

ACS Privacy Notice

Please note:

In countries where ACS International Schools is operating outside of the United Kingdom the UK regulatory framework will provide the foundation for best practice as far as this policy is concerned. All ACS schools will operate in compliance with the relevant legislation of the country in which they are operating.

ACS International Schools is committed to protecting individual's personal data, and aims to remain at all times fully compliant with data protection laws and guidance from the relevant regulators. ACS further commits to ensuring that the planning and writing of all policies and procedures that involve the handling of personal data are guided by the principle of privacy by design, and that individuals' rights to have their data safeguarded are a paramount consideration in ACS' pursuit of all its operational and strategic practices.

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Policy Statement

ACS complies with the relevant national data protection regulations. ACS is committed to keeping personal information accurate, up-to-date, safe, secure and will not keep personal information longer than necessary. This privacy notice explains how ACS uses personal information, with whom it is shared and the ways in which ACS protects and accounts for the protections to privacy. This notice applies to all personal data collected for and on behalf of ACS. This pertains to information collected in analogue (forms, documents, in writing) and through technological means such as information systems and email.

From time to time, ACS will indicate, via a separate specific privacy notice, when additional personal information is required for processing.

Introduction

This privacy notice sets out the basis on which any personal data collected by ACS International Schools (henceforward referred to as ACS), or provided to ACS by users of its services, will be treated. The policy aims to set out ACS' views and practices regarding personal data and how this data will be handled and stored. For the purpose of the UK Data Protection Act 2018, ACS is the data controller.

The ACS website is operated by ACS International Schools Ltd. ACS is registered in England and Wales under company number 910010, and the registered office is located at Heywood, Portsmouth Road, Cobham, Surrey, KT11 1BL. ACS is registered charity number 1179820 in the United Kingdom.

For the purpose of this policy the terms “data processor”, “data subject” and “data controller” are defined as in Article 4 of the GDPR. The term “user” refers to anyone using ACS' services including its online services such as the ACS website at www.acs-schools.com. The term “community member” refers to students, staff, parents, alumni and members of the ACS governing board.

ACS is registered with the Information Commissioner's Office (ICO) as ACS International Schools. under registration number ZA483023. ACS is mindful of its responsibilities as a data controller with regard to the six principles of the 2018 Act. Consequently, ACS commits to ensuring that personal data is:

- processed fairly, lawfully and in a transparent manner;
- collected for specified, explicit and legitimate purposes;
- adequate, relevant and not excessive;
- accurate and up to date;
- not kept for longer than is necessary;

ACS further commits to the principle of privacy by design recommended by the ICO and described in the General Data Protection Regulations (GDPR). To that end, ACS commits to monitoring, through the Policy Committee and the Data Protection and Compliance offices, the effectiveness of all policies guiding data use, and by providing ongoing training for staff handling data. In addition, all new systems, policies and procedures introduced at ACS will be designed to include consideration of data privacy concerns.

Following the UK's exit from the European Union on 31st January 2020, the Amended Data Protection Act, based on UK-GDPR, has become the formal legislation by which data protection is guided in the UK.

ACS recognises that although the UK-GDPR is largely similar to the EU-GDPR some differences exist in areas such as immigration, national security and intelligence. ACS recognises that the final arbiter in data protection and data privacy decisions in the UK is now be the ICO, and not the European Data Protection Board. In addition, ACS is cognizant of the fact that the Secretary of State has assumed the power to determine or revoke decisions on adequacy on behalf of the UK-GDPR without needing to refer to the ICO.

For the purpose of clarity, in this policy references to the GDPR and the Data Protection Act should be taken to mean the versions of both documents in law following the UK's formal exit from the European Union. This policy will be reviewed in January 2021 at the end of the UK's transition period.

How ACS uses personal information

ACS collects personal information and sensitive categories of personal information of students, parents, employees and at times third parties, to provide a safe and caring environment for teaching, learning and general educational purposes in line with our philosophy and core values. ACS uses the information provided to it for purposes that are necessary by law and required to undertake the performance of the contract into which parents and others have entered, as required to do by law. ACS commits to ensuring that the relevant legal conditions are always met for processing personal and sensitive information.

ACS uses the information provided to it in the following ways:

- to undertake and manage the school admissions and enrolment;
- for approved school trips;
- to provide a safe learning environment;
- to comply with child protection requirements;
- to support and enable the academic, pastoral and personal objectives of children, including the monitoring and reporting of progress;
- to provide support and care for emotional and psychological wellbeing (pastoral and counselling);

- to protect the health of students and staff. ACS may also use data provided to it by other health professionals to safeguard staff and students;
- to provide a tailored learning environment and make evidence-based education decisions for children;
- to enable children to continue or progress their education at other educational organisations;
- to enable the development of a comprehensive picture of the workforce and how it is deployed;
- to inform the development of recruitment and retention policies;
- to enable individuals to be paid;
- to support and develop our employees in the performance of their duties;
- for financial planning to help in the future planning and resource investment purposes;
- for meeting statutory reporting requirements to the relevant authorities;
- to help investigate any concerns or complaints.

Why does ACS collect and use personal information?

ACS collects and uses personal information to carry out the education services as prescribed above. ACS does so under a lawful basis, as prescribed by the associated regulations. In some circumstances ACS may be required to share personal data for legal statutory purposes or under legitimate interest. If ACS needs to share personal data, the relevant administrator will ensure, if required, that the subject/s of that data is/are advised. Where ACS processes personal data on the lawful basis of legitimate interest, a Legitimate Interest Assessment (LIA) will be created and logged in line with the requirements outlined in Article 6 Recital 47 of the GDPR.

The categories of personal information that ACS collects, holds and may share include:

- personal information (such as name, date of birth, address and so forth);
- special categories of data (such as health data);
- other relevant categories for the performance of ACS services (such as assessment, relevant medical information, special educational needs information, exclusions/behavioural information and psychological reports and assessments);
- attendance information (such as sessions attended, number of absences and absence reasons);
- logging and audit in the use of IT systems and education technology apps, applications and cloud based systems;
- photographs and videos taken by staff and students throughout the school year to record and share everyday life at ACS (children may be identifiable in these photographs);
- photographs taken for identification purposes e.g. ID cards;

Collecting student information

Whilst the majority of student information provided to us is required for the performance of a contract or by law, some of it is provided to us on a voluntary basis.

In order to comply with data protection law, ACS will inform any and all data subjects when consent to process personal information is required. Where consent is provided the person giving the consent is free to withdraw their consent at any time. Under the Data Protection Act, in England a person is deemed capable of giving or removing consent from the age of thirteen. Parents or legal guardians can give consent for the processing of the personal data of children under the age of thirteen. Withdrawal of consent may be done by contacting the ACS Data Protection Officer at dpo@acs-schools.com.

Retention and storing of personal data

ACS recognises that by efficiently managing its records, it will be able to comply with its legal and regulatory obligations and to contribute to the effective overall management of the institution. Records provide evidence for protecting the legal rights and interests of the school, and provide evidence for demonstrating performance and accountability

All student and staff records will be kept securely at all times. Paper and electronic records will have appropriate security measures in place. This will ensure that confidentiality is maintained for student and staff records whilst enabling information to be shared lawfully and appropriately, and to be accessible for those authorised to see it.

The student and staff records will be disposed of in accordance with the safe disposal of records guidelines. A copy of these guidelines is available on request from the ACS Data Protection Officer at dpo@acs-schools.com. If records have been identified as historically important they will be archived.

Security

ACS will ensure the appropriate security of personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

With whom does ACS share student information?

Example of bodies with whom ACS may share data are:

- Schools, colleges or universities that the students attend after leaving ACS;
- Local education authorities in Surrey and in the London Borough of Hillingdon;
- Family nurses, doctors or social service organisations where sharing is in the vital interests, or where not sharing could have a negative impact on the individual;
- The Department for Education (DfE);
- Providers of information systems that are necessary for ACS to deliver admissions, administration, teaching and learning, pastoral development, and child protection services;
- Third parties for school trips/outings.

With whom does ACS share staff information?

Unless there is a statutory requirement ACS does not share information about staff members with anyone without consent unless the law and our policies allow us to do so.

ACS is required to share information about school employees with the local authority (LA) and the Department of Education (DfE) under section 5 of the Education (Supply of Information about the School Workforce) (England) Regulations 2007 and amendments.

Closed Circuit Television (CCTV)

ACS collects information in the form of CCTV to ensure the safety and security of students and staff. Anyone whose image is captured on ACS CCTV cameras has the right to access the images of themselves. ACS retains CCTV images for 30 days after which they are deleted. Access to these images can be requested through the Data Protection Officer at dpo@acs-schools.com.

Processing and transfers to third countries

Personal information may be transferred to organisations outside the EU for the purposes of student application for college or university. Various teaching and learning applications are also used that are based outside the EEA. Information on these and the protections afforded by these data processors can be requested from the Data Protection Officer at dpo@acs-schools.com.

Automated Profiling

ACS' IT systems profile the use, access and content viewing of all users, as required under statutory legislation (further information may be seen in *Keeping Children Safe in Education*, September 2019). The profiling enables ACS to assess child protection and safeguarding (pastoral) risks or concerns. ACS has a process in place to ensure

only those with the relevant training and expertise have access to the data generated by this processing activity.

Some educational applications profile the behaviour, use and outcomes of children. ACS has a process to assess the impact on children. In evaluating the use of these applications the school will consider the benefit gained from using it for the child to learn, develop and explore, against the negatives identified from profiling.

IT Systems

For the purposes of IT hosting and maintenance all school information including personal data is located on servers within the school, or within hosted servers provided by our service providers. No third parties have access to ACS community members' personal data unless the law allows them to do so. Where the law allows and information is shared with third parties, ACS ensures the third party maintains an equivalent level of protection of that data to that of ACS. ACS aspires to process the minimum amount of data necessary to deliver its services.

In following the principles of Article 32 - Security of Processing of the GDPR, ACS has established and maintains proportionate organisational and technical measures to protect personal information. More information on these can be requested via the ACS Data Protection Officer at dpo@acs-schools.com.

Cookies

ACS may use cookies on our website. For more information on how ACS may use cookies, please see the Acceptable Use Policy, which is available on the Intranet [at this link](#).

Requesting access to your personal data

Under data protection legislation, anyone has the right to request access to information about them that ACS holds. Requests for personal information access should be made to the ACS Data Protection Officer at dpo@acs-schools.com.

Data subjects also have certain additional rights to:

- be informed of how ACS processes their personal information – this Privacy Notice serves to explain this you but ACS encourages community members to get in contact if they have any questions;
- access their personal data processed by ACS;
- withdraw consent for the processing of their personal data;
- have data corrected if it is inaccurate or incomplete;

- have information erased (the right to be forgotten) in certain circumstances – e.g. where it is no longer needed by ACS for the purpose for which it was collected, or if consent to process it has been withdrawn;
- restrict the use of data in certain circumstances e.g. where a data subject has informed ACS that the data is inaccurate and ACS is in the process of checking this. In such circumstances ACS will continue to store the data but will not engage in additional processing until its accuracy has been checked and verified;
- to object to the processing of data in certain circumstances - e.g. someone may object to processing of their data for direct marketing purposes;
- to object to decisions being taken by automated means, and instead to request for it to be reviewed by manual intervention;
- object to processing of personal data that is likely to cause, or is causing, damage or distress;
- prevent processing for the purpose of direct marketing;
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations.

If a data subject has any concerns about the way ACS is collecting or using their personal data, they should raise their concern with ACS in the first instance.

Concerns and/or complaints may also be raised with the Supervisory Authority in the United Kingdom which is:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

<https://ico.org.uk>

Tel: 0303 123 1113 (local rate)
or
01625 545 745 (national rate)

Fax: 01625 524 510

Contact:

If you would like to discuss anything in this privacy notice, please contact the ACS Data Protection Officer, Dr. Richard Harrold at dpo@acs-schools.com.