



Emerson College - Privacy Policy

Last updated on 12th March 2021

Last reviewed on 5th Oct 2021

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

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 all data captured will be used and held in accordance with the requirements of the Data Protection Act 2018.

As Emerson College is a UK organisation, our lead data protection authority is the Information Commissioner’s Office (ICO).

As a small organisation we do not have a Data Protection Officer. But we do however have a manager acting as our College Lead for Data Protection and GDPR.

Our College Data Protection Lead is: Communications Manager - Ellie Kidson

If you have any requests concerning your personal data or any queries with regard to how we handle your data you can contact her by email publicity@emerson.org.uk or by +44 (0) 7960 378 981 or write to her:

Emerson College Data Protection Lead,
Emerson College, Hartfield Road
Forest Row, East Sussex, RH18 5JX
United Kingdom

PURPOSES FOR PROCESSING YOUR PERSONAL DATA

As a Data Controller Emerson Colleges processes for following Personal Data:

Activity	Purpose of Processing	Lawful Basis
Student Enrolment	To process student applications To take payment To enrol students To process medical or sensitive information where applicable for our duty of care to the students during their participation in one of our courses	Contract Contract Contract Vital Interests
Education Provision	To manage our relationship with students To verify student assessment evidence as part of the quality assurance process. To issue certificates for qualifications.	Contract/ Legitimate Interests Contract/ Legitimate Interests Contract/ Legitimate Interests
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.	Contract Contract
Venue Hire Bookings	To process Venue Hire bookings and payments.	Contract
Processing Feedback	To assess the quality of our provision for Students, Event Goers, Volunteers and Venue Hire Clients	Legitimate Interests
Marketing & Communications	To keep consenting users subscribed to our database regularly updated on relevant news, courses and events.	Consent/ Legitimate Interests
Recruitment & 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. To provide past volunteers and casual staff about upcoming opportunities for work within the College To process medical or sensitive information where applicable for our duty of care to our staff and volunteers for the duration of their employment.	Contract Legal Obligation Legal Obligation Legitimate Interests Vital Interests

Payroll	To process staff payments.	Contract
Fundraising	To process donor contributions To process gift aid To thank donors To provide donors with information about ongoing fundraising	Contract Legal Obligation Legitimate Interests Legitimate Interests/Consent
Procurement	To manage supplier contracts	Contract/ Legitimate Interests
Accounting & Auditing	To maintain necessary records for accounting and auditing purposes to comply with financial auditing and college auditing bodies	Legal Obligation
Communicating with our Association Members and Campus Community	To keep members informed with relevant information and meeting dates	Legitimate Interests
Special Category Data	To meet the health and wellbeing needs of a particular user. (Students, Event Goers, Venue Hire Clients, Staff, Living & Learning Community Members)	Vital Interests
Criminal data	To meet the wellbeing needs of a particular user. (Students, Event Goers, Venue Hire Clients, Staff, Living & Learning Community Members)	Vital Interests

The legal bases on which we rely are:

Consent

Where we collect information for marketing and communication purposes, including fundraising, we gain opt-in consent in the following ways:

- Through Mailchimp data capture forms – users can choose to opt-in to receive news and information about the college and the courses and services we offer. Donors can also opt-in to stay up-to-date with specific fundraising campaigns.
- Through Google feedback forms – users can choose to provide us with feedback and can opt-in to providing testimonials for marketing purposes
- Through Social Media – users can choose to follow us on our social media channels (Facebook, Instagram, Twitter, Linked In and U-tube) to receive news and information about the college and the courses and services we offer.

Where we process your personal data based on your consent you have the right to withdraw that consent at any time without reason. You can opt-out by using the unsubscribe/opt-out in any marketing we send you and you can contact our College Data Protection Lead via the contact details above.

Contract

Processing is necessary for us to administer the pre-contract and contractual relationship between ourselves and our suppliers/students/customers/potential employees and volunteers in connection with the performance of a contract.

Compliance with a legal obligation

Processing is necessary for us to fulfil our legal obligations in relation to pay-roll, tax, accounting and auditing. We also collect personal data for the purposes of claiming gift aid.

Vital interests

Where necessary we may collect additional medical and/or sensitive information, special category data or criminal data in order to be able to fulfill our duty of care for example obtaining medical information from an individual's GP in an emergency.

Legitimate interests

Processing is necessary for us continuously develop, improve and maintain the quality of our provision. We regularly process feedback from all of our service users in order to ensure that we are able to provide a high standard of service. We also use legitimate interests as a basis for providing service users with relevant information about our provision and for providing donors with relevant information as to how their donations are managed and used.

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.

We will never pass the personal data you have provided us with to any third parties for marketing purposes.

If at any point you would like to opt-out of receiving communications from us, or would like to change the channels (such as email or post) that we use to contact you, please contact Communications Manager Ellie Kidson by email publicity@emerson.org.uk, by phone +44 (0) 7960 378 981 or write to her at Emerson College, Hartfield Road, Forest Row, East Sussex, RH18 5JX, United Kingdom.

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. For more information please see our Cookies Policy:

http://www.emerson.org.uk/images/Downloads/GDPR/Emerson_Cookies_Policy.pdf

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.
- Contact, Financial and Transaction Data from providers of technical, payment and delivery services such as Stripe based inside and outside the EU.

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 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 students and participants 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.

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 anonymize 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

You have rights in respect of your personal data. We will need to confirm your identity before we can consider your request so, if you wish to exercise any of these rights, we will need to see a copy of your passport or driving license and a utility bill to confirm your identity.

The right to be informed

You have the right to be told about the collection and use of the personal data you provide.

This privacy policy sets out the purpose for which we process your personal data, how long we will keep your data, who we will share your data with.

If you want to know more about this right, the ICO has more guidance on their website: <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-to-be-informed/>

Right of access

You have the right to know whether we are processing your personal data, and to a copy of that data.

We would need as much information as possible to enable us to locate your data. We will respond to your request within 28 days of receipt of your request.

If you want to know more about this right, the ICO has more guidance on their website: <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-of-access/>

Right to rectification

You have the right to have any incorrect personal data corrected or completed if it is incomplete.

You can make this request verbally or in writing. We will need as much information as possible to enable us to locate your data.

We will look at any request and inform you of our decision within 28 days of receiving the request.

If you want to know more about this right, the ICO has more guidance on their website: <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-to-rectification/>

Right to erasure

This right, often referred to as the right to be forgotten allows you to ask us to erase personal data where there is no valid reason for us to keep it. We will look at any request and inform you of our decision within 28 days of receiving the request.

If you want to know more about this right, the ICO has more guidance on their website: <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-to-erasure/>

Right to restrict processing

You have the right to ask us to restrict processing of your data. We will look at any request and inform you of our decision within 28 days of receiving the request.

If you want to know more about this right, the ICO has more guidance on their website: <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-to-restrict-processing/>

Right to data portability

You have the right to move, copy or transfer your personal data from one IT environment to another. This right applies to data that you have provided to us and that we are processing on the legal basis of consent or in the performance of a contract and that processing is by automated means. We will respond to your request within 28 days of receipt of your request.

If you want to know more about this right, the ICO has more guidance on their website: <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-to-data-portability/>

Right to object

You have the right to object to our processing of your personal data based on (i) legitimate interests, or for the performance of a task in the public interests/exercise of official authority (including profiling); (ii) direct marketing (including profiling); and (iii) for purposes of scientific/historical research and statistics.

You can see more about these rights at:

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

If you want to exercise this right, please contact our College Data Protection Lead at the contact details above. If you want to know more about this right, the ICO has more guidance on their website: <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/rights-related-to-automated-decision-making-including-profiling/>

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.

You can exercise these rights by contacting our College Data Protection Lead via email publicity@emerson.org.uk or by +44 (0) 7960 378 981 or write to her:

Emerson College Data Protection Lead,
Emerson College, Hartfield Road
Forest Row, East Sussex, RH18 5JX
United Kingdom

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).

CHANGES TO THIS PRIVACY POLICY

This privacy policy is regularly reviewed and will be updated when necessary. 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 Policy regularly to understand how we use your information.

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.

Purpose/ activity	Data Type and Retention Period	Criteria
<p>Enrolment To process learner applications, take payment and register learners.</p> <p>Education Provision To manage our relationship with learners.</p> <p>To verify assessment evidence as part of the quality assurance process.</p> <p>To issue certificates for qualifications.</p> <p>For Tax and Auditing purposes</p>	<p>Contact Data: Retained indefinitely, unless requested to remove.</p> <p>Identity and Financial Data: student application forms and application information is retained for the duration of the course and then securely destroyed.</p> <p>Learner Data: Retained until student has qualified and assessment information has been audited by our accrediting bodies and is then securely destroyed unless otherwise requested</p> <p>Transactional Data Is retained for up to 6 years.</p>	<p>We retain this data in case there is a need for a learner/employer/education provider to request confirmation of certification or replacement certificates.</p> <p>This provides information that we may need to access to make specific arrangements for students during the duration of their course.</p> <p>This evidence is primarily held and shared with our accrediting bodies. It is retained until all quality assurance procedures have been satisfactorily completed.</p> <p>Records held for auditing purposes and in order to be able to respond to HMRC requests.</p>
<p>Event Bookings To process course and event bookings through our Docourses event booking system.</p> <p>To process meal and accommodation bookings through our Docourses event booking system.</p>	<p>Contact Data: Retained indefinitely, unless requested to remove.</p> <p>Financial Data Is used for processing but not retained.</p> <p>Transactional Data Is retained for up to 6 years.</p>	<p>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.</p> <p>Is used for processing but is not retained.</p> <p>Records held for auditing purposes and in order to be able to respond to HMRC requests.</p>
<p>Venue Hire Bookings To process Venue Hire bookings and payments.</p>	<p>Contact & Profile Data Retained indefinitely, unless requested to remove.</p> <p>Financial Data Is used for processing but is not retained.</p> <p>Transactional Data Is retained for up to 6 years.</p>	<p>Contact & 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.</p> <p>Financial Data Is used for processing but is not retained.</p> <p>Transactional Data Records held for auditing purposes and in order to be able to respond to HMRC requests.</p>
<p>Feedback To assess the quality of our services and experience.</p>	<p>Feedback Retained indefinitely, unless requested to remove.</p>	<p>Feedback Consent is required to obtain feedback. Contact data is not mandatory so people are given the option of supplying feedback anonymously.</p>
<p>Marketing & Communication To keep consenting users subscribed to our database regularly updated on relevant news, services, courses and events.</p>	<p>Marketing & Communications Data Retained indefinitely, unless requested to remove.</p>	<p>Marketing & Communications Data Consent is required to join and members retain the option to unsubscribe at any time.</p>

<p>Recruitment & HR To process job applications for newstaff and volunteers</p> <p>To conduct staff appraisals.</p> <p>To ensure the College retains up- to-date contact information for staff and volunteers.</p> <p>Payroll To process staff payments.</p>	<p>Applicants Retained for 6 weeks after applications close</p> <p>Staff Retained up to 7 years from the end of employment or contract.</p> <p>Volunteers Retained for the duration of their volunteering period</p>	<p>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.</p> <p>Staff Records held in order to be able to respond meaningfully to employment reference requests or to respond to HMRC requests.</p> <p>Volunteers We retain volunteer information for the duration of their volunteering period, and may ask to retain them for longer if a volunteer wishes to be contacted in relation to future volunteering or employment opportunities.</p>
<p>Fundraising To process donor contributions and to process gift aid</p> <p>To thank donors To provide donors with information about ongoing fundraising</p>	<p>Transactional Data Is retained for up to 6 years.</p> <p>Contact Data: Retained indefinitely, unless requested to remove.</p>	<p>Records held in order to be able to respond to HMRC requests.</p> <p>We retain this data, unless requested otherwise in order to communicate with donors with information relevant to their donations and to provide them with information about ongoing fundraising.</p>
<p>Procurement To manage supplier contracts.</p>	<p>Transactional Data Is retained for up to 6 years.</p>	<p>Records held in order to be able to respond to HMRC requests.</p>

<p>Accounting & Auditing To maintain necessary records for accounting and auditing purposes to comply with financial auditing and college auditing bodies.</p>	<p>Transactional Data Is retained for up to 6 years.</p>	<p>Records held in order to be able to respond to HMRC requests.</p>
<p>Association Management To keep members informed.</p>	<p>For the duration of their membership</p>	<p>Data is held in order to be able to coordinate Association Meetings and to share Association Meeting information.</p>
<p>Campus Community To keep community members living on site informed</p>	<p>For the duration of their residence at Emerson</p>	<p>Data is held in order to be able to coordinate Campus Community Meetings and to share information with the Campus Community that is relevant to and in the interests of the Community.</p>
<p>Special Category & Criminal Data</p>	<p>The shortest possible time; context dependent.</p>	<p>We will retain this data in relation to special consideration applications for students for as long as needed to make a decision.</p> <p>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.</p>