual believes that the Company has not complied with this policy or acted otherwise than in accordance with Data Protection Law, they should notify the Company as soon as practicable via gdpr@sthelens.london. 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 Company before involving the regulator.

Authorised by	Business Director
Date	May 2018
Effective date of the policy	25 May 2018
Date of Next Review	July 2019
Status	Complies with the Data Protection Act 2018 and General Data Protection Regulation (EU 2016/679)