



PRIVACY NOTICE - SPORTS CENTRE (trading as Oratory Trading Ltd)

1. INTRODUCTION

Oratory Trading Limited (OTL) takes its responsibilities as a data controller seriously and we are committed to using the personal data we hold in accordance with the law.

This Privacy Notice is intended to provide information about how OTL will collect, use and hold (or “process”) personal data.

This makes OTL a data controller of your personal information and this information is provided because data protection law gives individuals rights to understand how their data is processed and this Privacy Notice sets out how we will use that information and what your rights are in respect of the data we hold about you. Please note that the School has a separate Data Protection policy and Privacy Notices for its current, past and prospective pupils and their parents, the Oratory Community and its alumni.

As a wholly owned subsidiary of The Oratory Schools Association, we follow the School’s Data Protection Policy wherever possible and practical. However, as a separate legal entity, we have put together this policy and Privacy Notice to clarify how we deal with our members’ data. OTL is individually registered with the Information Commissioner’s Office (“ICO”).

2. COLLECTING, HANDLING AND SHARING PERSONAL DATA

We collect most of the personal data we process directly from the individual concerned. In some cases, we collect data from third parties (for example, referees for coaches) or from publicly available resources.

Personal data held by us is processed by appropriate members of staff for the purposes for which the data was provided. We 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.

Some of our systems are provided by third parties, such as the Real Tennis booking system and the Sports Centre booking app. This is always subject to contractual assurances that personal data will be kept securely and only in accordance with our specific directions.

3. WHY OTL NEEDS TO PROCESS PERSONAL DATA

In order to support the Oratory Trading activities, including the operation of the Sports Centre for commercial activities and holiday lets, the School needs to process personal data.

Some of this activity the School will need to carry out in order to fulfil our legal rights, duties or obligations.

Other uses of personal data will be made in accordance with the OTL’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 that category of our (or our community's) "**legitimate interests**":

- To make bookings;
- To carry out identity checks, including for the purposes of vetting of members to ensure safety and enjoyment of other members and pupils.
- To maintain relationships with alumni and the School community, including by direct marketing or fundraising activity;
- 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 safeguard pupils' health and welfare (because the Sports Centre is a non-segregated, shared facility);
- To monitor (as appropriate) use of the School's IT and communications systems in accordance with the School's Acceptable Use Policy;
- To make use of photographic images of pupils in School publications, on the School website and (where appropriate) on the School's social media channels in accordance with the School's policy on taking, storing and using images of children;
- For security purposes, including CCTV in accordance with the School's CCTV policy;
- For the prevention and detection of crime, and in order to assist with investigations (including criminal investigations) carried out by the police and other competent authorities;
- To carry out or cooperate with any School 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.

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

- To safeguard pupils' 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 health / medical condition or other relevant information where it is in the individual's interests to do so;
- To comply with public health requirements;
- To provide educational services in the context of making reasonable adjustments for a pupil's disability and/or any special educational needs of a pupil;
- As part of any School or external complaints, disciplinary or investigation process that involves such data, for example if there are SEND, health or safeguarding elements; or
- For legal and regulatory purposes.

4. TYPES OF PERSONAL DATA PROCESSED BY OTL

We process personal data about Sports Centre members and companies using our Sports facilities together with personal data about External Lets.

The personal data we process takes different forms – examples include:

- names, addresses, telephone numbers, e-mail addresses and other contact details.
- Emergency contact number
- Age confirmation
- Family details (where relevant)
- sports played.
- images of pupils (and occasionally other individuals) engaging in activities and images captured by the School's CCTV system in accordance with the School's policy on taking, storing and using images of children.

The Oratory School and Oratory Trading Limited occasionally will film, sound record or photograph events for archive and publicity purposes. If you have any questions or concerns, please feel free to contact a member of the team.

5. HOW OTL COLLECTS DATA

Generally OTL receives personal data about Sports Centre members from the individual. This may be via a form or simply in the ordinary course of interaction or communication (such as email). Members generally create their own profiles in Club Link manager, a third party cloud platform which is used for bookings and payments. Occasionally the Sports Centre staff will create a member profile if asked to do so by the member. Members can input card details in to Club link manager if they wish to do so but no staff can see these full details.

OTL generally receives information regarding the External Lets from the individuals/companies who sign the contract with us.

5. WHO HAS ACCESS TO PERSONAL DATA AND WHO OTL SHARES IT WITH

Processing by third parties. For the most part, personal data collected by OTL will remain within OTL, and will be processed by appropriate individuals only in accordance with access protocols (i.e. on a 'need to know' basis). However, we do use the Club Link Manager cloud platform to process bookings and payments and we do outsource running some of the activities on offer to third parties. When required, catering is outsourced to Lodestone House. In accordance with data protection law, this type of external data processing is always subject to contractual assurances that personal data will be kept securely and used only in accordance with the school's specific directions.

Data sharing. Occasionally, OTL – including its Directors – will need to share personal information with third parties, such as:

- appropriate contractors, such as visiting sports teachers;
- professional advisers (e.g. lawyers, insurers, PR advisers and accountants);

ACCESS TO, AND SHARING OF, SENSITIVE DATA

Particularly strict rules of access apply in the context of "special category" data, most notably:

- Health and medical/special needs records; and
- pastoral or safeguarding files.

Medical/health data. OTL needs to process such information to comply with statutory duties and to keep pupils and others safe, but the School will ensure only authorised staff can access information on a need-to-know basis. Express consent will be sought where appropriate. However, a certain amount of any relevant information will need to be provided to staff more widely in the context of providing the necessary care and education that a pupil may require.

Safeguarding data. The School is under duties imposed by law and statutory guidance (including [Keeping Children Safe in Education](#) or 'KCSIE') 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 notes on personnel or safeguarding files, low-level concerns records kept about adults (which may include references to pupils or family members), and in some cases referrals to relevant authorities such as the LADO, Children's Services, CAMHS or the police.

For further information about this, please view the school's Child Protection and Safeguarding Policy.

6. HOW LONG WE KEEP PERSONAL DATA

OTL will retain personal data securely and only in line with how long it is necessary to keep for a legitimate and lawful reason. We have adopted Data Retention Guidelines which set out the time period for which different categories of data are kept. If you have any specific queries about our record retention periods or wish to request that your personal data is considered for erasure, please contact the Bursar.

In the case of general membership information, OTL will keep your personal information whilst you remain a member of the club and for a maximum period of one year after your membership has ended. In the case of booking for events or activities and creating an online account with us, your data will be retained until you actively unsubscribe from receiving our marketing and communication. You can do this by amending your account preferences yourself, or by contacting us to do this for you.

7. YOUR RIGHTS

You have various rights under Data Protection Law to access and understand the personal data we hold about you, and in some cases to ask for it to be erased or amended or for us to stop processing it, but subject to certain exemptions and limitations.

OTL 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 generally one month, but actually fulfilling more complex or multiple requests, e.g. those involving third party information, may take 1-2 months longer).

- Rights of access, etc.

OTL will be better able to respond quickly to smaller, targeted requests for information made during term time. If the request for information is manifestly excessive or similar to previous requests, OTL may ask you to reconsider or require a reasonable fee for the administrative costs of complying with the request, or in certain cases refuse the request (but only where data protection law allows it, and in accordance with relevant regulatory guidance).

If you consider that the personal data we hold on you is inaccurate, please let us know. However, OTL will not necessarily delete or amend views, opinions, notes or records purely on the request of an individual who disputes the account, although we may keep a record of all parties' viewpoints.

- Requests that cannot be fulfilled

You should be aware that UK GDPR rights (including the right of access) are limited to your own personal data, and certain data is exempt. 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 school, or documents prepared in connection with a legal action, or where a duty of confidence is owed by a legal adviser).

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 proportionate legitimate interest identified in this Privacy Notice. Generally, if OTL still considers the processing of the personal data to be reasonably necessary, it is entitled to continue. All such requests will be considered on their own merits.

- Consent

Where OTL is relying on consent as a means to process personal data, any person may withdraw this consent at any time (subject to similar age considerations as above). Examples where we do rely on consent are: e.g. certain types of uses of images, certain types of fundraising activity. Please be aware however that OTL may not be relying on consent but have another 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 (e.g. a hire agreement, sports centre membership agreement).

- Whose rights?

The rights under data protection law belong to the individual to whom the data relates.

8. DATA ACCURACY AND SECURITY

The School 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 Sports Centre 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 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 School may need to process your data, of who you may contact if you disagree.

The School 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.

9. 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.

10. QUERIES AND COMPLAINTS

Any comments or queries about this Privacy Notice should be directed to the Bursary on bursary@oratory.co.uk.

If you believe that the School has not complied with this Privacy Notice or acted otherwise than in accordance with data protection law, you should notify the DPO. 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 School before involving the regulator.

Data Protection Officer: Judicium Consulting Limited
Address: 5th Floor, 98 Theobalds Road, London, WC1X 8WB
Email: dataservices@judicium.com
Web: www.judiciumeducation.co.uk
Telephone: 0345 548 7000 (Option 1, then 1)