

TOWNSHEND International School Guidelines on Personal Data Protection

Valid from 24. 5. 2018

1. The scope

1.1 These Guidelines regulate the procedures applied by the school, its employees or further involved persons to personal data handling, the rules for the collection, storage, use, disclosure and keeping of personal data. The Guidelines also regulate some obligations of the school, its employees or further involved persons in personal data handling.

1.2 These Guidelines are binding for all employees of the school. The Guidelines are also binding for further entities that have a legal relationship with the school (a contract of work, a lease contract) and that have undertaken to adhere to these Guidelines.

2. Personal data handling principles

The school, its employees or further involved persons adhere to the following principles in personal data handling:

- To proceed in compliance with the applicable regulations when handling personal data,*
- To handle personal data with consideration, not to overuse the consent to personal data processing,*
- To process personal data for the given purpose and to the given extent and to care about the correctness and exactness of such data,*
- To process personal data in compliance with legal principles - on the basis of the applicable regulations, in the performance of a contract, in the execution of the legal obligations of an administrator, in the protection of vital interests of the data subject or another natural person (particularly children enjoy higher protection), in the protection of the lawful interests of the school, in the protection of the public interest and processing of personal data on the basis of consent,*
- To respect the rights of an individual that is the data subject, particularly the right to give and revoke consent to the processing, the right for deletion, the right to object to the extent of the data processing.*
- To provide children with special protection in personal data processing,*
- To provide information on the processing of personal data, to communicate,*
- To keep in mind the obligation to protect personal data against abuse in entering into contracts and in execution of legal acts,*
- To cooperate with a data protection officer.*

3. Procedures of the school, its employees or further involved persons in handling personal data

3.1 The school protects all the personal data it handles and processes against abuse by adequate and available means. The school particularly stores personal data in areas, at places, in the environment or in a system where a limited, defined group of people, known at each moment at least to the Director, have access; other people can only obtain access to personal data with consent from the Director or a person appointed by the Director.

3.2 The school will take measures ensuring that at least the Director or a person appointed by the Director or the data protection officer is aware of the personal data handling and processing. Such measures are for example oral or written information, written communication, specification of obligations in a contract of employment, contract of work, in a contract that the school enters into with a third person (a lease contract, a performance contract, a service contract).

3.3 At least once a year the school will evaluate the personal data handling and processing procedures. Such an evaluation can be performed in line with the school customs, a brief note is usually included in the minutes from a meeting. If any of the school procedures are found obsolete, redundant or have not proven effective, the school will arrange for an immediate remedy.

3.4 Each employee of the school, when handling personal data, has to respect its nature and the fact that it is a part of the privacy of the data subject and will adapt the related acts to this fact. An employee does not reveal personal data without being sure that it is allowable, he/she does not make personal data accessible to persons that do not possess the right to handle it. An employee, if such an obligation results from other documents, informs the data subject on his/her rights for personal data protection; otherwise he/she will refer him/her to the Director or a person appointed by the Director or the data protection officer.

3.5 The school actively cooperates with the data protection officer in handling and processing personal data.

3.6 The school immediately deals with any personal data safety related incident, namely in cooperation with the data protection officer. If there is a probability that an incident might lead to a high risk for the rights and freedoms of natural persons, primarily of a particular pupil, student, employee, guardian etc., the school will first inform the concerned person about the case and about the remedial measures it has taken. A record is written about each incident. The school will inform the Personal Data Protection Office about each serious incident.

3.7 With regard to the fact that the school stores basically the data on students and employees that is laid by the law (particularly by the School Act and labour law regulations) it has no notification obligation to the Personal Data Protection Office pursuant to the provision of sec. 3.6 sentence 1.

3.8 Organizational measures for personal data protection in the school

3.8.1 Documents that contain personal data on students are permanently stored in lockable cabinets in the school office. They are given to class teachers for the time

necessary for making entries and they must not be taken out of the school, given to foreign persons, copied and copies made available to unauthorized persons.

3.8.2 Electronic registration is conducted in a safe information system "SIS". Individual teachers of the school and further persons authorized by the Director in written have access to the system, each with a unique login name and a password and only within a specific scope of authorization. Authorized persons are not allowed to leave the computer without being logged out, they are not allowed to let another person look at the computer and they have to keep the passwords in secret and if a password leaks out it has to be changed immediately (in cooperation with the network administrator).

3.8.3 Employee personnel files are kept in a lockable cabinet in the Director's office or Finance office.

3.8.4 Each employee has the right to know the content of his/her personnel file.

3.8.5 Employees of the school do not reveal personal data on employees and students of the school in any form to any third persons or institutions, on the phone, by e-mail or in personal contact.

3.8.6 Written assessments and references that are sent away from the school, for example for the purpose of legal procedures, admission procedures are elaborated by employees appointed by the Director. These persons are however not authorized to sign, give away or send them on behalf of the school and they are obliged to keep the matters confidential.

3.8.7 Lists of students are not published, made available to other natural persons or legal entities or authorities unless they perform a supervisory function over the school or unless it is prescribed by the law, without intentional consent from students or their guardians.

3.8.8 Text and pictorial information in promotional materials, annual reports or school yearbooks can only be published with the name (or the year or the class) with general consent of students or their guardians. In the instance of press publication, the author asks the concerned student for consent. A student or his/her guardian has the right to claim immediate blocking or removal of information or a photo related to him/her if he/she does not want it to be published. The same applies to student photographs and records without presentation of a name within general documentation of school events and achievements.

3.8.9 Psychological, medical and other surveys and tests that involve presentation of students' personal data can only be carried out among students with consent from the concerned students or their guardians. This does not apply to anonymous surveys that however have to be related to the education provided by the particular school and have to be approved by the Director or a vice Director in advance; this particularly applies if the results are released out of the school.

3.8.10 If forms and software are used for the school documentation they have to be checked whether they require or offer registration of redundant data and such data must not be processed.

3.8.11 The security camera system is set up purely to ensure the safety of staff and students by being a deterrent for criminal activity and to identifying individuals involved in such activity. Recordings and logs are stored securely and privately. Individuals have the right to request a copy of any footage in which they are in focus and/or clearly identifiable.

3.8.12 When the school enters into any contract (a lease contract, a contract for work, a service contract, an unnamed contract etc.) where the other party is provided with personal data the school always and unconditionally insists on the following obligations of the other party to be included into the contract:

- to take all safety, technical, organizational and other measures with regard to the conditions of the technology, to the nature of the processing, to the extent, context and purpose of the processing to prevent any breach of the personal data made available,*
- not to involve any further persons in the processing without prior written consent from the school,*
- to process personal data solely for the purpose of the contract performance (including transfer of data to third countries or international organizations); the only exception is where certain obligations are directly prescribed by a regulation,*
- to ensure that persons authorized to personal data processing on the supplier's side are bound to confidentiality or the statutory obligation of confidentiality applies to them,*
- to ensure that a supplier will be ready to assist the school in meeting its obligations without undue delay, particularly the obligations to respond to the requests for the execution of the rights of data subjects, the obligations to report the cases of a personal data breach to the supervisory authority pursuant to Art. 33 of the Regulation, the obligation to communicate a personal data breach to the concerned data subject pursuant to Art. 34 of the Regulation, the obligation to assess the impact on personal data protection pursuant to Art. 35 of the Regulation and the obligation to carry out prior consultation pursuant to Art. 36 of the Regulation, and to take appropriate technical and organisational measures for this purpose and to inform the school about such measures immediately,*
- to treat the processed personal data properly after the termination of the contract,*
- to provide the school with all information necessary for proper documentation that all the obligations set for the school by the regulations have been met,*
- to enable the school or an authorized body to carry out an audit or an inspection pursuant to the applicable regulations,*

- to provide the school without undue delay with the cooperation necessary for the meeting of its regulatory obligations related to personal data protection and processing,
- to protect the obtained data in compliance with the regulations,
- to proceed adequately according to these Guidelines, which forms an annex to the contract.

4. The rules for the obtaining, collection, storage, use, sharing and keeping personal data.

4.1 The school only handles and processes personal data

- related to the job and wage classification of employees or contracted persons, to their social or health insurance (e.g. the achieved education, years of experience, position etc.),
- related to the unequivocal identification of the guardians of pupils in compliance with the law (name, surname, residence, contact, for example a telephone number in case of necessity to contact the guardian in relation to pupil's health, safety or rights, further data necessary e.g. for the issue of an administration decision etc.
- related to the identification of a pupil set by the law (date of birth, place of birth, birth number, nationality, residence, information on the guardian, a court decision on a custody award, necessary health information etc.),
- necessary for the meeting of legal obligations, for the protection of the legitimate interests of the school or in the public interest,
- to the processing of which the school has obtained consent from the data subjects.

4.2 Personal data is only stored for the period necessary for the achievement of the purpose of its processing, including the archiving.

4.4 Only persons authorized by the law or on the basis of the law have access to personal data. The following persons have access to the individual school documents that contain personal data:

- employee personnel file: managers that are superior to the employee. A labour inspection body, the Labour Office, a public prosecutor, an appropriate body of the Police of the Czech Republic, the National Security Authority, and intelligence servicers are authorized to inspect an employee personal file. An employee has the right to see his/her personal file, to take extracts and make copies of documents therein contained, all at the employer's expense (sec 312 of the Labour Code),
- student data in the school registry: teachers of the school (to the extent given by the position), the school secretary,
- student health records, examination reports from the school advisory facility, medical reports: the career counsellor, head teachers, the class teacher,

- a file required for an administrative procedure: the secretary, head teachers (Director, Academic Director, Residential Director), a person authorized to work with the file during the procedure.

5. Consent to personal data processing

5.1 For personal data processing beyond the statutory extent (legitimate interest, compliance with a legal obligation, performance of a contract and public interest are also within the statutory extent) consent of the personal data subject is necessary. The consent has to be informed and specific, preferably in written. Consent is given for specific data only (specified e.g. in terms of type), for a specific period and for a specific purpose.

5.2 Consent to personal data processing can only be obtained if such processing is necessary and no regulations provide for another reason for such processing.

5.3 Consent is given according to the purpose e.g. for the whole school attendance, for an academic year, for the period of the open-air school etc. A given consent can be revoked in compliance with the regulations.

6. Some obligations of the school, its employees and further possible persons in personal data handling

6.1 Each employee of the school is obliged to act in such manners that do not threaten the protection of the data processed by the school.

6.2 Each employee of the school is moreover obliged

- to prevent accidental and unauthorized access to personal data of employees, students, guardians and further persons that the school processes,
- if he/she ascertains a breach of personal data protection, unauthorized use of personal data, abuse of personal data or other unauthorized behaviour related to personal data protection he/she will immediately stop further unauthorized handling, particularly ensure inaccessibility and notify the Director or another involved person of the fact.

6.3 The school Director is obliged

- to keep employees informed on all important facts, procedures or events related to personal data handling in the school, with no undue delay,
- to ensure that the employees of the school are duly instructed in the rights and obligations in relation to personal data protection,
- to ensure that the employees of the school are, within the school's bounds of possibility and needs, educated or trained in personal data protection,
- to ensure that the school is able to document the fulfilment of its obligations in personal data protection that follow from the applicable regulations.