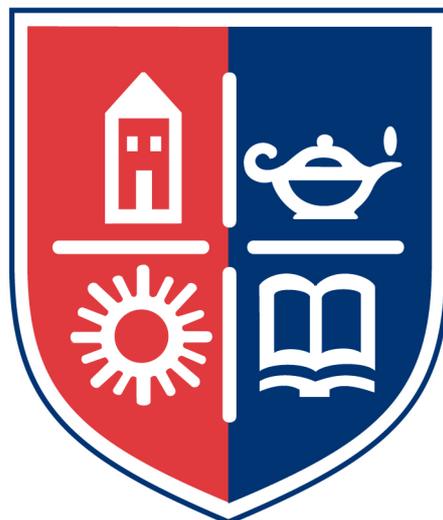


# TASIS



THE AMERICAN SCHOOL IN ENGLAND

# Data Protection Policy

## Document

<b>Information Sharing Category</b>	PUBLIC
<b>TASIS Document reference (Org, Doc, version, date)</b>	TASIS_DataProtectionPolicy_v7_0_29082018
<b>Version</b>	7.0
<b>Date published</b>	29-08-2018
<b>Date ratified by Head of School</b>	19-08-2018
<b>To be reviewed before</b>	1 year of approval
<b>Responsible area</b>	Director of Human Resources

TASIS is committed to safeguarding and promoting the welfare of students and expects all staff and volunteers to share this commitment. It is our aim that all students fulfil their potential.

### **Related Policies**

This policy refers to other TASIS policies within the text and the following should be read/referred to in conjunction with this policy:

- Safeguarding Children – Child Protection Policy
- E-Safety Policy
- Code of Conduct Policy for Faculty and Staff
- Confidentiality and Information Sharing Policy
- Complaints Procedure for Parents of Students
- Records Retention Policy

School policies can be accessed via our [website](#).

The current version of any policy, procedure, protocol or guideline is the version held on the TASIS website. It is the responsibility of all staff to ensure that they are following the current version.

### **What is Personal Data?**

"Personal Data" shall mean any information relating to an identified or identifiable natural person ('Data Subject'); an identifiable person is one who can be identified, directly or indirectly, in particular by reference to an identification number or to one or more factors specific to his/her physical, physiological, mental, economic, cultural or social identity.

Examples of Personal Data can be seen in the relevant Privacy Statement at Appendix 1 (for Parents and Students) or Appendix 2 (for Staff & Faculty)

### **Use of Personal Data**

1. TASIS England (the "School") is an international co-educational day and boarding school, for children in the age range 3 to 18 years.
2. The School is committed to safeguarding and promoting the welfare of students and expects all staff and volunteers to share this commitment. It is our aim that all students fulfil their potential.
3. The School processes personal data including names, addresses and contact numbers, both in electronic and paper form, in line with the conditions described within the General Data Protection Regulation (GDPR) in order to:
  - a. provide education and pastoral care to day and boarding students and their parents, delivered by School staff;
  - b. provide academic, examination and career references for day and boarding students and staff;
  - c. fulfil its contractual or other legal and regulatory obligations towards current day and boarding students (both past and prospective) all staff, parents, Directors and others;
  - d. protect the vital interests of all students and all staff employed by the School.

### **Purpose**

1. The School is registered with the Information Commissioner's Office (ICO) as a Data Controller under the GDPR. This Policy is intended to operate in accordance with GDPR relevant guidance and good practice, paying particular regard to the 6 Data Protection Principles set out in the GDPR and summarised as follows:

Personal Data shall be:

- a. processed lawfully, fairly and in a transparent manner in relation to the data subject;
- b. collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
- c. adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed ('data minimisation');
- d. accurate and, where necessary, kept up to date;

The current version of any policy, procedure, protocol or guideline is the version held on the TASIS website. It is the responsibility of all staff to ensure that they are following the current version.

- e. kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; and
  - f. processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage.
2. The School must maintain the trust and confidence of the whole school community and others with whom the School comes into contact. In all circumstances the welfare of students comes first, but the School is mindful of other legal requirements, such as duties owed to visitors, parents, staff and public authorities.
  3. The School aims never to:
    - a. hold or use inaccurate or misleading data;
    - b. keep more data, more categories of data, or keep data for longer than is reasonably required in order to fulfil the 'Purpose' of this Policy;
    - c. disclose personal data to others except in accordance with this Policy;
    - d. use personal data to make any automated decision which affects a student, member of staff or parent;
    - e. sell or transfer any part of its database/s for the purposes of direct marketing.

#### **Access to Data**

1. The Proprietary Board of Directors of the School is responsible for Data Control at the School.
2. A request for data held by the School about the individual making the request is termed a Data Subject Access Request (SAR).
3. Individuals are Data Subjects and as such are the 'owner' of the information that is being processed on their behalf by the Data Controller. This is true for all individuals, including children (students).

Any reasonable request by a student, (if known to be of an age that they can make such a request) parent or member of staff for access to personal data held about him/her/their child by the School may be made in writing, using the form provided at Appendix 4 of this policy.

4. It does not follow that, just because a child can make a SAR, they also understand what providing consent to sharing their personal data with others means. This will be reviewed on a case-by-case basis.
5. Parent's making a SAR on behalf of a child should be advised that the child might be deemed to be of an age whereby their consent should be sought. If so, the consent and express permission of the child will be sought prior to any release of data.

The current version of any policy, procedure, protocol or guideline is the version held on the TASIS website. It is the responsibility of all staff to ensure that they are following the current version.

6. Where required, consent to collect and process personal data will be sought at the point of collection, and recorded.
7. If a SAR is made for information containing, in whole or in part, a student's 'educational record', a response must be provided within 15 school days. 'School days' are days that the School is in usual operation. School holidays and Bank Holidays are not counted as 'School days'. A fee may be levied for us to deal with this kind of SAR.
8. If the SAR does not relate to any information that forms part of the educational record, then the 30-day time limit for responding as required by GDPR applies. In this instance, days are elapsed days, not School days.
9. The School shall not be required to disclose data which is exempt or partially exempt from disclosure. For instance:
  - a. where applicable, when disclosure of particular data would be likely to cause serious harm to the health of the person requesting disclosure or to someone else;
  - b. examination scripts within a specific timeframe of the examination;
  - c. employment references made by the School which remain in the control of the School;
  - d. planning information relating to staff, if it may be deemed to damage School business to disclose it;
  - e. when the data is held for national security reasons;
  - f. if it is in the public interest.
10. The School may also withhold medical data if it is held under the professional jurisdiction of the School Doctor/Medical Officer. In those circumstances, the parent, student or member of staff (as appropriate) may be required to contact the School Doctor/Medical Officer direct in order to arrange access to this data.
11. Decisions about disclosing third-party information should always be on a case-by-case basis. A blanket policy of withholding it must not be applied.
12. Appendix 3 of this policy provides guidance on making a SAR to TASIS England.
13. For more information please see the latest version of the *Subject Access Code of Practice* published on the Information Commissioner's Office website - <http://www.ico.org.uk>.

### **Security**

1. The School has put in place organisational, physical and technological measures to ensure that Personal Data is not lost, damaged, or accessed or used without proper authority, and the School shall take appropriate steps to prevent these events happening.
2. Paper records, which include personal data and/or confidential information, shall be kept in a cabinet and/or office, which is kept locked when unattended. All paper records must be kept in a secure location.

The current version of any policy, procedure, protocol or guideline is the version held on the TASIS website. It is the responsibility of all staff to ensure that they are following the current version.

3. Paper records that include safeguarding, child protection and sensitive information relating to safeguarding must be kept in a locked cabinet in a locked office.
4. The School uses an array of measures to protect personal data stored on computers, and internal IT systems including file encryption, anti-virus and security software, user passwords, audit trails, backup systems and 2 factor authentication where required. Further information can be seen in our E-Safety Policy.
5. Staff must keep any passwords secure and not shared. Staff should be mindful that passwords are not always effective and are not a substitute for encryption.
6. Staff should not remove personal data from the School's premises unless it is stored on a password-protected computer or encrypted memory device, in accordance with the School's E-Safety Policy.
7. All laptops and PCs are secured with the requirement for login and passwords.
8. Sensitive information held electronically should be individually password protected as an additional layer of security.
9. Persons who process (store or use) personal data on behalf of the School have a responsibility to ensure that the Data Protection Principles are observed and must comply with this Data Protection Policy and any associated record keeping and confidentiality policies, including our Records Retention, E-Safety and Confidentiality and Information Sharing Policies.
10. Persons who work for and on behalf of the School ('third parties') who may be given access to or process personal data in connection with the School should operate in accordance with GDPR and this policy. Third parties include suppliers or service providers.

### **CCTV**

1. CCTV at TASIS is operated in accordance with GDPR.
2. All TASIS Security Guards are qualified to monitor and operate CCTV.
3. Specific procedures are in place for the CCTV operator on duty to sign in, log in and report CCTV faults, report to Security Manager any requests of viewing CCTV footage.
4. CCTV at TASIS is configured to provide surveillance of:
  - a. priority Security doors and gates that provide access to critical areas in which School functions are carried out;
  - b. areas where business critical activity is carried out.
5. CCTV provides:

The current version of any policy, procedure, protocol or guideline is the version held on the TASIS website. It is the responsibility of all staff to ensure that they are following the current version.

- a. Identification of persons entering and leaving the main entrances.
  - b. Identification of staff entering and leaving the main entrances.
  - c. Identification of persons moving between the boundary of public and private space.
  - d. Observation of courier entrances/drop off points.
  - e. Monitoring of external and internal parking.
6. Areas where CCTV surveillance systems are installed are clearly marked by relevant signs advising that such systems are in place.
  7. CCTV footage is stored and destroyed in accordance with the School's Records Retention Policy.

### **References**

1. References given by any member of School staff, whether for staff or students, may be given only with the consent of the Head or Deputy Head of School or the Director of Human Resources unless the reference is written by the Head or Deputy Head or Director of Human Resources, in consultation with other staff where appropriate. Any reference will be fair, balanced and reasonable and will be provided in good faith.
2. A request for a reference to be provided to an employer or institution overseas will be taken as the applicant's confirmation that the receiving country ensures an adequate level of protection for the rights and freedoms of Data Subjects.
3. In exceptional circumstances the Head of School or the Director of Human Resources may agree to provide a written testimonial. It should be noted that this does not constitute a reference or an open reference.

### **Governance**

1. This Policy is one of several information sharing and information management policies and protocols approved by the Proprietorial Board of Directors and its Sub-Committees.
2. This Policy will be reviewed, with other information sharing and information management compliance policies, by the Proprietorial Board of Directors and a designated Sub Committee.
3. All Senior Managers are responsible to the Proprietorial Board of Directors for ensuring compliance with this Policy.

The current version of any policy, procedure, protocol or guideline is the version held on the TASIS website. It is the responsibility of all staff to ensure that they are following the current version.

## Appendix 1 – Privacy Notice for Parents and Students

### Introduction

This notice is to help you understand **how** and **why** we collect personal information about you and **what** we do with that information. It also explains the decisions that you can make about your own information.

We collect and hold personal data and information relating to our students directly from their Student(s)/guardian(s) at the time of application to register and joining the School and may also receive information about them from their previous School, local authority and/or the Department for Education (DfE). We also create personal information about the student during their time in the School in the form of assessments, marking of work and reports.

The categories of student information that we collect, hold and share include:

- Personal information (such as name, unique student number and address);
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility).
- Attendance information (such as sessions attended, number of absences and absence reasons).
- Relevant medical, special education needs (SEN) and mental health information.
- Exclusions/behavioural information.
- Photographs: We collect photographic images of our students, which we use for purposes of identification and also for marketing purposes.
- CCTV: images of staff, faculty members, parents, students and other visitors to the School will be captured by our CCTV system which monitors public areas including the main entrance used by visitors, the pedestrian and vehicle gates, and the entrances to all other School buildings.

### Why we collect and use this information

We process personal information to enable us to provide education and training conducted outside the State system, welfare and educational support services, to administer school property and library services, to maintain our own accounts and records, for administration in connection with boarding and the organisation of alumni associations and events, for fundraising purposes, to ensure physical security of the School and its assets and to support and manage our staff.

The information we process that is relevant to the above reasons/purposes include:

- personal details
- family details
- lifestyle and social circumstances
- financial details
- education and employment details
- disciplinary and attendance records
- visa-related checks and references from previous schools
- visual images, personal appearance and behaviour
- details of goods and services provided

The current version of any policy, procedure, protocol or guideline is the version held on the TASIS website. It is the responsibility of all staff to ensure that they are following the current version.

We also process sensitive classes of information that may include:

- physical or mental health details
- sexual life
- racial or ethnic origin
- religious or other beliefs
- information relating to offences or alleged offences

### **Collecting information**

Whilst the majority of student information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation (GDPR), we will inform you whether you are required to provide certain student information to us or if you have a choice in this and, where necessary, seek your consent for us to use that data and information in the way we intend.

### **How we use student information**

We use this personal data:

- for the purposes of student assessment and to confirm the identity of prospective students and their parents;
- to provide education services (including SEN), career services, and extra-curricular activities to students; monitoring students' progress and educational needs; and maintaining relationships with alumni and the School community;
- for the purposes of management planning and forecasting, research and statistical analysis, and to enable the relevant authorities to monitor the School's performance;
- to give and receive information and references about past, current and prospective students, including relating to outstanding fees or payment history, to/from any educational institution that the student attended or where it is proposed they attend;
- to enable students to take part in national or other assessments, and to publish the results of public examinations or other achievements of students of the School;
- to safeguard students' welfare and provide appropriate pastoral (and where necessary, medical) care, and to take appropriate action in the event of an emergency or accident, including by disclosing details of an individual's medical condition where it is in the individual's interests to do so, for example for medical advice, insurance purposes or to organisers of School trips;
- to monitor (as appropriate) use of the School's IT and communications systems in accordance with the School's E-Safety Policy;
- to make use of photographic images of students for identification purposes and in School publications, on the School website and (where appropriate) on the School's social media channels, where parental permission has been given, and in accordance with the School's E-Safety Policy ;
- for security purposes, and for regulatory and legal purposes (for example child protection and health and safety) and to comply with its legal obligations; and
- where otherwise reasonably necessary for the School's purposes, including to obtain appropriate professional advice and insurance for the School.

We may keep details of your address when you leave the School so we can send you news about the School and find out how your child is progressing. For graduates we may also pass your details onto the alumni organisation. Further information on the alumni association can be found here:

<https://tasisenglandconnect.com/>

The current version of any policy, procedure, protocol or guideline is the version held on the TASIS website. It is the responsibility of all staff to ensure that they are following the current version.

We may use information about you if we need this for historical research purposes or for statistical purposes, with such information being anonymised/pseudonymised.

### **Who we share student information with**

In accordance with our legal obligations, we may share information with local authorities, the Independent Schools Inspectorate and the Department for Education, for example, where we have any safeguarding concerns. Other instances where we may share information include:

- On occasion, we may need to share information with the police and other authorities, such as social services
- We may also need to share information with our legal advisers for the purpose of obtaining legal advice.
- Occasionally we may use consultants, experts and other advisors to assist the School in fulfilling its obligations and to help run the School properly. We might need to share your information with them if this is relevant to their work.
- If your child is not of British nationality we have to make sure that your child has the right to study in the UK. We might have to provide information about you to UK Visas and Immigration to comply with our duties as a Tier 4 sponsor.
- We may share some information with our insurance company, for example, where there is a serious incident at the School.
- If you have unpaid fees while your child is at the School we may share information about this with other schools or educational establishments to which you intend to send your child.
- If your child leaves us to attend another school we may need to provide that school with information about you. For example, details of family circumstances for safeguarding reasons.
- We may share information about you with others in your family, such as another parent or step-parent. For example, where this is part of our obligation to take care of your child, as part of our wider legal and regulatory obligations, or in connection with school fees.
- We may need to share information if there is an emergency, for example, if you are hurt whilst on School premises.

We do not share information about our students with anyone without consent unless the law and our policies require or allow us to do so.

### **How we use parent information**

We collect and process personal data relating to the parents of students at the School. This is for contractual purposes and/or to enable the payment of fees.

This personal data includes identifiers such as names, addresses, email addresses and telephone numbers, characteristics such as ethnic group and financial information such as credit card/banking details.

Upon accepting an offer of a place at the School for your child, you will have been offered an opportunity to consent or otherwise to our sharing your contact information with other parents in your child's cohort. The purpose of this sharing of information is to facilitate the wider School community including the promotion of fundraising efforts. We will not share your contact information unless explicit consent has been given.

The current version of any policy, procedure, protocol or guideline is the version held on the TASIS website. It is the responsibility of all staff to ensure that they are following the current version.

Consent for the sharing of your data in this way may be given or withdrawn by you at any time during your child's attendance at the School. If you wish to change your consent please contact Simon Fitch, Director of Student Recruitment and Admissions at [sfitch@tasisengland.org](mailto:sfitch@tasisengland.org).

We will not share information about you with third parties without your consent unless the law or our policies require or allow us to do so.

We are required, by law to pass on some of this personal data to:

- our local authority
- the Department for Education (DfE)

### **The lawful basis on which we use this information**

We process this information under a number of Articles of the GDPR, including but not limited to:

- **Article 6(1)(b)** processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.
- **Article 9(2)(b)** processing is necessary for the purpose of carrying out the obligations and exercising specific rights of the controller (the School) or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject.

### **Storing student and parent information**

We hold student data in accordance with our Data Protection and Records Retention Policies, which can be accessed on our website.

We keep your information for as long as we need to in order to educate and look after your child. We will keep some information after your child has left the School.

In exceptional circumstances we may keep your information for a longer time than usual but we would only do so if we had a good reason and only if we are allowed to do so under data protection law.

We may keep information about you indefinitely for historical, research or statistical purposes. For example, if we consider the information might be useful if someone wanted to write a book about the School.

### **Sending information to other countries**

We may send your information to other countries where:

- we store information on computer servers based overseas; or
- we communicate with you or your child when you are overseas (for example, during the summer holidays if you live in a different country).

### **Rights of parents and students**

GDPR gives you a number of rights regarding your personal data and information. Some of these are new rights whilst others build on your existing rights. Your rights are as follows:

- if information is incorrect you can ask us to correct it;

The current version of any policy, procedure, protocol or guideline is the version held on the TASIS website. It is the responsibility of all staff to ensure that they are following the current version.

- you can also ask what information we hold about you and be provided with a copy;
- you can ask us to delete the information that we hold about you in certain circumstances;
- you can ask us to send you, or another organisation, certain types of information about you in a format that can be read by computer;
- you can restrict our use of information about you in some cases. For example, if you tell us that the information is inaccurate we can only use it for limited purposes while we check its accuracy;
- you can prevent us using personal data and information for the purposes of marketing.

If you have provided consent for the processing of your data you have the right (in certain circumstances) to withdraw that consent at any time, which will not affect the lawfulness of the processing before your consent was withdrawn. The giving and withdrawing of consent is subject to the person's age and capacity.

To make a request for personal data (a Data Subject Access Request, SAR) please refer to Appendix 4 of this policy.

#### **Further information**

Like other organisations we need to keep your information 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.

This notice is to explain how we use your personal information.

Please contact us if:

- you object to us using your information for marketing purposes e.g. to send you information about School events. We will stop using your information for marketing purposes if you tell us not to;
- you would like us to update the information we hold about you; or
- you would prefer that certain information is kept confidential.

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance. Alternatively, please visit the Information Commissioner's Office: <https://ico.org.uk/concerns/> if you believe that we have not complied with the requirements of the GDPR with regard to your personal data.

If you require more information about how the DfE store and use your personal data please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

If you would like to discuss anything in this privacy notice, please contact our Data Protection Officer: David Harris at [dharris@tasisengland.org](mailto:dharris@tasisengland.org).

The current version of any policy, procedure, protocol or guideline is the version held on the TASIS website. It is the responsibility of all staff to ensure that they are following the current version.

## Appendix 2 – Privacy Notice for Staff and Faculty

### Introduction

As your employer, the School needs to keep and process information about you for normal employment purposes. The information we hold and process will be used for our management and administrative use only. We will keep and use it to enable us to run the School and manage our relationship with you effectively, lawfully and appropriately, during the recruitment process, whilst you are working for us, at the time when your employment ends and after you have left. This includes using information to enable us to comply with the employment contract, to comply with any legal requirements including the safeguarding of our students, pursue the legitimate interests of the School, and protect our legal position in the event of legal proceedings. If you do not provide this information we may be unable, in some circumstances, to comply with our obligations and we will tell you about the implications of that decision.

Much of the information we hold will have been provided by you, but some may come from other internal sources, such as your manager, or in some cases, external sources, such as referees during your recruitment.

The following are examples of information and data that is personal to you, that we typically require and hold:

- Application form submitted at initiation of recruitment process.
- Proof of identification (such as copy of passport photo page).
- DBS Checks.
- References as provided as part of the recruitment process.
- Personal information (such as name, employee or teacher number, national insurance number);
- Qualifications and experience (and, where relevant, subjects taught).
- Contract information (such as start dates, hours worked, post, roles and salary information as well as any amendments).
- Special categories of data including characteristics information such as gender, age, ethnic group.
- Attendance and absence information (such as number of absences and reasons).
- Medical information and, where necessary, information relating to your health, which could include reasons for absence and GP reports and notes. This information will be used in order to comply with our health and safety and occupational health obligations as well as, where appropriate, the provision of employment-related benefits (such as pensions and life assurance).
- Records relating to your career history, such as training records, appraisals, other performance measures and, where appropriate, disciplinary and grievance records.
- Payroll-related information (such as personal bank details for salary and expenses payments).
- Photographs: We collect photographic images of staff and faculty members, which we use for purposes of identification.
- CCTV: images of staff, faculty members, parents, students and other visitors to the School will be captured by our CCTV system which monitors public areas including the main

The current version of any policy, procedure, protocol or guideline is the version held on the TASIS website. It is the responsibility of all staff to ensure that they are following the current version.

entrance used by visitors, the pedestrian and vehicle gates, and the entrances to all other School buildings.

- In addition, we monitor computer [and telephone/mobile telephone] use, as detailed in our [E-Safety Policy](#).

You will inevitably be referred to in many School documents and records, which are produced by you and/or your colleagues in the course of carrying out your duties (such as telephone lists and staff profiles).

### **Why we collect and use this information**

We control and process personal information to enable us to provide education and training conducted outside the State system, welfare and educational support services, to administer School property and library services, to maintain our own accounts and records, for administration in connection with boarding and the organisation of alumni associations and events, for fundraising purposes and to support and manage our staff and faculty. Our processing also includes the use of CCTV to maintain the security of the premises and for preventing and investigating crime.

We use school workforce data to:

- enable the development of a comprehensive picture of staff and faculty and how they are deployed;
- inform the development of recruitment and retention policies;
- enable individuals to be paid and receive relevant benefits;
- ensure the School's compliance with relevant statutory requirements

### **The lawful basis on which we process this information**

We process this information under a number of Articles of the GDPR, including but not limited to:

- **Article 6(1)(b)** processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.
- **Article 9(2)(b)** processing is necessary for the purpose of carrying out the obligations and exercising specific rights of the controller (the School) or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject.

### **Collecting this information**

Whilst the majority of information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with data protection legislation, we will inform you whether you are **required** to provide certain school workforce information to us, or if you have a choice in this, and we will do so before you submit it.

### **Storing this information**

We hold your personal data in accordance with our Data Protection and Records Retention Policies and we keep your information for as long as we need to in order to fulfill legal and contractual

The current version of any policy, procedure, protocol or guideline is the version held on the TASIS website. It is the responsibility of all staff to ensure that they are following the current version.

obligations. Some of these obligations may mean that we keep this information after your employment with the School has ended.

### Who we share this information with

We routinely share this information with:

- Our **local authority** - We are required to share information about our workforce members with our local authority (LA) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.
- The **Department for Education** (DfE) - We share personal data with the DfE on a statutory basis. This data sharing underpins workforce policy monitoring, evaluation, and links to school funding / expenditure and the assessment of educational attainment. To find out more about the data collection requirements placed on us by the DfE including the data that we share with them, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

We will only disclose information about you to third parties if we are legally obliged to do so or where we need to comply with our contractual duties to you, for instance we may need to pass on certain information to pension or health insurance schemes.

We may transfer information about you to other group companies for purposes connected with your employment or the management of the School's business.

In limited and necessary circumstances, your information may be transferred outside of the EEA or to an international organisation to hold and process the personal data of you and your colleagues (such as our use of on-line databases to manage records). We have in place safeguards to ensure the security of your data, as described in our [Data Protection Policy](#).

We do not share information about workforce members with anyone without your consent unless the law and our policies require or allow us to do so.

We do not use personal data for automated decision-making (including profiling).

### Your rights

GDPR gives you a number of rights regarding your personal data and information. Some of these are new rights whilst others build on your existing rights. Your rights are as follows:

- if information is incorrect you can ask us to correct it;
- you can also ask what information we hold about you and be provided with a copy;
- you can ask us to delete the information that we hold about you in certain circumstances;
- you can ask us to send you, or another organisation, certain types of information about you in a format that can be read by computer;
- our use of information about you may be restricted in some cases. For example, if you tell us that the information is inaccurate we can only use it for limited purposes while we check its accuracy;
- prevent us using personal data and information for the purposes of marketing.

If you have provided consent for the processing of your data you have the right (in certain circumstances) to withdraw that consent at any time, which will not affect the lawfulness of the processing before your consent was withdrawn.

The current version of any policy, procedure, protocol or guideline is the version held on the TASIS website. It is the responsibility of all staff to ensure that they are following the current version.

To make a request for your personal data and information, contact Jason Tait, Director of Pastoral Care at [jtait@tasisengland.org](mailto:jtait@tasisengland.org).

**Further information**

Like other organisations we need to keep your information 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.

This notice is to explain how we use your personal information. Please contact us if:

- you would like us to update the information we hold about you; or
- you would prefer that certain information is kept confidential.

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance. Alternatively, please visit the Information Commissioner's Office: <https://ico.org.uk/concerns/> if you believe that we have not complied with the requirements of the GDPR with regard to your personal data.

If you require more information about how the DfE store and use your personal data please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

If you would like to discuss anything in this privacy notice, please contact our Data Protection Officer: David Harris, at [dharris@tasisengland.org](mailto:dharris@tasisengland.org).

The current version of any policy, procedure, protocol or guideline is the version held on the TASIS website. It is the responsibility of all staff to ensure that they are following the current version.

### **Appendix 3 to Data Protection Policy**

#### **Privacy Notice for Visitors**

As a visitor to the School we need to hold certain information about you (your 'Personal Data'). This notice will inform you about the data we hold about you and how we use it.

You have certain rights, including how to get a copy of your data, how to get it corrected or deleted, and how to complain. These rights are set out in more detail below.

Please note that on occasions we may process "special categories" of information about you. Examples of this information include the revealing of racial or ethnic origin; the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person or data concerning health.

#### **Your rights in relation to your personal data**

You have a number of rights over your personal information, which are:

- if information is incorrect you can ask us to correct it;
- you can also ask what information we hold about you and be provided with a copy;
- you can ask us to delete the information that we hold about you in certain circumstances;
- you can ask us to send you, or another organisation, certain types of information about you in a format that can be read by computer;
- our use of information about you may be restricted in some cases. For example, if you tell us that the information is inaccurate we can only use it for limited purposes while we check its accuracy; and
- prevent us using personal data and information for the purposes of marketing.

If you have provided consent for the processing of your data you have the right (in certain circumstances) to withdraw that consent at any time, which will not affect the lawfulness of the processing before your consent was withdrawn.

#### **What personal data do we hold?**

As part of your visit to the School we store and use your personal details and information about your visit for the purposes of managing and operating the School. We use CCTV throughout the School for the purposes of crime prevention, security and health and safety and, accordingly, will capture imagery of visitors to the School.

The following points give you an indication of the personally identifiable data we could ask for and hold about you depending on your reason for visiting the School and how long / how often you may be visiting us:

- Contact details, contact preferences, date of birth, identification documents, car registrations
- Safeguarding information
- Photographs
- CCTV images captured in school

The current version of any policy, procedure, protocol or guideline is the version held on the TASIS website. It is the responsibility of all staff to ensure that they are following the current version.

**Why we use this data**

We use this data to:

- Protect pupil welfare
- Protect the School buildings and site
- Protect the safety of visitors to our School
- Assess the quality of our services
- Comply with the law regarding data sharing

**What is the legal basis on which we collect and use your personal data?**

Except in the circumstances highlighted below, we process this information on the basis of our legitimate interests:

- We have a legitimate interest in wishing to interact with you to manage and operate our School effectively and to ensure that the School is safe and secure for all persons visiting; and
- to be able to do so, we need to understand details of who is on site and to be able to communicate with them.

Where we are required by law to hold certain records, then we collect and hold those records to comply with that legal obligation.

Less commonly, we may also process visitors' personal data in situations where:

- we have obtained consent to use it in a certain way; or
- we need to protect the individual's vital interests (or someone else's interests).

Where we have obtained consent to use visitors' personal data, this consent can be withdrawn at any time. We will make this clear when we ask for consent, and explain how consent can be withdrawn.

Some of the reasons listed above for collecting and using visitors' personal data overlap, and there may be several grounds that justify our use of this data.

**How do we share your personal data?**

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

We do not share information about visitors with any third party without consent unless the law and our policies allow us to do so. Where it is legally required, or necessary (and it complies with data protection law) we may share personal information about visitors with:

- The Department for Education – to meet our legal obligations;
- Our School Inspectors – to demonstrate our effective management of the School;

The current version of any policy, procedure, protocol or guideline is the version held on the TASIS website. It is the responsibility of all staff to ensure that they are following the current version.

- Suppliers and service providers – to enable them to provide the service we have contracted them for, such as our visitor management system;
- Central and local government – to meet our legal obligations;
- Professional advisers and consultants – to ensure the smooth running of the school; and
- Police forces, courts, tribunals – as and when needed, to meet any legal obligations and to ensure the safety of the whole school community.

### **How long do we keep your personal data?**

We maintain personal data in accordance with our Data Protection and Records Retention policies.

### **Who can you contact?**

Like other organisations we need to keep your information 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 and lawfully.

This notice is to explain how we use your personal information. Please contact us if:

- you would like us to update the information we hold about you; or
- you would prefer that certain information is kept confidential.

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance. Alternatively, please visit the Information Commissioner's Office: <https://ico.org.uk/concerns/> if you believe that we have not complied with the requirements of the GDPR with regard to your personal data.

If you require more information about how the DfE store and use your personal data please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

If you would like to discuss anything in this privacy notice, please contact our Data Protection Officer: David Harris, at [dharris@tasisengland.org](mailto:dharris@tasisengland.org).

The current version of any policy, procedure, protocol or guideline is the version held on the TASIS website. It is the responsibility of all staff to ensure that they are following the current version.

## **Appendix 4 –Data Subject Access Request (SAR)**

### **Rights of access to information**

There are two distinct rights of access to information held by schools about students.

1. Under the General Data Protection Regulation (GDPR) any individual has the right to make a request to access the personal information held about them.
2. The right of those entitled to have access to curricular and educational records as defined within the Education Student Information (Wales) Regulations 2004.

These procedures relate to subject access requests made under the GDPR.

**Requests for information can be made verbally or in writing, which includes email, using the form below.**

### **Responding to a SAR**

If the initial request does not clearly identify the information required, then further enquiries will be made.

Before we process a SAR or release information to you, we need to be confident of your identity so we may ask you for additional information in order to verify it, for example:

- Passport
- Driving licence
- Utility bills with the current address
- Birth / Marriage certificate
- P45/P60
- Credit Card or Mortgage statement
- This list is not exhaustive.

Any individual has the right of access to information held about them. However with children, this is dependent upon their age (depending on the child's age and level of understanding) and the nature of the request. The Head of School should discuss the request with the child and take their views into account when making a decision. At 13 years of age a child can refuse to consent to the request for their records. Where the child is not 13 or older an individual with parental responsibility or guardian should make the decision on behalf of the child.

The response time for SARs, once officially received, is 30 days (not working or school days but calendar days, irrespective of School holiday periods unless it for an 'educational record'). GDPR allows exemptions as to the provision of some information; therefore all information will be reviewed prior to disclosure.

Third party information is that which has been provided by another, such as the Police, Local Authority, Health Care professional or another school. Before disclosing third party information consent should normally be obtained. There is still a need to adhere to the 30-day statutory timescale.

The current version of any policy, procedure, protocol or guideline is the version held on the TASIS website. It is the responsibility of all staff to ensure that they are following the current version.

Any information which may cause serious harm to the physical or mental health or emotional condition of the student or another should not be disclosed, nor should information that would reveal that the child is at risk of abuse, or information relating to court proceedings.

If there are concerns over the disclosure of information then additional advice should be sought.

Where redaction (information blacked out/removed) has taken place then a full copy of the information provided should be retained in order to establish, if a complaint is made, what was redacted and why.

Information disclosed should be clear, thus any codes or technical terms will need to be clarified and explained. If information contained within the disclosure is difficult to read or illegible, then it should be retyped.

Information can be provided at the School with a member of staff on hand to help and explain matters if requested, or provided at face-to-face handover. The views of the applicant should be taken into account when considering the method of delivery. If postal systems have to be used then registered/recorded mail must be used.

### **Complaints**

Complaints about this procedure should be made to the Head of School who will decide whether it is appropriate for the complaint to be dealt with in accordance with the School's [Complaint's Policy for Parents of Students](#).

Complaints which are not appropriate to be dealt with through the School's complaint procedure or cannot be resolved by the School can be dealt with by the Information Commissioner. Contact details of both will be provided with the disclosure information.

### **Contacts**

If you have any queries or concerns regarding this procedure then please contact Jason Tait, Director of Pastoral Care at [jtait@tasisengland.org](mailto:jtait@tasisengland.org).

Further advice and information can be obtained from the Information Commissioner's Office, <http://www.ico.gov.uk>.

The current version of any policy, procedure, protocol or guideline is the version held on the TASIS website. It is the responsibility of all staff to ensure that they are following the current version.

### SUBJECT ACCESS REQUEST FORM

If you want a copy of any personal data TESIS England holds about you, please complete this form and send it the address below.

The information you supply in this form will only be used for the purposes of identifying the personal data you are requesting and enabling us to respond to your request.

**Please send your completed form and proof of identity to: Jason Tait, Director of Pastoral Care at [jtait@tasisengland.org](mailto:jtait@tasisengland.org)**

#### Section 1: Details of the person requesting information

Your full name:	
Your address:	
Your telephone number:	
Your email address:	

#### Section 2: Are you the data subject?

Please tick the appropriate box.

**YES:** I am the data subject. I enclose proof of my identity (see below).

Please proceed to Section 4, or

**NO:** I am acting on behalf of the data subject. I have enclosed the data subject's written authority and proof of the data subject's identity and my own identity (see below).

Please proceed to Section 3.

To ensure that we are releasing data to the right person we require you to provide us with proof of your identity and of your address. Please supply us with a photocopy or scanned image (do not send the originals) of one of both of the following two categories:

- 1) **Proof of Identity.** We need one of the following: passport, photo driving license, national identity card or birth certificate.
- 2) **Proof of Address.** We need one of the following: utility bill, bank statement, credit card statement (no more than 3 months old), current driving license or local authority council tax bill.

The current version of any policy, procedure, protocol or guideline is the version held on the TESIS website. It is the responsibility of all staff to ensure that they are following the current version.



**Section 5: Information about the data collection and processing**

If you want information about any of the following, please tick the boxes:

- Why we are processing your personal data
- To whom your personal data are disclosed
- The source of your personal data

**Section 6: Disclosure of CCTV images**

If the information you seek is in the form of video images captured by our CCTV security cameras, would you be satisfied with viewing these images?

- YES
- NO

**Section 7: Declaration**

Please note that any attempt to mislead may result in legal action.

I confirm that I have read and understood the terms of this Data Subject Access Request Form and certify that the information given in this application to TASIS England is true. I understand that it is necessary for TASIS England to confirm my / the data subject’s identity and it may be necessary to obtain more detailed information in order to locate the correct personal data.

.....  
Signature

.....  
Date

**Attachments:**

I am enclosing the following copies as proof of identity:

.....

.....

.....

.....

.....

.....

The current version of any policy, procedure, protocol or guideline is the version held on the TASIS website. It is the responsibility of all staff to ensure that they are following the current version.