



B E R K H A M S T E D

— 1541 —

Donors and Supporters Privacy Notice

Independent Day and Boarding School for Boys and Girls

Berkhamsted Schools Group

December 2023

How we use your information: donors and supporters privacy notice

Introduction

This notice explains **how** and **why** Berkhamsted School (the **School**), and the Old Berkhamstedians (the **OB's**) collect personal information about you when carrying out development activities for the School Group.

Our relationship with our parents, alumni, friends and supporters, and our respect for their privacy and data security, is of great importance to the School. Also important to the School is philanthropy and the generous support of those people who are committed to help us deliver our charitable objectives and build Berkhamsted's global reputation.

This notice also outlines **what we do** with your information and what **decisions** you can make about your information in relation to fundraising and development.

The School works in close conjunction with the OB's. The OB's are the alumni organisation of the School and is independent from the School.

The School and the OB's also work with BSGIA. BSGIA is an organisation that raises funds in the US and gives grants to institutions such as the School. The School works with BSGIA to identify potential projects which they may want to fund, and to identify potential donors amongst our alumni who are based in the US.

This notice covers how the School and the OB's use your personal information in connection with fundraising, development and alumni activities and save as set out below, this notice applies to how the School the OB and BSGIA use your personal information. To use data protection terminology, the School and the OB's are each a "controller" or "data controller" of your personal information. A reference in this notice to "we", "us" or "our" is a reference to the School, and the OB's. Similarly, a reference to "School" or "OB's" concerns something which relates to the School or, as the case may be, the OB's.

If you have any questions about this notice or wish to exercise any of your rights under data protection law, please contact our Data Protection Advisor at Berkhamsted Schools Group, 6 Chesham Road, Berkhamsted, Herts HP4 3AA, or email: dataprotection@berkhamsted.com. The Data Protection Advisor should be contacted in the first instance, whether your query concerns the School's or the OB's use of your personal data. However, if you wish to contact the OB's direct, they can be contacted as follows: OB@berkhamsted.com.

This privacy notice relates to personal data processed by the School in its work to build a more vibrant, engaged community. For more information about how the School uses your information more widely (for example, in relation to the provision of education to pupils) please ask the Data Protection Advisor for a copy of the appropriate privacy notice. The Data Protection Advisor can be contacted as follows: dataprotection@berkhamsted.com.

What is personal data?

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

This includes your contact details, your relationship with the School and financial information.

What personal data does the School hold about you and how is this obtained?

The School and the OB's may receive information about you via the year thirteen leavers form. Going forwards, you will be encouraged to sign up to Berkhamsted Connections, and we will have access to the information that you provide to the online alumni portal.

The School also receives information about you from our internal pupil management system iSAMs (for pupils who leave before 6th form). The School also obtains information about you from closed groups on social media platforms such as Facebook where we are a member/administrator.

You also provide the School and the OB's with information about yourself during the course of our relationship with you such as when you attend or sign up to attend events, when making donations, via alumni update forms, verbally via telephone or personal meetings, from contact within the community, and general correspondence.

The School and the OB's hold a specific database with information about alumni, parents, staff, former parents, former staff and other supporters. This means that if you tell the School that your contact details have changed then the OB's will have access to that information as well. The School also shares information with the Berkhamsted Society, which is part of the School, to facilitate parent's involvement in school / Society events.

In addition, we will obtain your information from other sources, which we use for the purposes described below. These are others who are involved in our development activities, for example, other members of your family and another alumni might tell us about your interests or your career or we may receive information from ticket platforms that we use to facilitate ticketing for events.

We will hold information such as:

- your name, gender, and data of birth;
- information about your family, for example, whether you have any brothers or sisters who attended the School;
- any connection you may have with other members of the Berkhamsted School community such as other alumni;
- the dates when you or your child attended the School including educational history at the School and other schools/universities (if applicable);
- if you are a former staff member the dates when you worked at the School;
- your contact details (including work contact details);
- information about your achievements and interests e.g. which sports team you were part of as a pupil;
- where you attended university and your occupation (if applicable);
- how you like to hear from us e.g. whether you have signed up to receive emails from us;
- your involvement with us. This includes correspondence with you, your attendance at our events, your membership of, or participation in, any clubs or societies, and whether you carry out mentoring of current pupils;
- records of any donations, including an assessment of how willing you are to make donations and your Gift Aid status if applicable;
- information from articles in the media;

- any dietary requirements for catering purposes; and
- any disability which you may have so that we may make reasonable adjustments for you.

Why do we use your personal data?

The School and the OB's collect and use your information to develop a full range of activities for and in relation to our pupils, parents, alumni, friends and supporters with the aim of fostering support for, and pride in, all that the School seeks to achieve. We use your information in the following ways:

- to keep you informed about events and activities and in relation to your attendance at those events (for example, so that we can accommodate you if you tell us about any special needs or dietary requirements);
- in connection with providing services, including access to School facilities, email hosting for alumni and online accounts;
- to facilitate interaction between members of the School community - for example, we provide an online portal to allow alumni to communicate. This can be found [here](#).
- to tell you about products sold to benefit the School such as clothing and sports goods;
- to keep you informed about what is happening, for example, by sending you a copy of the School publication, 'The Berkhamstedians' and the OB newsletter called 'The Old Berkhamstedians';
- in connection with providing financial support to the School (including making donations to the School, specific campaigns, such as for a new sports centre, and requests for sponsorship);
- in connection with surveys, focus groups and other research;
- to provide a link between the School and the OB, to sustain pupils and former pupils interest in the School; and
- in connection with the other ways in which you might support us (such as when you volunteer).

We will contact you for the above purposes by email, telephone, post or by text message but we will only do this where we are allowed to do so under data protection law (for example, we will usually need your consent before sending you an email about a fundraising opportunity). If you tell us that you do not want to be contacted for any of these purposes then we will of course respect that.

If you wish to make a donation, particularly a donation of a substantial value, the School may need to verify your identity and / or carry out financial due diligence on you. This may involve taking and retaining copies of your identification documents and searching various sources for references to yourself or persons connected to yourself. Such sources may include, but are not limited to:

- Social media services such as LinkedIn, Facebook and X (formerly Twitter), depending upon your privacy settings and interactions with us;
- Companies House;
- The Charity Commission;
- Company websites and annual reports;
- News media;

- Our website – via cookies (subject to necessary consent);
- Rich lists.

This is to comply with our legal obligations.

Digital tools may be used to monitor the impact of the School's communications, such as using email tracking to record when an email we send to you has been opened.

We will take photographs or videos of you to use in our publicity or on our social media platforms and website. If we consider that the photograph or video is more privacy intrusive then we may ask for consent first.

We will use your personal data to build up a picture of your willingness to give and how wealthy you are so that we can tailor our fundraising communications to you. We may, from time to time, use a third party to carry out this analysis on our behalf. This will be on a light-touch basis, and will only use publicly available information to inform our understanding of the type of communications that might be of interest to you.

If we lose touch with you we may, unless you have advised us you do not wish to be contacted, use your alumni or family contacts to ensure that our contact details for you are up to date, allowing us to continue to communicate with you about the range of events and activities in which you may be interested. If you do not wish the School to do so, please contact the Data Protection Advisor at dataprotection@berkhamsted.com.

How and why do we share your personal data with third parties?

- In accordance with our legal and regulatory obligations, we will share information with local authorities, the Independent Schools Inspectorate, Ofsted, the Charity Commission, the Health & Safety Executive (in the event of a serious accident) and the Department for Education, for example, where we have any safeguarding concerns.
- On occasion, we may need to share information with the police for the prevention and investigation of crime and the prosecution of offenders.
- We may also need to share information with our professional advisors. For example, we may share your personal data with our legal advisers for the purpose of obtaining legal advice.
- We will need to share information if there is an emergency, for example, if you are hurt whilst on School premises or at one of our events.
- We will share information with HMRC in connection with Gift Aid claims.
- We use contractors to help us with our work (e.g. a printing company for our literature) or where we store our database in the cloud.

How and why does the School share your personal data with third parties?

- If you attend one of our events, then we will share your information with event booking platforms. Where the event is being administered by the Berkhamsted Society, we will share details from Ticketsolve to allow them to facilitate the event.
- We may share your information with BSGIA if their activities are relevant to you.

- We share information with ToucanTech who facilitate the operation of Berkhamsted Connections so that you can be invited to join. They have access to the information that you provide for the purposes of administering the website but can only use your information for that purpose.

How and why do the OB's share your personal data with third parties?

- We share information with ToucanTech who facilitate the operation of Berkhamsted Connections so that you can be invited to join. They have access to the information that you provide for the purposes of administering the website but can only use your information for that purpose.

Our lawful bases for using your information

This section contains information about the lawful basis that we are relying on when handling your information.

Legitimate interests

This means that we are using your information when this is necessary for our legitimate interests, except when your interests and fundamental rights override our legitimate interests. We rely on legitimate interests to use your information for all of the purposes described except where we have asked you for your consent (in which case consent applies as the lawful basis). Specifically, we have a legitimate interest in:

- ensuring that there is an active community of supporters which will benefit the School and members of the School community, such as current and former pupils and parents;
- promoting the objects and interests of the School. This includes fundraising e.g. if we want to raise money for the bursary fund or new buildings;
- using your personal data to administer our events;
- safeguarding and promoting the welfare of our current and former pupils with whom you may be in contact e.g. if you arrange work experience or mentor a pupil; and
- ensuring that we comply with our legal obligations.

If you object to us using your information where we are relying on our legitimate interests as explained above please contact the School's Data Protection Advisor.

Public interest task

We rely on this basis (as well as legitimate interests) where we use personal data in order to look after those we are responsible for. For example, if we needed to carry out checks on someone before allowing them to mentor our pupils.

Consent

In some cases, we are processing your personal data because you have given us your consent to do so.

If we ask for your consent to use your personal data you can take back this consent at any time. Any use of your information before you withdraw your consent remains valid. To withdraw your consent please contact the School's Data Protection Advisor.

Necessary for a contract

We will need to use your information in order to perform our obligations under a contract with you, for example, we need your name and contact details so that we can send you tickets for a concert that you have purchased tickets for.

Legal obligation

On some occasions we will need your information to comply with a legal obligation. For example, we may need to keep a record of who is attending an event so that we can comply with our health and safety obligations.

Vital interests

For example, to prevent someone from being seriously harmed or killed.

We must also comply with an additional condition where it processes certain types of more sensitive personal data. This applies to the following: personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic information, biometric information, health information, information about sex life or orientation and information about criminal convictions or offences. We don't generally handle these types of personal data in relation to our fundraising and development activities, but we may do so occasionally. For example, we may need to use special category data in connection with your attendance at one of our events, e.g. to adjustments because of a disability you have, or if you are hurt whilst taking part in an activity.

Sending your information to other countries

We may send your information to countries which do not have the same level of protection for personal data as there is in the UK. For example, we may store your information on computer servers based overseas.

The UK has produced a list of countries which have adequate data protection rules. The list can be found here: <https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/international-transfers/international-transfers-a-guide/>

If the country that we are sending your information to is not on the list, in the absence of any other safeguards, it might not have the same level of protection for personal data as there is in the UK.

Where appropriate we may put in place additional safeguards, for example, if we are using a third party to process a payment then we may ask them to contract with us using model data protection clauses (Standard Contractual Clauses), or other approved mechanisms, such as the UK Addendum, IDTA, or the EU-US Data Privacy Framework (UK Extension). If you would like more information about the particular safeguards that are in place, please contact the Data Protection Advisor.

For how long do we keep your information?

We have an ongoing relationship with you, and we would like you to be involved with the School for many years to come. For this reason, we keep the majority of the personal data we hold about you indefinitely. For example, we keep your contact details so that we can continue to stay in touch with you. Similarly, we will retain information about your involvement with the School as this helps us tailor our communications to you both now and in future.

We will also need to keep a record if you tell us that you do not want to hear from us anymore, so that we do not inadvertently add you to our mailing list in the future.

We also keep some information indefinitely for archiving purposes (this is known as "archiving in the public interest" under data protection law) and for historical research purposes. This includes the School's legitimate interest in research; supporting long-term accountability; enabling the discovery and availability of the School's and the wider school community's identity, memory, culture and history; enabling the establishment and maintenance of rights and obligations and of precedent decisions; educational purposes; and commercial and non-commercial re-use. For example, we keep some old photographs so that we have a record of what the School was like in the past. Information held in our archive may be made publicly available, but this would only be done in compliance with data protection laws.

The School will also keep information for a long time as part of its wider legal and regulatory obligations, even if that information is no longer needed for marketing, development or fundraising

purposes. This is especially relevant to former staff, pupils and parents. For more information on how personal data is used by the School more widely please contact the Data Protection Advisor.

Although the School keeps the majority of your personal data for a very long time, there are some exceptions to this. Further information can be found in our records retention policy, a copy of which can be sent to you on request.

What decisions can you make about your information?

Data protection law gives you a number of rights regarding your information. Your rights are as follows:

- **Correction:** if information held about you by the School is incorrect you can ask us to correct it.
- **Access:** you can also ask what information we hold about you and be provided with a copy. We will also give you extra information, such as why we use this information about you, where it came from and what types of people we have sent it to.
- **Deletion:** you can ask us to delete the information that we hold about you in certain circumstances. For example, where we no longer need the information.
- **Portability:** you can request the transfer of your information to you or to a third party in a format that can be read by computer in certain circumstances.
- **Restriction:** you can request that we restrict how we use your personal data.
- **Object:** you may object to us using your information where:
 - we are using it for direct marketing purposes (e.g. to send you an email about a fundraising opportunity);
 - the lawful bases on which we are relying is legitimate interests. Please see the section "Our lawful bases for using your information" above;
 - if we ever use your information for scientific or historical research purposes or statistical purposes.

The Data Protection Advisor can give you more information about your data protection rights. To exercise any of your rights you can submit your request in writing to the Data Protection Advisor at: Data Protection Advisor, Berkhamsted Schools Group, 6 Chesham Road, Berkhamsted, Herts HP4 3AA, or email: dataprotection@berkhamsted.com.

Fundraising regulator

At all times we act in accordance with the Fundraising Regulator's Code of Fundraising Practice. For further information please visit <https://www.fundraisingregulator.org.uk/>.

Further information and guidance

The Data Protection Advisor is the person responsible at our school for managing how we look after personal data and deciding how it is shared in relation to fundraising and development.

Like other organisations we need to keep your information safe, up to date, only use it for what we said we would, destroy it when we no longer need it and most importantly - treat the information we get fairly.

This notice is to explain how we use your personal data. The Data Protection Advisor can answer any questions which you may have.

If you fail to provide certain information when requested, we may not be able to provide the information or service you have requested. We may also be prevented from complying with our legal obligations.

You also have the right to complain to the ICO about our collection and use of your personal data.

Should you wish to make a complaint to the ICO please visit <https://ico.org.uk/make-a-complaint/> or call the ICO on (03030) 123 1113. The ICO would normally suggest that any complaint should be initially raised with us before making a complaint to them

Therefore, 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.