



DATA PROTECTION POLICY

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Introduction

Preston Academy of English (PAE) needs to collect, use and share personal information about students, staff and other individuals in order to deliver its services. However, the requirement to communicate and share personal data also presents significant data protection risks.

Policy Aims

This policy sets out a framework of governance and accountability for data protection compliance across Preston Academy of English.

Preston Academy of English seeks to exercise its responsibilities and duties of care as an employer and provider of education, and fulfil all its legal and contractual obligations.

The UK Data Protection Act 1998 requires PAE to protect personal information and control how it is used in accordance with the legal rights of the data subjects - the individuals whose personal data is held.

However new regulations of GDPR is aiming to protect all EU citizens from privacy and data breaches in an increasingly data-driven world. For this reason, all staff, students and other data subjects are entitled to know-

- What information PAE holds and processes about them.
- How do we use the information?
- How we hold the information
- Disclosure of your information
- What is the legal basis for processing the information?
- Your rights and retention of your data
- How to withdraw the consent

Definitions

Information

The definition of information includes, but is not confined to, paper and electronic documents and records, email, voicemail, still and moving images and sound recordings, the spoken word, data stored on computers or tapes, transmitted across networks, printed out or written on paper, carried on portable devices, sent by post, courier or fax, posted onto intranet or internet sites or communicated using social media.

Personal Data

Information in any format that relates to a living person who can be identified from that information or other information held by Preston Academy of English, its contractors, agents and partners or other third parties.

Although the Data Protection Act applies only to living people, the scope of this policy also includes information about deceased individuals. This is because disclosure of information about the deceased may still be in breach of confidence or otherwise cause damage and distress to living relatives and loved ones.

Sensitive Personal Data

Section 2 of the Data Protection Act 1998 defines personal data as relating to an identifiable individual's

- a) Racial or ethnic origin;
- b) Political opinions;
- c) Religious or other beliefs;

- d) Membership of a trade union;
- e) Physical or mental health or condition;
- f) Sexual life;
- g) Proven or alleged offences, including any legal proceedings and their outcome.

Data Controller

An organisation which determines the purposes for which personal data is processed, and is legally accountable for the personal data that it collects, uses or contracts with others to process on its behalf.

Data Processing Officer

DPO appointment is mandatory for such controllers and processors whose core activities consist of processing operations which require regular and systematic monitoring of data subjects on a large scale or of special categories of data or data relating to criminal convictions and offences. Importantly, the DPO:

- Must be appointed on the basis of professional qualities and, in particular, expert knowledge on data protection law and practices
- May be a staff member or an external service provider
- Contact details must be provided to the relevant DPA
- Must be provided with appropriate resources to carry out their tasks and maintain their expert knowledge
- Must report directly to the highest level of management
- Must not carry out any other tasks that could result in a conflict of interest.

Data Processor

In relation to personal data, any person (other than an employee of the data controller) who processes the data on behalf of the data controller.

Data processors include students, contractors, suppliers, partners and agents. Processors must ensure no breaches of information security result from their actions, and promptly report all suspected information security breaches or incidents.

Data Subject

A person whose personal data is held by Preston Academy of English or any other organisation. Data subjects include, but are not confined to, customers, prospective applicants, applicants to study programmes and posts, current and former students, alumni, current and former employees, family members where emergency or next of kin contacts are held, contractors, volunteers, professional contacts and partners.

Data Processing

Creating, storing, accessing, using, sharing, disclosing, altering, updating, destroying or deleting personal data.

Confidential information

Any personal information that would cause damage or distress to individuals if disclosed without their consent.

Any other information that would prejudice PAEs or another party's interests if it were disclosed without authorisation.

The Law

This policy and its supporting procedures and guidance aim to ensure that PAE complies with its obligations as a Data Controller under the Data Protection Act 1998, and processes all personal data in compliance with the Data Protection Principles which are set out in the Act.

These state that personal data shall be-

- Obtained and processed fairly and lawfully, and shall not be processed unless certain conditions are met.
- Obtained for a specified and lawful purpose and shall not be processed in any manner incompatible with that purpose.
- Adequate, relevant and not excessive for those purposes.
- Accurate and kept up to date.
- Not kept for longer than is necessary for that purpose.
- Processed in accordance with the data subjects' rights, and kept safe from unauthorised access, accidental or deliberate loss or destruction.
- Not be transferred to a country outside the European Economic Area, unless that country has equivalent levels of protection for personal data.

Misuse of personal data- whether accidental or deliberate loss or disclosure to third parties, presents significant legal, financial and reputational risks.

Policy Statement

PAE is accountable for its use of personal data and will manage people's data in accordance with their rights and expectations.

Preston Academy of English applies Data Protection Principles to the management of all personal data throughout the information life cycle by adopting the following policy objectives.

The information about you we may collect, hold and process is set out below:

(a) Information collected and processed for enrolment and language education purposes is as follows:

- Your name
- Your Date of Birth
- Your emergency contact details
- Your address
- Your email address
- Your telephone number
- Your passport and visa details
- Your country of origin
- Any other language/education related information you provide, for example, education or training
- Your financial information (including but not limited to bank details /card details)
- Medical information (in specified cases – medical information may be supplied by a third party such as your GP, Consultant or Occupational Health)

(b) Information in respect to individuals that have studied with us previously or `may study with us in future is as follows:

- Name

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- Address
- Passport (if applicable, permits and visas)
- Date of Birth
- National Insurance Number
- Medical information (in specified cases – medical information may be supplied by a third party such as your GP, Consultant or Occupational Health)
- Financial information (including but not limited to bank details /card details)
- A log of our communications with you by email and telephone

This information will have been provided, or will be provided, by you or a third party who we work with, such as student enrolment agencies or individual agents

How we use the information

The above information is used to provide our services to you in our capacity as a language centre to provide you with suitable language teaching and exam preparation services based on your requirements as set out below.

The information under A above may be used as follows:

- To match your language skill sets with language proficiency level to assist in finding you the best level of English language teaching.
- To use your information for arranging social events and trips with your consent.
- To keep you informed for available opportunities as they arise
- To keep you informed of the services offered by us

The information under B above may be used as follows:

- To establish that you have the right to stay in the UK as a student.
- To deal with any medical and health and safety issues during your stay in the academy
- To use your information for financial purposes where you are a sponsored student.
- To use your information for marketing purposes with your consent.

How we hold the information

All the personal data we have is stored as a hard copy in secured cabinets in academy or online on our database in the UK.

Holding information of Children under the age of 16

- Where a situation is directly related to a child, the processing of the personal data of a child shall be lawful where the child is at least 16 years old and can give his consent to use his/her personal data.
- Where the child is below the age of 16 years, such processing shall be lawful only if and to the extent that consent is given or authorised by the holder of parental responsibility over the child.
- The controller shall make reasonable efforts to verify in such cases that consent is given or authorised by the holder of parental responsibility over the child, taking into consideration available technology.
- Any information of Children under the age of 16 can be removed on the request of the parent(s)/Guardians.

Disclosure of your information

- Your personal information will be shared with our accommodation agents, who are located inside the UK, to secure a home stay or accommodation for our student.
- Other trusted third parties that we may share your data with are as follows: Accreditation bodies such as British Council

What is the legal basis for processing the information?

- We will rely on your consent to process the information which is collected at the outset of the enrolment process.
- Information and documentation to establish your right to stay in the UK is processed by us as we are legally obliged to do so.
- In respect of medical information, the basis for us processing this will depend on the circumstances, but will usually be for one of the following reasons: it is necessary to protect health and safety within the educational environment or to prevent discrimination on the grounds of disability or where consent has been obtained, if required.
- Once a placement has been secured, we may also process your data on the basis of our legitimate interests i.e. for administrative purposes.

Your rights

You currently have the right at any time to ask for a copy of the information about you that we hold in addition to your right to be forgotten. If you would like to make a request for information please go to our website or speak to the receptionist for further detail.

Retention of your data

Your data will be retained for no longer than is necessary and in accordance with our Data Retention Policy.

Withdrawal of consent

If you have provided us with your consent to process your data, for the purpose of using our services, you have the right to withdraw this at any time. In order to do so you should contact us via email, phone or the website.

Concerns

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to Information Commissioners Office at <https://ico.org.uk/concerns>

Cookies

During the course of any visit to PAE's website, the pages you see, along with a short text file called a 'cookie', are downloaded to your computer. Many websites do this, because cookies enable website publishers to do useful things like finding out whether you have visited the website before.

A cookie is a small amount of data, which often includes an anonymous unique identifier that is sent to your browser from a website's computer and stored on your computer's hard drive. Each website can send its own cookie to your browser if

your browser's preferences allow it, but (to protect your privacy) your browser only permits a web site to access the cookies it has already sent to you, not the cookies sent to you by other

sites. Cookies record information about your online preferences. Users have the opportunity to set their computers to accept all cookies, to notify them when a cookie is issued, or not to receive cookies at any time.

Information Disclosed to Third Parties

We request that all third-party suppliers confirm that they work within the boundaries of the EU General Data Protection Regulation (GDPR) and that any agreements entered are compliant. We assume that the supplier is acting in the capacity of a 'data processor'.

In the event of a data breach the supplier will be required to notify The Company without undue delay after becoming aware of the breach. The supplier would be required to cooperate with The Company to investigate and remediate the breach, cooperate with any supervisory authorities and law enforcement.

The Supplier's data processing approach should be made available to The Company allowing us to access all the information necessary to demonstrate the supplier's compliance with its processing obligations.

Contact

Please address any questions, comments and requests regarding our data processing practices to the principal.

Non Compliance

All employees have a role to play in enforcing the policy and are required to deal with any observed or reported breaches. Should employees feel apprehensive about their own safety in regard to addressing any breach, they should seek senior management support.

Failure to comply with this policy may lead to a lack of clarity over job role, learning needs or expected standards of performance, resulting in reduced effectiveness or efficiency, underperformance and putting service delivery at risk.

Any member of staff refusing to observe the policy will be liable to disciplinary action in accordance with the Preston Academy of English Disciplinary Policy, up to and including dismissal.

Implementation of the Policy

Overall responsibility for policy implementation and review rests with Preston Academy of English senior management. However, all employees are required to adhere to and support the implementation of the policy. Preston Academy of English will inform all existing employees about this policy and their role in the implementation of the policy. It will also give all new employees notice of the policy on induction to Preston Academy of English.

This policy will be implemented through the development and maintenance of procedures for appraisals and one-to-one meetings, using template forms, and guidance given to both managers and employees on the process.