



Website Privacy Notice

The Downs Malvern

January 2024

About this privacy notice

This privacy notice describes how The Downs Malvern ('**the school**' or '**we**') collects and uses your personal data.

Personal data is information about you from which you can be identified (either directly or indirectly).

We are a "controller". This means that we are responsible for deciding **how** and **why** we hold and use personal data about you, and for explaining this clearly to you.

This notice applies to:

- users of our website www.thedownsmalvern.org.uk (our site); and
- any person who provides services to us - either as an individual or as the employee or representative of a corporate service provider.

It is important that you read this notice, together with any other privacy information or notices we may provide on specific occasions when we are collecting or processing personal data about you. This is to help ensure that you are aware of how and why we are using such information.

This privacy notice should be read in conjunction with our cookies policy.

<https://www.thedownsmalvern.org.uk/information/cookie-policy.html>

For information about how the school uses personal data in connection with the provision of education, in connection with alumni relations, and in connection with the school's commercial activities - please see the following:

<https://www.thedownsmalvern.org.uk/information/privacy-notice.html>

Information we collect and process.

We collect personal data direct from you when you enquire about our products and services, when we establish you as a customer, where we enter into a contract to receive goods or services from you or your employer or when you use our site. We may also get information from your employer or colleagues, for example, when your employer asks you to carry out work for us.

We collect further personal data from you during the period of our relationship.

In summary, we use your personal data for the following purposes:

- to carry out obligations arising from any contracts between us and you, with our customers, with suppliers, or with third parties.
- to communicate with you, including to provide you with information, products or services; and
- where it is necessary for our business or activities or our customers' business.

We set out below further information on these purposes and our lawful basis for processing such information.

- **Suppliers, third party business contacts and prospects:**

- We process names, job titles and business contact information including addresses, telephone numbers and email addresses for you and your employees and representatives and other information for our legitimate interest in maintaining and managing our relationship with you. If we have a contract with you as an individual, such processing is necessary for the performance of the contract between us, or if you ask us to do something prior to entering into a contract.
- Where you are an employee or representative of a corporate customer or contractor, we process this information for the legitimate interest of performing our contract with your employer.
- If there is a problem, for example, if we have a complaint about a service, you have provided then we have a legitimate interest in using personal data in connection with that complaint, for example, so that we can tell you what happened so that you can put things right.
- We may perform due diligence on those we work with. This can include in the form of credit checks on companies, including checking photographic identification and proof of address of directors and, in some cases, your shareholders, and verification of the company registration details. We do this to comply with our legal obligations, and as necessary for our legitimate interests of checking that the entities we contract with are financially viable and would not cause us reputational damage.

- **Users of our site:**

- We collect technical information, including the Internet Protocol (IP) address used to connect your computer to the internet, browser type and version, time zone setting, browser plug-in types and versions, operating system and platform.
- We also collect information about your visit, including the full Uniform Resource Locators (URL) clickstream to, through and from our site (including date and time); pages you viewed or searched for; page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs), and methods used to browse away from the page and any phone number used to call us.
- These uses are for our legitimate interest in giving you content which is bespoke to you and making sure that our website runs smoothly.

- **Other uses**

- Regardless of the relationship we have with you, we may need to use your personal data for legal reasons such as fraud prevention and to check that you are complying with our terms and conditions and to enforce our legal rights. We have a legitimate interest in doing this unless we are under a legal obligation.
- Please note that we may process your personal data without your knowledge or consent where this is required or permitted by law.
- We may contact you about our products and services by email, telephone or post, but we will only do this where we are allowed to under data protection law. If you tell us that you do not want to be contacted for any of these purposes, then we will of course respect that. We will rely on our legitimate interest in marketing our

products and services to you unless we need your consent before contacting you for these reasons. If you give us your consent, then you have a right to withdraw that consent at any time. You can withdraw your consent by contacting us as follows dataprotection@malverncollege.org.uk. Any use of your personal data before you withdraw consent remains valid.

- We will record your use of our IT systems (including our wi-fi) when you visit us. This is to comply with our safeguarding obligations as a School which means that our lawful basis is public task.

Sharing your personal data

We may share your personal data with third parties as follows:

- We will share your personal data with third parties where required by law, where necessary for our public tasks, where it is necessary to administer the working relationship with you or where we have another legitimate interest in doing so. This includes sharing personal data with government and with regulators.
- If ever in the future, we are considering restructuring the charity which operates the school, we may share your personal data with the other parties involved and with the relevant professional advisors. This is for our legitimate interest in ensuring that the charity continues to fulfil its objects.
- If we have a legal obligation to do so or for the purposes of fraud protection and credit risk reduction.
- We may share your personal data with third party service providers who act on our behalf such as IT services providers. This notice also covers third party service providers we may engage with.

Overseas transfers

When the School sends personal data outside of the UK, we have to consider if the other country has the same level of protection for personal data as there is in the UK. Some countries are considered by the UK Government to have adequate rules, and this includes all of the European Union and some other countries, such as, New Zealand, Norway, Switzerland and Argentina.

How long will we use your personal data for?

Usually, we only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

If you have a contract with us, then we will typically keep information for six or twelve years after the contract is finished. This does not apply to our contract with parents to educate their child.

In some cases, we may keep your personal data 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. For example, because we are a School, we may need to keep information for longer (and in some cases indefinitely) to help us comply with our legal and safeguarding obligations. If you would like further information, please contact us on dataprotection@malverncollege.org.uk.

Your rights in relation to our processing of your personal data

You have the right to:

- object to the processing of your personal data in some cases. You have a right to object if we are using it for direct marketing purposes (e.g., to send you an email about a service). You also have a right to object if the lawful basis on which we are relying is either legitimate interests or performance of a task carried out in the public interest.
- request a copy of the personal data we hold about you.
- request correction of the personal data that we hold about you if it is incorrect or incomplete.
- ask us to delete the information that we hold about you.
- ask us to restrict how we use your personal data in certain circumstances.
- you can request the transfer of your personal data to you or to a third party in a format that can be read by computer in certain circumstances.

If you want to exercise any of your rights, please contact dataprotection@malverncollege.org.uk. Please note that these rights do not apply in all cases.

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights).

If you ask us to restrict our use of your personal data, or delete it, we will not be able to provide you with our products or services.

Where we need to collect personal data by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services). In this case, we may have to cancel a product or service you have with us, but we will notify you if this is the case at the time.

You have a right to lodge a complaint with the Information Commissioner's Office - ico.org.uk. If you do have any concerns about how we have handled your personal data we would kindly ask that you contact us in the first instance, before you speak to the ICO, so that we have an opportunity to put things right.

Registered in England and Wales: Charity Number: 1120616

Registered Office: The Downs Malvern College Prep School, Brockhill Road, MALVERN, WR13 6EY

Last updated: January 2024.