

Sotheby's Institute of Art

Student and Prospective Student Privacy Notice

Controller: Institute of Art - London Ltd (trading as 'Sotheby's Institute of Art - London')

1. Introduction

Institute of Art - London Ltd, trading as 'Sotheby's Institute of Art - London' ("the Institute" or "we" in this privacy notice) is committed to protecting the privacy and security of your personal data. This privacy notice contains important information about how the Institute and its associated entities, which includes our parent company BrandEd Holdings LLC, identify and manage its data protection and privacy responsibilities in accordance with its legal and regulatory obligations.

The Institute is known as a 'controller' which means we are responsible for deciding how we collect, use and manage personal data about you when you apply to study a course with us and during and after any time you spend studying with us. We collect, store and process personal data relating to our students and prospective students in order to manage our relationship with these individuals.

This notice applies to both students and prospective students but does not form part of any contract to provide services to you and may be updated at any time.

It is important that you read this privacy notice, together with any other policies we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

2. About us

We are: **Institute of Art - London Ltd** (company number 03087911) and we provide education services to our students under our trading name Sotheby's Institute of Art - London. Our registered address is: 30 Bedford Square, London WC1B 3EE.

We have appointed a data privacy manager who is responsible for overseeing questions in relation to this privacy notice.

If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact our data privacy manager using the following details:

- Email address: info@sothebysinstitute.com
- Postal address: 30 Bedford Square, London, United Kingdom, WC1B 3EE, marked for the attention of Adrian Pryce
- Telephone number: + 44 20 7462 2486

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK regulator for data protection issues (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

3. Changes to the privacy policy and your duty to inform us of changes

We keep our privacy policy under regular review. This version was last updated on 1 July 2022.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

4. Third party links

We strongly recommend that you review the privacy notices of any websites you choose to navigate to from our website (or navigate from to our website) or digital services that we provide links to so that you can understand how those websites collect, use and share your information as well. Any third-party sites that you can access through the website are not covered by this Privacy Notice and we accept no responsibility for these sites.

5. Data protection principles

The Institute will comply with all applicable data protection law in the United Kingdom.

This means that the personal data we hold about you must be:

- used lawfully, fairly and in a transparent way;
- collected only for valid purposes that we have explained to you clearly and not used in any way that is incompatible with these purposes;
- relevant to the purposes we have told you about and limited to those purposes only;
- accurate and kept up to date;
- kept only for such time as is necessary for the purposes we have told you about; and
- kept securely.

6. What personal data does the Institute collect and process?

The Institute collects and processes a range of personal data about you. This includes where you register for an event, request course information, become an applicant or ultimately if you study with us or use any of our services.

Personal data means any information about an individual from which the person (known as a "Data Subject") can be identified. It does not include data where the identity has been removed (anonymous data). The information will be 'personal data' if a person can be identified either directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that person. For example, personal data may include names, addresses, email addresses and telephone numbers; it may also include images in photographs or films and recorded telephone conversations.

The personal data we collect about you may include, but are not limited to, the following:

- personal contact details, such as your name, title, address and contact details, including email address and telephone number;
- your country of birth, nationality and date of entry to the United Kingdom;
- date of birth and gender;
- passport details;
- your course details (or potential course details), attendance records and academic records, school records, qualifications and details of your skills and experience;
- any information you provide to access specialist support or services at the Institute;
- bank details and details of payment card details;
- information about your next of kin and emergency contacts and information on your marital status and any dependents;

- visual images, recordings and photography, audio recordings, and other information obtained through electronic means including CCTV footage and any swipe card records;
- information systems details including computing and email information (including logins and email addresses), network access, IP address, and online services or library access, details of your use of other online learning or communication services such as Zoom or Microsoft Teams;
- records of your use of any other academic or non-academic services or facilities provided by the Institute;
- for international students, we will collect additional information on visa details and date of entry to the UK and any government-issued identification number;
- records of your communications or other interactions with the Institute including general correspondence and administration and any disciplinary records; and

We may also collect, store, and use the following *special categories* of more sensitive personal data:

- information about medical or health conditions, including whether or not you have a disability for which the Institute needs to make reasonable adjustments; and any disability/access requirements;
- equal opportunities monitoring information, including information about your ethnic origin, sexual orientation, health and religion or belief.

7. How does the Institute collect personal data about you?

The Institute collects personal data about you in a variety of ways. Not all of the personal data we hold about you will always come directly from you but may be collected through other interactions with us or from other organisations as we have indicated below.

The personal data we collect from you may include, but are not limited to, the following:

- the information you provide to us direct including through any application and any subsequent registration process to take a course with us and during course-related activities whilst you are studying with us;
- if you make any payments to us online, we will collect payment information such as financial or bank card information and such other necessary information to allow us to process the transactions;
- data about you may be generated by the Institute or our staff during teaching sessions, lectures, course activities, recruitment fairs, open days, seminars, workshops and information in connection with your attendance and accommodation at the Institute;
- from your school or other educational institutions you have previously studied with or from employers or other professionals (for example, if they have supplied references to us) and via qualifications;
- through interactions you have with the services provided to you by the Institute including your interactions through our website or other online services including through any social media sites and any online discussion boards or forums made available by the Institute which you participate in and when you report any problems to us through our online services;
- our IT systems including our services, logs and other technologies may automatically collect information about you to help us administer, protect and improve our services or

the user experiences and to analyse usage of our online services;

- from the use of cookies on our website: please refer to our separate cookie policy available at <https://www.sothebysinstitute.com/privacy-policy>;
- from other students, family members, friends, references, visitors to the Institute and other contacts who may provide us with information about you when they contact us, or vice versa;
- through third parties such as sponsors;
- when you contact us by email or by phone or via any instant messaging or chat functions offered by the Institute.

Personal data is stored in a range of different places, including in your student file, in the Institute's IT systems (including the Institute's email system).

8. Why does the Institute process personal data (our 'legal bases' for processing) and when does the Institute use your personal data?

When processing personal data, the Institute relies on a combination of the following legal bases (or 'grounds') permitted under data protection laws:

If the legal bases change at any time, we will tell you about those changes (see further below).

To perform a contract with you:

We process your personal data to be able to 'perform' a contract with you (for example, our contract with you to provide and teach the course to you) or because you have asked us to do something before entering into a contract with you (for example, as part of the application process).

Examples of this processing may include:

- to consider the suitability of any application you make to study on a course with us and to notify you of our decision;
- to carry out our contractual obligations with you which will include the operation and delivery of any services you have requested, deal with requests and enquiries;
- the administration of your studies. This would include administration relating to course timetabling; any examinations or assessments; the issue of results and certificates; keeping accurate and up-to-date student records and contact details (including details of whom to contact in the event of an emergency); records of awards and other relevant achievements, and (where applicable); absence records and the provision of information to your sponsor about your attendance and performance on a course. We retain a permanent record of all awards at the Institute; make decisions about enrollment and registration and teaching processes;
- the administration of pastoral and support advice and guidance;
- to enable all financial transactions to and from us, including payments, grants and benefits;
- to collect payment for your course and additional fees and for the collection of debt;
- to provide access to you to the Institute's facilities/IT systems and other technology or applications;

- the administration of your student identification and/or any access cards); and
- for security, safety and disciplinary purposes (through the use of CCTV and information to support our student code of conduct).

The processing is necessary for the Institute's legitimate interests or the legitimate interests of a third party

We or a third party may have a legitimate interest in processing personal data where, for example, we need to ensure we can provide our services to you efficiently and appropriately, and where there is no reason to protect your personal data which overrides those legitimate interests. Examples of this processing include to:

- notify you about changes to our services;
- provide management information and research using prospective student and student data which the Institute may use to improve student experiences or to make decisions about the courses and other services offered by the Institute;
- provide you with information on other courses, or products or services that you may request from us, or which we feel may be of interest to you;
- to provide you with information about our alumni events or offers; and
- ensure that content from our website or other online services is presented in the most effective manner for you and for your computer or device by gathering aggregate information about our users, using it to analyse the effectiveness and efficiency of communications; and
- to improve the services we offer as an education provider.

Where you (or your parent or responsible adult) have given consent for us to process your personal data.

Examples of this processing include where you (or your parent or responsible adult) has agreed:

- that we can send tailored advertising and marketing information to you, or to permit selected trusted partners or third parties to provide you with information about goods or services we feel may interest you, where the "legitimate interests" condition for processing does not apply; and
- that we can take and use photographs or visual or audio recordings of classroom situations or general activity in common areas of the Institute as part of general marketing materials, for example in our annual report, prospectus or course materials; and
- to take part in surveys or other consultations for the purpose of consulting, informing and gauging your opinion about our courses, products and services.

The processing is necessary for us to comply with any statutory or legal obligation to which we are subject.

Examples of the processing under this legal basis include:

- to ensure we meet our statutory obligations, including those related to diversity and equal opportunity; and
- to ensure compliance with legislation (eg the Prevent Duty under the Counter Terrorism

& Security Act 2015).

Protection of Vital Interests

In limited cases, we may also process personal data where it is necessary to protect someone's "vital interests" (either the data subject, or another person). Disclosures may be made to external parties to ensure the safety and wellbeing of individuals; for example, we may share your contact details with emergency health services if you are taken unwell while on our premises.

Special categories of personal data (for example health information)

Where *special categories* of personal data (see above) are processed, the permitted legal bases for doing so will include:

- where you (or your parent or your responsible adult) has given us explicit consent to process such special category personal data;
- the processing is necessary to protect *vital interests* (see above);
- the processing of personal data manifestly made public;
- the establishment, exercise or defence of legal claims;
- purposes specified in data protection law as being in the substantial public interest;
- the processing is necessary for reasons of public interest in the area of public health; and
- for archiving, statistical and research purposes.

Please note: that in any circumstances where you (or your parent or responsible adult) has given us consent to process certain personal data about you, **you are entitled to remove your consent at any time**. Where your parent or responsible adult has given consent on your behalf, you still have the right to remove your consent at any time (you do not need your parent or responsible adult to do this for you). Please contact the data privacy manager using the details set out in section 2 above if you would like to discuss this further with us.

9. If you fail to provide personal data

If you do not provide certain information when requested, the Institute may not be able to enter into a contract with you (in relation to prospective students) or otherwise perform the contract we have entered into with you, such as providing the course to you or other associated services (including access to our online services).

10. Change of purpose

The Institute will only use your personal data for the purpose for which it was collected unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal data for an unrelated purpose, we will advise you of this and explain the legal basis which allows us to do so.

You should be aware that we may process your personal data without your knowledge or consent where this is required or permitted by law.

11. How we use sensitive personal data

Some special categories of personal data, such as information about health or medical conditions, are processed to comply with our legal obligations for example, under health and safety regulations.

The Institute may use other special categories of personal data, such as information about ethnic origin, sexual orientation, health or religion or philosophical belief, for the purposes of meaningful

equal opportunities monitoring or reporting. Personal data used by the Institute for these purposes is anonymised or is collected with the express consent of students, which can be withdrawn at any time. Students are entirely free to decide whether or not to provide such data and there are no consequences of failing to do so.

12. Information about criminal convictions

We do not envisage that we will hold information about criminal convictions.

We would only collect information about criminal convictions if it became appropriate given the nature of the course and where we are legally able to do so.

13. For how long do we keep personal data?

The Institute will only hold your personal data for as long as is necessary to fulfil the purposes we collected it for, including any legal, accounting or reporting requirements. The period for which your personal data is held after the end of course is generally 12 months. Some personal data may be required for purposes such as the provision of references or the defence of legal claims, and this data will normally be retained for up to 6 years.

In determining data retention periods, we take into consideration local laws, contractual obligations, and the expectations and requirements of our students. When we no longer need personal information, we securely delete or destroy it.

14. Who has access to personal data?

Relevant information will be shared internally, based on need, including with members of instructional, residential, administrative staff.

The Institute shares your personal data with third parties where required by law, where it is necessary in order to administer our relationship with you, or where we have another legitimate interest in doing so.

The Institute may share your personal data with third party service providers in order to enable them to provide the relevant services. Please refer to the Institute's [Privacy Policy](#) for further information.

The Institute may also share your personal data with other third parties, for example, in the context of a sale of some or all of its business. In those circumstances the data will be subject to confidentiality arrangements.

Your personal data may be transferred to countries outside of the United Kingdom in order to enable and support management and control of the Institute by BrandEd Holdings LLC. Personal data transferred outside the UK will be under our control, will be subject to safeguards, and will only be for our legitimate purposes. If you require further information about our data transfer practices, please contact our data privacy manager using the contact information in section 2.

15. How does the Institute protect personal data?

The Institute takes the security of your personal data seriously. The Institute has internal policies and controls in place to prevent your personal data being lost, accidentally destroyed, misused or disclosed, and is not accessed except by its employees in the performance of their duties. Personal data is protected physically and logically by unique personal usernames and passwords, door locks, secure main entrance access, CCTV, lockable storage cupboards and device hardware data encryption. Details of these measures are available on request through our data privacy manager using the contact information in section 2.

When the Institute engages third parties to process personal data on its behalf, the third parties operate on the basis of written instructions, are under a duty of confidentiality and are obliged to implement appropriate technical and organisational measures to ensure the security of data. Details of these measures are available from our data privacy manager using the contact information in section 2.

16. Your rights

We respect your right to access and control your personal data, and we will respond to requests for information and, where applicable, will correct, amend, or delete your personal data.

Under certain circumstances, by law you have the right to:

- **Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- **Request correction** of personal data that we hold about you. This enables you to ask us to correct any incomplete or inaccurate information we hold about you.
- **Request erasure** of your personal data in limited circumstances. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have exercised your right to object to processing (see below).
- **Object to processing** of your personal data where we are processing your personal data on the basis of our legitimate interest (or that of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal data for direct marketing purposes.
- **Request the restriction or suspension of processing** of your personal data. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- **Object to any direct marketing** (for example, email marketing or phone calls) by us, and to require us to stop such marketing.
- **Object to any automated decision-making** about you which produces legal effects or otherwise significantly affects you.
- **Request the transfer** of your personal data to another party.

If you would like to exercise any of these rights, or you have any questions about the privacy notice, please contact our data privacy manager using the contact information in section 2.