

# How We Use Your Information

## Privacy Notice for Users of Rugby School Sports Centre

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### 1. WHAT THIS PRIVACY NOTICE IS FOR

This Notice is intended to provide information about how and why the School uses personal information about you in relation to your use of Rugby School's Sports Centre.

This information is provided because Data Protection Law gives individuals rights to understand how their data is used. You are encouraged to read this Privacy Notice and understand the School's obligations to its entire community. Please note that we also have additional privacy notices for students of Rugby School and their parent's and guardian's and staff, which explain how we collect and use data across the school.

This Privacy Notice applies alongside any other information we 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/or Sports Centre and you;
- the School's Images Policy;
- the School's CCTV Policy;
- the School's Document Retention Policy;
- the School's Safeguarding and Child Protection Policy and Health and Safety Policies, including as to how concerns or incidents are recorded; and

### 2. WHAT IS PERSONAL INFORMATION?

Personal information is information that identifies you as an individual and relates to you.

This includes your contact details, next of kin and financial information. We may also hold CCTV, photos and digital recordings of you are also personal information.

### **3. RESPONSIBILITY FOR DATA PROTECTION**

The School is registered with the Information Commissioner's Office (ICO) as a Data Controller and is responsible for what personal data is collected, how it is used and for its protection. The School's registration number with the ICO is Z6175287.

The School has appointed the Compliance Officer as its Information Security 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 Notice and Data Protection Law.

### **4. WHY THE SCHOOL NEEDS TO PROCESS PERSONAL DATA**

In order to carry out its ordinary duties, the School needs to process a wide range of personal data about individuals as part of its daily operation of the Sports Centre.

Rugby School will need to carry out some of this activity in order to fulfil legal rights, duties or obligations – including those under contract with its staff, or parents and guardians of its students and other users of the Sports Centre.

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 the category of "legitimate interests":

- Managing membership
- Providing a safe environment for users and staff
- Booking classes, appointments, services and facilities
- Informing you of changes to services or changes in circumstances
- Safeguarding children's welfare;
- For security purposes, including CCTV in accordance with the School's CCTV Policy;
- To carry out or cooperate with any School, Sports Centre or external complaints, disciplinary or investigation process; and
- Where otherwise necessary for the School's purposes, including to obtain appropriate professional advice and insurance for the School.
- Information about you may also be used for statistical purposes.

In addition, the School will on occasion need to process special category personal data concerning health or criminal records in accordance with rights or duties imposed on it by law, including as regards safeguarding, or from time to time by explicit consent where required. These reasons will include:

- To safeguard Sports Centre users welfare and provide appropriate 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 who need to be made aware of dietary or medical needs;

- As part of any School, Sports Centre, or external complaints, disciplinary or investigation process that involves such data, for example if there are health or safeguarding elements; or
- For legal and regulatory purposes. For example, child protection and health and safety and to comply with its legal obligations and duties of care.

## **5. TYPES OF PERSONAL DATA PROCESSED BY THE SPORTS CENTRE**

This will include, for example:

- Names, addresses, telephone numbers, e-mail addresses and other contact details;
- Vehicle details about those who use our car parking facilities;
- Bank details and other financial information; for example, about gym membership payments or any other payments
- Where appropriate, information about individual's health and welfare, and contact details for next of kin;
- Correspondence with and concerning users of the sports centre facilities; and
- Images of sports centre users and occasionally other individuals engaging in activities, and images captured by the School's CCTV system in accordance with the School's Images and CCTV Policies.
- Marketing and communications data, including your preferences in receiving marketing information from us.

## **6. HOW THE SCHOOL COLLECTS DATA RELATING TO SPORTS CENTRE USERS**

Generally, the Sports Centre receives personal data from the individual directly or from their parents and guardians. This may be via a form, or simply in the ordinary course of interaction or communication such as an e-mail, telephone, face to face conversation or written assessments.

However, in some cases personal data will be supplied by third parties. For example, from another school or other professionals or authorities working with that individual; or from other children; or collected from publicly available resources.

## **7. WHO HAS ACCESS TO PERSONAL DATA AND WHO IT IS SHARED WITH**

Occasionally, the School will need to share personal information relating to its community, including Sports Centre Users with third parties, such as:

- Professional advisers, for example lawyers, insurers, PR advisors and accountants;
- Government authorities, for example HMRC, DfE, police or the local authority; and
- Appropriate regulatory bodies, for example the Independent Schools Inspectorate, the Charity Commission or the Information Commissioner.

For the most part, personal data collected by the School in relation to the Sports Centre 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 apply in the context of:

- Health information, accessed by appropriate members of staff, or otherwise in accordance with express consent; and
- Safeguarding files.

However, a certain amount of relevant information will need to be provided to staff more widely in the context of providing the necessary service sports centre users require.

Parents, Guardians and Sports centre Users in general 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 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 and Child Protection Policy available on the School’s website.

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.

Our website <https://www.rugbyschool.co.uk/sportscentre> may include links to third party websites, plug ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share personal data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

## **8. 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 it for a legitimate and lawful reason. Incident reports and safeguarding files need to be retained in line with specific legal requirements.

If you have any specific queries about how our retention policy is applied, wish to obtain a copy of the School’s Document Retention Policy, or wish to request that personal data that you no longer believe to be relevant is considered for erasure, please contact the Compliance Officer/Information Security Officer at [infosecurity@rugbyschool.net](mailto:infosecurity@rugbyschool.net) or in writing to Compliance Officer, The Bursary, 10 Little Church Street, Rugby, CV21 3AW. 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.

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, this is called a “suppression record”.

## **9. YOUR RIGHTS**

### **Right 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 to the Compliance Officer.

The School will endeavour to respond to any such requests as soon as 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.

### **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, this may include your 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 School, or documents prepared in connection with legal action.

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.

### **Children’s requests**

Children 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 Whose rights? Below). A child of any age may ask a parent or guardian 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 children, the law still considers the information in question to be the child’s; for older children, the parent making the request may need to evidence their child’s authority for the specific request.

Children aged 12 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.

## **Parental requests**

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 children without their consent. The School may consider there are lawful grounds for sharing with or without reference to that child.

Parents will in general receive updates about their children.

## **Consent**

Where the School 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 are certain types of uses of images and certain types of fundraising activity. Please be aware however that the School may not be relying on consent but have other 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, for example a contract.

## **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 children; for example, under the parent contract, or via a form. Parents and children should be aware that this is not necessarily the same as the School 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 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.

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

However, where a child 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 child or other children, or if required by law.

### **Data accuracy and security**

We 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 information about them is erased or corrected and has the right to halt the processing of their personal data whilst any errors or omissions are 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 and of who you may contact if you disagree.

### **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 using the following contact details: [infosecurity@rugbyschool.net](mailto:infosecurity@rugbyschool.net) or Compliance Officer, The Bursary, 10 Little Church Street, Rugby, CV21 3AW.

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 Sports Centre Complaint Procedure. You can also make a referral to or lodge a complaint with the Information Commissioner's Office (ICO) at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, Tel: 0303 123 1113 or at: <https://ico.org.uk/concerns/>, although the ICO recommends that steps are taken to resolve the matter with the School before involving the regulator.

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