

Fundraising and Development Privacy Notice

The Independent Schools of King Edward VI in Birmingham

January 2023



How we use your information: Fundraising and Development Privacy Notice

Introduction

This notice explains **how** and **why** the Development and Alumni Relations Office (“DARO”) uses personal data about you when carrying out our fundraising and development activities.

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

If you have any questions about this notice, please contact the Development Director whose contact details are: development@kes.org.uk/development@kehs.org.uk or 0121 415 2197. If the Development Director is not available, you can contact the Development Office on oldeds@kes.org.uk/oldeds@kehs.org.uk or 0121 415 2245 in relation to any of the matters set out in this notice.

The DARO is a department that is shared between King Edward’s School, Birmingham, and King Edward VI High School for Girls, Birmingham. Together, these two schools form the Independent Schools of King Edward VI in Birmingham (“the Schools”). They in turn are part of the Schools of King Edward VI in Birmingham (“the Foundation”; Registered Charity Number 529051), which is the ultimate legal entity encompassing each of these bodies. To use data protection terminology, the Foundation is a "data controller" or "controller".

The Foundation has implemented internal procedures that ensure your data is used principally for the benefit of the School you attended. This is managed day-to-day by the DARO.

The Old Edwardians Association Limited (the “OEA Ltd”; Company Number 00033983) was responsible for development and fundraising for King Edward’s School from 1891 until 2009. In January 2009, the OEA Ltd handed over responsibility for all development and fundraising to the Foundation. These functions are now managed exclusively by the DARO. The OEA Ltd remains registered as a separate company.

The Birmingham Girls’ Old Edwardian Club (“the BGOEC”) was responsible for development and fundraising for King Edward VI High School for Girls from 1889 until 2012, when they handed over responsibility for all development and fundraising to the Foundation. These functions are now managed exclusively by the DARO. The BGOEC remains as a separate organisation.

Since this transfer, members from the OEA Ltd and the BGOEC have participated in advisory committees at their respective Schools. As these committees are part of each School, the Foundation is responsible for how each School and their respective committee use your personal data.

The DARO also works with The King Edward’s School Birmingham Trust (“The KES Trust”; Registered Charity Number 1129776) and The King Edward VI High School for Girls Birmingham Trust (“The KEHS Trust”; Registered Charity Number 1159413). These two separate charities were set up to receive all donations on behalf of King Edward’s School and King Edward VI High School respectively.

This notice also applies to how The KES Trust and The KEHS Trust use your personal data. Save where stated otherwise, for fundraising and development purposes, the Foundation and the KES Trust are joint controllers in relation to King Edward’s School and the Foundation and the KEHS Trust are joint controllers in relation to King Edward VI High School. This is because they make joint decisions about your personal data.

This notice only covers how the Foundation uses your personal data for fundraising and development purposes. For more information about how the Foundation uses your personal data more widely (for example, in relation to educating pupils, if that is applicable in your circumstances) please see the Schools of King Edward VI in Birmingham website for the appropriate privacy notice.

What is personal data?

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

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

What personal data do we hold about you and how is this obtained?

If you or your child attended one of the Schools, we receive information about you from the data and admissions teams within the Schools but only where this is relevant to our work. We obtain information from the data and admissions teams about the dates when you or your child attended the School (including your child's name) and also your address, phone numbers and email addresses. We hold a specific database with information about alumni, parents, staff, former parents, former staff and other supporters.

You provide us with information about yourself during the course of our relationship with you. For example, when you sign up to receive communications from us or order tickets for events.

In addition, we will obtain your personal data from other sources, which we use for the purposes described below. These are other people who are involved in our development activities; for example, members of your family and other alumni might tell us about your interests or your career.

If you were a member of the OEA Ltd before 2009 or the BGOEC before 2012, we will have received information about you from them as follows: name, previous names, dates at the School, contact details, records of your communication and/or donation history, career information, and records of your links within our community, such as siblings, friends or partners.

We will hold information such as:

- your name, gender, date of birth and any previous names you have used;
- 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 School community such as other alumni;
- the dates when you or your child attended the School (if applicable);
- if you are a former staff member, the dates when you worked at the School;
- your contact details;
- information about your achievements and interests e.g. which sports team you were part of as a pupil or any hobbies that you have now;
- 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, and whether you are a member of our Careers Network;

- records of any donations and your Gift Aid status, if applicable. This may include banking information if you have made gifts by Direct Debit;
- information from articles in the media;
- medical information or information about a disability you have, e.g. to make reasonable adjustments for you at an event or to help you if you are hurt whilst taking part in an activity; and
- any dietary requirements for catering purposes;

Why do we use your personal data?

We use your personal data 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);
- to facilitate interaction between members of the Schools' community, for example, taking part in our Careers Network;
- to tell you about products sold to benefit the Schools such as clothing and sports goods;
- to keep you informed about what is happening at the Schools, for example, by sending you a copy of DARO publications like *The Gazette* and *KEynotes*;
- in connection with providing financial support to The KES Trust and/or The KEHS Trust (including making donations to specific appeals, such as Assisted Places or building projects);
- in connection with the other ways in which you might support us (such as when you volunteer);
- in connection with any research we carry out. For example, we may ask you to complete a survey, provide feedback or join one of our focus groups or committees.

We will contact you for the above purposes by email, telephone, social media, 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, we 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 obtaining your personal data from the following sources: internet search engines, 192.com, the Charity Commission, Companies House, Zoopla, Business Week and related media articles. This is to comply with our legal and ethical obligations.

We will take photos or videos of you to use in our publicity or on our social media platforms and website. If we consider that the photo 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. As part of this we may use your personal data to help us decide how much we think you are willing and able to give. We will use the following information for this purpose: your name, age, postal address, career information and history of giving. We will also obtain information from sources outside the Schools. These sources

are as follows: Zoopla (for house prices), LinkedIn, Bloomberg, Endole, Companies House, public websites such as your company's website, or media outlets. This is called Wealth Profiling.

We may also use trusted third parties to automate this work. This is called Wealth Screening. Wealth Screening is a tool which helps us to understand how to approach you about fundraising and volunteering opportunities in an appropriate way. It also enables us to generate income more cost-effectively, for the benefit of the pupils of the Schools.

We will never use any information about your political opinions, religious beliefs, ethnic origin or health.

You can contact us at any time to request that your data is not used for Wealth Profiling and/or Wealth Screening. Please contact the Development Director to make this change (development@kes.org.uk / development@kehs.org.uk).

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

- 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.
- We will share information with HMRC in connection with Gift Aid claims.
- If you use a third-party platform to donate then we will receive information about you from them, for example the Charities Aid Foundation or the British Schools and Universities Foundation. We may also share data with them where it is necessary to process your donation.
- 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.
- If you attend one of our external events, then we will share your personal data with event venues and organisers, such as Birmingham Symphony Hall for our Biennial Concert and their booking platform, B Music.
- 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.
- In accordance with our legal obligations, we will share information with local authorities, the Independent Schools Inspectorate and the Department for Education, for example, where we have any safeguarding concerns.
- We may share your information with our regulatory bodies, should this be required. Regulatory bodies include the Charity Commission, Fundraising Regulator and Information Commissioner's Office.
- On occasion, we may need to share information with the police for the prevention and investigation of crime and the prosecution of offenders.

Your personal data is held on DARO systems and will only be shared with The KES Trust and/or The KEHS Trust if there is a good reason to do so, for example, if the DARO is helping a Trust to reach out to a specific individual. Furthermore, if you choose to donate to The KES Trust and/or The KEHS Trust, we will share with them such information about you as is required to manage your gift legally and effectively. This includes information such as: your name, contact information, details of your gift and its purpose, Gift Aid or other tax efficient giving details, stewardship details, correspondence records, any documents supporting your gift, for example a Will or Probate Record, and contact information for anyone acting on your behalf.

Although The KES Trust and The KEHS Trust are each a joint controller with the Foundation, each party is an independent controller when using personal data to comply with its own legal or regulatory obligations.

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 personal data 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 personal data 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 Schools and members of the Schools' community, such as current and former pupils and parents;
- promoting the objects and interests of the Schools. This includes fundraising e.g. if we want to raise money for the Assisted Places 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 personal data where we are relying on our legitimate interests as explained above, please speak to the Development Director.

Public 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 personal data before you withdraw your consent remains valid. To withdraw your consent please contact the Development Director on 0121 415 2245 or development@kes.org.uk/development@kehs.org.uk.

Necessary for a contract

We will need to use your personal data 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 personal data 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 or our safeguarding obligations.

Vital interests

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

Sending your personal data to other countries

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

We send your personal data to countries with adequate rules when we:

- use Google Cloud storage, and Microsoft Office software and storage. These are the systems used by the Schools for their email, calendar and office functions. The DARO also uses Google Drive and Microsoft One Drive attached to these email accounts.

We will also send your personal data to countries which do not have the same level of protection for personal data as there is in the UK. For example, we will:

- store your personal data in cloud computer storage with servers in the USA. Our primary database, Raiser's Edge, is based in the USA. Raiser's Edge is considered a market leading software for development and fundraising in education.
- if you are included in the annual telethon, a subset of your personal data will be stored in cloud computer storage with servers in Canada or the USA. This is provided by VanillaSoft.

Where we send your personal data to countries which do not have the same level of protection for personal data as there is in the UK, we will always enter into a Data Sharing Agreement or other contract with the service providers, to protect your data. Please contact us if you would like to know more about how we are protecting your data.

If you have any questions about the safeguards that are in place, please contact the Development Director via development@kes.org.uk / development@kehs.org.uk.

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 us 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 Schools 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 Schools' legitimate interest in research; supporting long-term accountability; enabling the discovery and availability of the Schools' 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 photos so that we have a record of what the Schools were 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.

We 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 Foundation more widely please see the privacy notices on the Schools of King Edward VI in Birmingham website.

Although we keep the majority of your personal data for a very long time, there are some exceptions to this. Our information and records retention policy sets out how long we keep different types of information. Please contact the Development Office to view a copy of our retention policy which sets out how long we keep certain information for.

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 us is incorrect or incomplete 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 who 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 personal data 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 personal data 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 are legitimate interests or public task. Please see the section "Our lawful bases for using your information" above;
 - if we ever use your personal data for scientific or historical research purposes or statistical purposes.

The Development Director can give you more information about your data protection rights. To exercise any of your rights you can speak to the Development Director via development@kes.org.uk / development@kehs.org.uk.

Further information and guidance

The Development Director is the person responsible for managing how we look after personal data and deciding how it is shared in relation to fundraising and development. The Development Director can answer any questions which you may have.

Like other organisations we need to keep your personal data 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.

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