Emerson College – Privacy Policy
Last updated on 22nd May 2018
Last reviewed on 17th Jan 2019

‘Emerson College’ is part of the Emerson College Trust, registered charity number 312101.

This Privacy Policy together with the Cookies Policy sets out the basis on which we collect, hold and process personal information (‘Personal Data’).

Emerson College is committed to protecting the privacy and the human dignity of all our web and campus users (including learners, tutors, staff and contractors). As a company processing your personal data, we are regulated by the General Data Protection Regulation (GDPR).

This page is intended to keep you informed about what we do with the personal data we collect, hold and process. ‘Personal data’, for the purposes of the GDPR, means any information from which you can be identified; it includes things like your name, date of birth, e-mail address, home address, billing address, telephone number and IP address.

While we will endeavour to tell you if we make significant changes to this Policy, we reserve the right to change our Privacy Policy at any time without prior notice. We therefore recommend that you check this Privacy Notice regularly to understand how we use your information.

If you still have questions about anything in our Privacy Notice, please contact Ellie Kidson (Communications Manager) at publicity@emerson.org.uk.

WHAT INFORMATION WE COLLECT

The kind of information that Emerson College collects, holds and processes may include:

Identity Data may include your first name, last name, username, title, date of birth and gender and passport information (where applicable); where this has been shared with us as part of an application, booking, contract, invoice or user survey.

Contact Data may include your billing address, delivery address, email address and telephone numbers.

Financial Data may include your bank account and payment card details.

Transaction Data may include details about payments between us and other details of purchases made by you.

Technical Data may include your internet protocol addresses, browser type and version, browser plug-in types and versions, time zone setting and location, operating system and platform and other technology on the devices you use to access the Emerson Website.

Learner Data may include attendance records, progress reports, marks and certificates.

Staff/ Volunteer Data may include performance reviews, sickness and annual leave.

Supplier Data may include key contact information, performance reviews and contract information.

Profile Data may include your preferences, feedback and survey responses.
Usage Data may include information about how you use our website, products and services.

Marketing and Communications Data may include your preferences in receiving marketing communications from us and your communication preferences.

Sensitive Data
Occasionally we process special category or ‘Sensitive Data’, for example, health and additional support related information (Article 9 GDPR). This data is collected by Emerson College in support of requests for Reasonable Adjustments or Special Considerations and processed by our college registrar.

‘Sensitive Data’ refers to data that includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions and information about your health.

Depending on the purpose, we may require your explicit consent for processing sensitive data, if so we will send you a further communication asking for you to confirm your consent to this processing.

WHY WE COLLECT, HOLD & PROCESS YOUR PERSONAL INFORMATION

As a Higher Education Institution, Emerson College collects data for processing on a lawful basis. We will only use your personal data when legally permitted.

The lawful bases for processing are set out in Article 6 of the GDPR. At least one of these must apply for us to lawfully process your personal data:

(a) **Consent:** the individual has given clear consent for us to process their personal data for a specific purpose.

(b) **Contract:** the processing is necessary for a contract we have with the individual, or because they have asked us to take specific steps before entering into a contract.

(c) **Legal obligation:** the processing is necessary for us to comply with the law (not including contractual obligations).

(d) **Vital interests:** the processing is necessary to protect someone’s life.

(e) **Public task:** the processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law.

(f) **Legitimate interests:** the processing is necessary for our legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual’s personal data which overrides those legitimate interests.

Then most common legal grounds on which we rely to use your information are:

(a) Consent
(b) Contract
(c) Legal Obligation
(f) Legitimate Interests

Set out in the table on the following page is a description of the ways we intend to use your personal data and the legal grounds on which we will process such data.

We may process your personal data for more than one lawful ground, depending on the specific purpose for which we are using your data.
<table>
<thead>
<tr>
<th>Type of User</th>
<th>Type of Data</th>
<th>Purpose/activity</th>
<th>Lawful Basis For Processing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Students (Learners)</td>
<td>Identity Contact Financial Transaction</td>
<td>Enrolment To process learner applications, take payment and register learners.</td>
<td>Consent Contract Legal Obligation Legitimate Interests</td>
</tr>
<tr>
<td>Students (Learners)</td>
<td>Contact Learner Data</td>
<td>Education To manage our relationship with learners. To verify learner assessment evidence as part of the quality assurance process. To issue certificates for qualifications.</td>
<td>Consent Contract Legitimate Interests</td>
</tr>
<tr>
<td>Students and Event Goers</td>
<td>Contact Financial Transaction Profile</td>
<td>Event Bookings To process course and event bookings through our Docourses event booking system. To process meal and accommodation bookings through our Docourses event booking system.</td>
<td>Contract Legal Obligation Legitimate Interests</td>
</tr>
<tr>
<td>Venue Hire Clients</td>
<td>Contact Financial Transaction Profile</td>
<td>Venue Hire Bookings To process Venue Hire bookings and payments.</td>
<td>Contract Legal Obligation Legitimate Interests</td>
</tr>
<tr>
<td>Students, Event Goers and Venue Hire Clients</td>
<td>Contact Profile Marketing &amp; Communications</td>
<td>Feedback To assess the quality of our services using user surveys and feedback forms.</td>
<td>Consent Legal Obligation Legitimate Interests</td>
</tr>
<tr>
<td>Students, Event Goers, Venue Hire Clients, Alumni, Community Members, Staff, Donors</td>
<td>Contact Profile Marketing &amp; Communications</td>
<td>Marketing &amp; Communication To keep consenting users subscribed to our database regularly updated on relevant news, courses and events.</td>
<td>Consent Legitimate Interests</td>
</tr>
<tr>
<td>Staff &amp; Volunteers</td>
<td>Identity Contact Staff/Volunteer</td>
<td>Recruitment &amp; HR To process job applications for new staff and volunteers. To conduct staff appraisals. To ensure the College retains up-to-date contact information for staff and volunteers.</td>
<td>Contract Legal Obligation Legitimate Interests</td>
</tr>
<tr>
<td>Staff</td>
<td>Identity Contact Financial Transaction</td>
<td>Payroll To process staff payments.</td>
<td>Contract Legal Obligation Legitimate Interests</td>
</tr>
<tr>
<td>Donors</td>
<td>Identity Contact Financial Transaction</td>
<td>Fundraising To process donor contributions.</td>
<td>Contract Legal Obligation Legitimate Interests</td>
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<tr>
<td>Suppliers</td>
<td>Identity Contact Supplier</td>
<td>Procurement To manage supplier contracts</td>
<td>Contract Legitimate Interests</td>
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<tr>
<td>Students, Event Goers, Venue Hire Clients, Staff, Donors, Third Parties, Suppliers</td>
<td>Identity Contact Financial Transaction</td>
<td>Accounting &amp; Auditing To maintain necessary records for accounting and auditing purposes to comply with financial auditing and college auditing bodies</td>
<td>Contract Legal Obligation Legitimate Interests</td>
</tr>
</tbody>
</table>
MARKETING COMMUNICATION

We may communicate with you (via email) to keep you updated about our news, upcoming courses, workshops, events and retreats, venue hire services, subject specific course information and fundraising activities only where you have provided your explicit consent for us to do so.

If you register to be sent information about our campus, community, news and courses we will ask you for some personal information (name and email address) in order to provide you with the service you are requesting. You may opt out of receiving any, or all, of these communications from us at any time by following the unsubscribe link or instructions provided in any email we send.

HOW WE COLLECT YOUR PERSONAL INFORMATION

We collect data about you through a variety of different methods including:

**Direct interactions:** You may provide data by filling in forms on our site (or otherwise) or by communicating with us by post, phone, email or otherwise, including when you:
- book or apply for our products or services;
- subscribe to our service or newsletters;
- request resources or marketing be sent to you;
- give us feedback.

**Automated technologies or interactions:** As you use our website, we may automatically collect Technical Data about your equipment, browsing actions and usage patterns. We collect this data by using cookies, server logs and similar technologies.

Please see our cookie policy for further details.

**Third parties or publicly available sources:** We may receive personal data about you from various third parties and public sources as set out below:

Technical Data from the following parties:
- analytics providers such as Google based outside the EU;
- advertising networks such as Facebook based outside the EU; and
- search information providers such as Google based outside the EU.

<table>
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<th>Type of User</th>
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<tbody>
<tr>
<td>Association Members</td>
<td>Contact</td>
<td>Communication To keep members informed.</td>
<td>Contract Legitimate Interests</td>
</tr>
<tr>
<td>Students, Event Goers, Venue Hire Clients, Staff, Living &amp; Learning Community Members</td>
<td>Special Category Data</td>
<td>To meet the health and wellbeing needs of a particular user.</td>
<td>Contract Legal Obligation</td>
</tr>
<tr>
<td>Students, Event Goers, Venue Hire Clients, Staff, Living &amp; Learning Community Members</td>
<td>Criminal data</td>
<td>To meet the wellbeing needs of a particular user.</td>
<td>Contract Legal Obligation</td>
</tr>
</tbody>
</table>
DISCLOSURE OF PERSONAL DATA AND YOUR RIGHTS

We may have to share your personal data with the parties set out below.

- **Third parties** who provide fulfilment, marketing and customer support services, such as IT support services, email marketing services, marketing automation platforms, social media platforms and Google Ad services and membership service providers.

- **Partners and course leaders** to fulfil our obligations under such any contract entered into by you.

- **Service providers** who provide IT and system administration services, in order to identify or resolve technical problems arising from the use of the website or to assist with the payment process.

- **Professional advisers** including lawyers, bankers, auditors and insurers who provide consultancy, banking, legal, insurance and accounting services for the purposes of investigating any actual or suspected criminal activity, enforcing our rights or other regulatory or legal matters.

- **HM Revenue & Customs, regulators and other authorities** based in the United Kingdom and other relevant jurisdictions who require reporting of processing activities in certain circumstances.

We require all third parties to whom we transfer your data to respect the security of your personal data and to treat it in accordance with the law. We only allow such third parties to process your personal data for specified purposes and in accordance with our instructions. We will not share your details with any other third parties unless we have your explicit consent.

However, if we reasonably believe that we are required by law to disclose your personal information to a third party, whether in compliance with any applicable law or regulation or by court order or in connection with legal proceedings, we may do so.

TRANSFER OF DATA FROM REGISTERED LEARNERS OUTSIDE THE EUROPEAN ECONOMIC AREA (EEA)

We have a number of registered learners outside the UK. Countries within the European Union have the same GDPR requirements and data protection safeguards as the UK. We may collect and process individual data from countries which do not have equivalent data protection legislation (e.g. the United States of America, Russia, Japan, China and India). We collect, process and transfer data from all centres, learners and individuals in the way that is set out in this notice regardless of the country of origin.

We will only collect, process or transfer data to and from a third country if the Information Commissioners Office (www.ico.org.uk) have determined that there are adequate levels of data protection legislated for that country, or we have been assured of adequate safeguards by the relevant centre or organisation.

TRANSFER OF DATA TO AND FROM THIRD PARTIES OUTSIDE THE EUROPEAN ECONOMIC AREA (EEA)

Some of our third party service providers are based outside the European Economic Area (EEA) so their processing of your personal data will involve a transfer of data outside the EEA. Whenever we transfer your personal data out of the EEA, we do our best to ensure a similar degree of security of data by ensuring at least one of the following safeguards is implemented:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission; or
Where we use certain service providers, we may use specific contracts or codes of conduct or certification mechanisms approved by the European Commission which give personal data the same protection it has in Europe; or

Where we use providers based in the United States, we may transfer data to them if they are part of the EU-US Privacy Shield which requires them to provide similar protection to personal data shared between the Europe and the US.

If none of the above safeguards is available, we may request your explicit consent to the specific transfer. You will have the right to withdraw this consent at any time.

LINKS TO OTHER SITES

Our site contains links to other sites that are not under our control. Such other sites do not necessarily follow our privacy policies, and may place their own cookies on your computer. This practice is standard on the Internet. If you follow a link to any of these websites, please note that these websites have their own privacy policies and that we do not accept any responsibility or liability for these policies.

STORAGE AND RETENTION

We will 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.

By law we have to keep basic information about our customers (including Contact, Identity, Financial and Transaction Data) for six years after they cease being customers for tax purposes.

In some circumstances you can ask us to delete your data: see below for further information. In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

Please see Appendix 1 below for Retention periods of data

YOUR RIGHTS REGARDING YOUR PERSONAL INFORMATION

Under certain circumstances, you have rights under data protection laws in relation to your personal data. These include the right to:

- Request access to your personal data.
- Request correction of your personal data.
- Request erasure of your personal data.
- Object to processing of your personal data.
- Request restriction of processing your personal data.
- Request transfer of your personal data.
- Withdraw consent.

You can see more about these rights at: https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/

You can exercise these rights by emailing us at publicity@emerson.org.uk
We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

SECURITY OF PRIVATE INFORMATION

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know such data. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

However, we cannot absolutely guarantee the security of your personal data. We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

CONTACTING THE ICO

If you are not happy with any aspect of how we collect and use your data, please let us know so we can try and resolve it for you. Should this not be resolved, you have the right to complain to the Information Commissioner’s Office (ICO), the UK supervisory authority for data protection issues (www.ico.org.uk).

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Email: publicity@emerson.org.uk                   Website: www.emerson.org.uk

Proprietors: The Emerson College Trust
Registered in London No. 908985; Registered Charity No. 312101
Emerson College is accredited by the British Accreditation Council
www.emerson.org.uk
APPENDIX 1 – RETENTION OF PERSONAL DATA BY EMERSON COLLEGE

Emerson College is required to retain personal data for a variety of purposes. We will not retain data for any longer than is required by a legitimate purpose.

The table below sets out the data that we retain, for how long and why.

<table>
<thead>
<tr>
<th>Type of User</th>
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<th>Purpose/ activity</th>
<th>Retention Period</th>
<th>Criteria to determine the retention period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Students (Learners)</td>
<td>Contact</td>
<td>To process learner applications, take payment and register learners.</td>
<td>Contact indefinitely, unless requested to remove.</td>
<td>We retain this data in case there is a need for a learner/employer/education provider to request confirmation of certification or replacement certificates.</td>
</tr>
<tr>
<td></td>
<td>Identity</td>
<td>To manage our relationship with learners.</td>
<td>Identity &amp; Financial Data</td>
<td>Identity &amp; Financial Data This provides information that we may need to access to make specific arrangements for learners.</td>
</tr>
<tr>
<td></td>
<td>Learner Data</td>
<td>To verify learner assessment evidence as part of the quality assurance process.</td>
<td>Learner Data</td>
<td>Learner Data This evidence is primarily held and shared with Crossfields Institute. It is retained until all quality assurance procedures have been satisfactorily completed.</td>
</tr>
<tr>
<td></td>
<td>Financial</td>
<td>To issue certificates for qualifications.</td>
<td>Transactional Data</td>
<td>Transactional Data Records held for auditing purposes and in order to be able to respond to HMRC requests.</td>
</tr>
<tr>
<td></td>
<td>Transaction</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Students and Event Goers</td>
<td>Contact &amp; Profile Data</td>
<td></td>
<td>Contact indefinitely, unless requested to remove.</td>
<td>Contact &amp; Profile Data We retain this data, unless requested otherwise in order to effectively deal with repeat customers, to determine the success of our services and to monitor the effectiveness of our booking and sales processes.</td>
</tr>
<tr>
<td></td>
<td>Financial</td>
<td>To process course and event bookings through our Docourses event booking system.</td>
<td>Financial Data</td>
<td>Financial Data Is used for processing but is not retained.</td>
</tr>
<tr>
<td></td>
<td>Transaction</td>
<td>To process meal and accommodation bookings through our Docourses event booking system.</td>
<td>Transactional Data</td>
<td>Transactional Data Records held for auditing purposes and in order to be able to respond to HMRC requests.</td>
</tr>
<tr>
<td>Type of User</td>
<td>Type of Data</td>
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<tr>
<td>Venue Hire Clients</td>
<td>Contact, Financial Transaction Profile</td>
<td>Venue Hire Bookings To process Venue Hire bookings and payments.</td>
<td>Contact &amp; Profile Data Retained indefinitely, unless requested to remove. Financial Data Is used for processing but is not retained. Transactional Data Is retained for up to 6 years.</td>
<td>Contact &amp; Profile Data We retain this data, unless requested otherwise in order to effectively deal with repeat customers, to determine the success of our services and to monitor the effectiveness of our booking and sales processes. Financial Data Is used for processing but is not retained. Transactional Data Records held for auditing purposes and in order to be able to respond to HMRC requests.</td>
</tr>
<tr>
<td>Students, Event Goers and Venue Hire Clients</td>
<td>Contact, Profile &amp; Marketing &amp; Communications</td>
<td>Feedback To assess the quality of our services using user surveys and feedback forms.</td>
<td>Contact, Profile &amp; Marketing &amp; Communications Data Retained indefinitely, unless requested to remove.</td>
<td>Contact, Profile &amp; Marketing &amp; Communications Data Consent is required to obtain feedback. Contact data is not mandatory so people are given the option of supplying feedback anonymously.</td>
</tr>
<tr>
<td>Students, Event Goers, Venue Hire Clients, Alumni, Community Members, Staff, Donors, Association Members</td>
<td>Contact, Profile &amp; Marketing &amp; Communications</td>
<td>Marketing &amp; Communication To keep consenting users subscribed to our database regularly updated on relevant news, courses and events.</td>
<td>Contact, Profile &amp; Marketing &amp; Communications Data Retained indefinitely, unless requested to remove.</td>
<td>Contact, Profile &amp; Marketing &amp; Communications Data Consent is required to join and members retain the option to unsubscribe at any time.</td>
</tr>
<tr>
<td>Applicants, Staff &amp; Volunteers</td>
<td>Identity Contact Staff/Volunteer Financial Transaction</td>
<td>Recruitment &amp; HR To process job applications for new staff and volunteers To conduct staff appraisals. To ensure the College retains up-to-date contact information for staff and volunteers. Payroll To process staff payments.</td>
<td>Applicants Retained for 6 weeks after applications close Staff Retained up to 7 years from the end of employment or contract. Volunteers Retained for the duration of their volunteering period</td>
<td>Applicants We retain applications for a short period of time, and may ask to retain them for longer if an applicant wishes to be contacted in relation to future employment opportunities. Staff Records held in order to be able to respond meaningfully to employment reference requests or to respond to HMRC requests. Volunteers We retain volunteer information for the duration of their volunteering period, and may ask to retain them for longer if an volunteer wishes to be contacted in relation to future volunteering or employment opportunities.</td>
</tr>
<tr>
<td>Donors</td>
<td>Identity Contact Financial Transaction</td>
<td>Fundraising To process donor contributions.</td>
<td>Retained for up to 6 years.</td>
<td>Records held in order to be able to respond meaningfully to employment reference requests or to respond to HMRC requests.</td>
</tr>
<tr>
<td>Suppliers</td>
<td>Identity Contact Supplier</td>
<td>Procurement To manage supplier contracts</td>
<td>Retained for up to 6 years.</td>
<td>Records held in order to be able to respond meaningfully to employment reference requests or to respond to HMRC requests.</td>
</tr>
<tr>
<td>Type of User</td>
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</tr>
<tr>
<td>Students, Event Goers, Venue Hire Clients, Staff, Donors, Third Parties, Suppliers, Living &amp; Learning Community Members</td>
<td>Identity Contact Financial Transaction</td>
<td>Accounting &amp; Auditing To maintain necessary records for accounting and auditing purposes to comply with financial auditing and college auditing bodies</td>
<td>Retained for up to 6 years.</td>
<td>Records held in order to be able to respond meaningfully to employment reference requests or to respond to HMRC requests.</td>
</tr>
<tr>
<td>Association Members</td>
<td>Contact</td>
<td>Communication To keep members informed.</td>
<td>For the duration of their membership</td>
<td>Data is held in order to be able to coordinate Association Meetings and to disseminate Association Meeting information.</td>
</tr>
<tr>
<td>Students, Event Goers, Venue Hire Clients, Staff, Living &amp; Learning Community Members</td>
<td>Special Category Data</td>
<td>To meet the health and wellbeing needs of a particular user.</td>
<td>The shortest possible time; context dependent.</td>
<td>We will retain this data in relation to special consideration applications for students for as long as needed to make a decision. We will retain this in relation to employees for as long as needed to ensure that their health and wellbeing needs at work are met.</td>
</tr>
<tr>
<td>Students, Event Goers, Venue Hire Clients, Staff, Living &amp; Learning Community Members</td>
<td>Criminal data</td>
<td>To meet the wellbeing needs of a particular user.</td>
<td>The shortest possible time; context dependent.</td>
<td>We will retain this data for as short as possible a time, due to its sensitive nature.</td>
</tr>
</tbody>
</table>