

# **The Medway School of English Ltd**

## **Privacy Policy**



This is the general privacy statement for The Medway School of English Ltd, for the educational services, and support services we provide.

The contact person for all requirements is Mr Christian Schmitz, Managing Director.

The Medway School of English Ltd is registered under reference A8471010 with the Information Commissioner's Office (ICO) and compliant with its' policies.

The Medway School of English Ltd is committed to making sure that the privacy of our data subjects is protected. This privacy statement explains what information we collect, how we use this information and the procedures that we have in place to safeguard your privacy. It also details the rights of all data subjects and how to exercise those rights as well as how to make a complaint to the ICO.

- We will only collect data for specific and specified purposes; we will make it clear at the point when we request your information, what we are collecting it for and how we are going to use it.
- We will not collect data beyond what is necessary to accomplish those purposes; we will minimize the amount of information we collect from you to what we need to deliver the services required. This will be in line with ICO practice.
- We will collect and use your personal information only if we have sensible business reasons for doing so, such as managing a booking or gathering necessary information about a new member of staff, host family etc.
- We will not use data for purposes other than that for which the data was collected, except as stated, or with prior consent;
- We will seek to verify and/or update data periodically, and we will accept requests for amendments of personal data;
- We will apply high technical standards to make our processing of data secure;
- Except when stated, we will not store data in identifiable form longer than is necessary to accomplish its purpose, or as is required by law and/or practices of the ICO.

### **Information collected**

We collect information on you:

- When you apply to join a course or one of our programmes
- When you contact us for information, via our website, by email, by phone or in person
- When you work with us in a commercial capacity
- When you apply to become a host family
- When you apply to work at The Medway School of English, and when you are subsequently employed by The Medway School of English

## **Our students**

### **What personal data do we need from you?**

Before you start and during your relationship with us we will collect, store and process the following personal data:

- Full Name
- Address
- Contact telephone numbers
- Contact email address
- Date of birth
- Next of kin contact details
- Course and language capability details
- Medical details
- details of school in home country

Permission to collect and store data of students under the age of 18 is obtained directly from the child's parents or legal guardian through parental consent.

### **Who has access to your personal data?**

We are committed to restricting access to personal data to just those individuals who may need it to meet their or the school's obligation. The specific data each individual has access to is limited to only that which is necessary for them to be able to carry out their function. For us this means the following may have access to some or all of your data:

- The Director (Mr Christian Schmitz)
- Co-Ordinator and Safeguarding lead for EastKent: Mrs Kirkby Taken
- Office staff and teachers (limited access)
- Student support (limited access)
- IT Manager
- Bookkeeping (limited access)

### **Who do we share your personal data with outside of the school?**

In order to fulfill our regulatory and contractual obligations we will need to share your personal data with third parties outside of the school. We have also chosen to outsource some of our operational requirements and our outsourced suppliers also need access to your personal data. In all cases we have committed to limiting the personal data that we share to only that which is necessary for them to be able to carry out the function we have contracted with them to perform. However, we take your privacy seriously and will therefore, never sell your personal data to anyone and will take precautions to keep it secure. Your data may be shared with:

- host families, hotels and student residences as appropriate
- Government Enforcement Agencies e.g. the Home Office; Immigration; the Health & Safety Executive, the Police
- Taxi & airport transfer providers

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

We will retain all your personal data for the duration of your contract and then for a further 10 years to enable us to meet our regulatory and legal obligations; to ease administration should you wish to return to undertake further studies; and to

keep you up to date with news from the Medway School of English which may be of interest to you. After 10 years all records will be deleted.

## **Our host families**

### **What personal data do we need from you?**

Before you start and during your relationship with us we will collect, store and process the following personal data:

- Full Name
- Address
- Contact telephone numbers
- Contact email address
- Bank details
- Health and safety check on your property
- DBS of all family member above the age of 15

### **Who has access to your personal data?**

We are committed to restricting access to personal data to just those individuals who may need it to meet their or the school's obligation. The specific data each individual has access to is limited to only that which is necessary for them to be able to carry out their function. For us this means the following may have access to some or all of your data:

- The Director
- Safeguarding lead
- Office staff and teachers (limited access)
- Student support (limited access)
- IT Manager
- Bookkeeping (limited access)

### **Who do we share your personal data with outside of the school?**

In order to fulfill our regulatory and contractual obligations we will need to share your personal data with third parties outside of the school. We have also chosen to outsource some of our operational requirements and our outsourced suppliers also need access to your personal data. In all cases we have committed to limiting the personal data that we share to only that which is necessary for them to be able to carry out the function we have contracted with them to perform. However, we take your privacy seriously and will therefore, never sell your personal data to anyone and will take precautions to keep it secure. Your data may be shared with:

- Education Travel Organisations (Agents)
- Students and their parents
- Government Enforcement Agencies e.g. the Home Office; Immigration; the Health & Safety Executive, the Police
- Civil & Corporate – DBS Checking Service
- Taxi & airport transfer providers

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

We will retain all your personal data for the duration of your contract and then for a further 10 years to enable us to meet our regulatory and legal obligations. After 10 years all records will be deleted.

## **Legal bases for processing your data**

The General Data Protection Regulation (GDPR) establishes 6 legal bases on which we can process your data: these are Consent, Contract, Legal Obligation, Vital Interests, Public Task and Legitimate Interests. For further information about these legal bases and fuller definitions, please refer to the ICO website.

We use different legal bases for processing your data depending on the purpose for collecting your data in the first instance:

- For all data collected as part of the process of enquiring about, applying for and booking a course or for any other related service or where you give us feedback about aspects of this provision, we process using Contract or Legitimate Interests, namely the fulfillment of the booking. This may include sending of your data to our partners such as Educational Tour Operators, Government Agencies or Schools. Where required by law to do so, we may also process your data under Legal Obligation.
- For all data collected as part of the process of employing and managing staff, we process using Contract, Legal Obligation and Legitimate Interests, namely the employment of the employee. This will include data required for HMRC, pensions and insurance.
- For all data collected as part of the process of recruiting and managing homestay providers, we process using Contract, Legal Obligation and Legitimate Interests, namely the maintenance of the relationship with the host families.
- We may process any of your personal data identified in this policy where necessary for the establishment, exercise or defense of legal claims, whether in court proceedings or in an administrative or out-of-court procedure. The legal basis for this processing is Legitimate Interest, namely the protection and assertion of our legal rights, your legal rights and the legal rights of others.
- We may process any of your personal data identified in this policy where necessary for the purposes of obtaining or maintaining insurance coverage, managing risks, or obtaining professional advice. The legal basis for this processing is Legitimate Interest, namely the proper protection of our business against risks.

We will make it as easy as we can for you to opt out of unwanted processing under Consent, providing it does not restrict our ability to provide you with the primary service you have requested.

We collect data for a wide range of purposes. Data is managed to ensure that it is either erased from our system when it is no longer required for the purpose for which it was collected, retained for legal reasons, or minimized and retained.

We are co-processors of information relating to marketing and booking clients with partners overseas (for example ETOs, schools, government and national sponsors). As such, we may transfer some data outside of the EU, but this will be limited to data necessary for the performance of a contract made in the interests of the individual (which is an exemption to the 8th principle of the GDPR legislation). We

remain responsible for the data held, processed or sent via our systems. We are not responsible for the security and processing of data which is held, processed or sent via our partners' systems. However, we require all of our partners overseas to confirm that they will process data securely in line with the requirements of GDPR or the equivalent in their country. We do not sell your data at any time and we remain compliant with all ICO practices.

### **Special Category Data/Criminal Record Data**

We may request health data from potential students and employees. This data has special protection under the GDPR under the specific conditions listed in Article 9 (2) of the GDPR that processing is necessary either to protect the vital interests of the data subject, (or of another natural person where the data subject is physically or legally incapable of giving consent), or where processing is necessary for the purposes of preventive or occupational medicine or the assessment of the working capacity of an employee.

The school has safeguarding responsibilities and carries out DBS checks on all staff and other people who are likely to have direct supervisory responsibility for or unsupervised contact with young people under the age of 18. We may process and record securely risk assessments of these DBS checks where the disclosure is not clear. These risk assessments will be disposed of securely when that person no longer has supervisory responsibility or unsupervised contact with young people under the age of 18 on behalf of the school.

### **Children under 18**

We collect or store personal information about children under the age of 18 in the context of managing bookings and directly related products, and for safeguarding purposes. Permission is obtained directly from a legal adult guardian to collect this information through our Parental Consent Form. As part of this process, we request special category data relating to the health of the child, which we manage through vital interest.

We also gain consent from parents for the use of photos or video taken during their child's stay at. We do take photos or videos without this consent as compliant with the ICO.

### **Information collected via our website**

#### **How we will use information collected by our website**

We may use information held about you in the following ways:

- To process a booking for one of our courses or products
- To manage an application to work for the school, or to be a homestay.
- To create a profile for you to help us provide a more personalised service which is suited to meet your preferences.
- To ensure that content from our site is presented in the most effective manner for you and your computer.
- To send you our newsletters or provide you with information, products or services that you request from us or which we feel may interest you, where you have consented to be contacted for such purposes.
- To allow you to participate in interactive features of our service, when you choose to do so.
- To notify you about changes to our service.

## **Links from our website**

Our website contains links to and from websites operated by individuals and companies over which we have no direct control. If you follow a link to any of these websites, please note that these websites have their own privacy and terms of use policies and that we do not accept any responsibility or liability for these policies. We advise you to check these policies before you submit any personal data to these websites. However, any company which processes data in the UK should be compliant with the ICO.

## **Cookies**

A cookie is a file containing an identifier (a string of letters and numbers) that is sent by a web server to a web browser and is stored by the browser. The identifier is then sent back to the server each time the browser requests a page from the server. Cookies do not typically contain any information that personally identifies a user, but personal information that we store about you may be linked to the information stored in and obtained from cookies.

We use a single cookie, "sessionid", to identify you when you visit our website, keep you logged in as you navigate our website, and store temporary information during the course application process. This functional cookie does not identify any individual, and is required for the correct operation of our website.

Our service providers use cookies and those cookies may be stored on your computer when you visit our website. These cookies do not contain any information that is personally identifiable to you.

- Google Analytics - used to analyse the usage of our website.

Most browsers allow you to refuse to accept cookies and to delete cookies. The methods for doing so vary from browser to browser, and from version to version. You can however obtain up-to-date information about blocking and deleting cookies via these links:

- <https://support.google.com/chrome/answer/95647?hl=en> (Chrome);
- <https://support.mozilla.org/en-US/kb/enable-and-disable-cookies-website-preferences> (Firefox);
- <http://www.opera.com/help/tutorials/security/cookies/> (Opera);
- <https://support.microsoft.com/en-gb/help/17442/windows-internet-explorer-delete-manage-cookies> (Internet Explorer);
- <https://support.apple.com/kb/PH21411> (Safari); and
- <https://privacy.microsoft.com/en-us/windows-10-microsoft-edge-and-privacy> (Edge).

Blocking all cookies will have a negative impact upon the usability of many websites. If you block cookies, you will not be able to use all the features on our website.

## **What to do if you believe that the information we have collected and are using is incorrect?**

It is important for both you and us that we hold up to date and accurate information and that the accuracy is maintained during your relationship with us. For this reason, we shall be conducting annual internal audits of the data we hold.

If you become aware of any inaccuracies or you change address, telephone number, email, etc., it is your responsibility to bring this to our attention as quickly as possible. Please inform us as soon of any changes by emailing [info@medwayschoolenglish.com](mailto:info@medwayschoolenglish.com)

You also have the right to withdraw consent to the processing of information for which you have previously given consent.

You may also request access to the data we hold on you. See the section on rights to access. Provision of such information will be subject to the supply of appropriate evidence of your identity.

We may withhold personal information that you request to the extent permitted by the ICO.

To make any of these requests relating to your personal data, please contact us at: [info@medwayschoolenglish.com](mailto:info@medwayschoolenglish.com) or call +44 (0) 1622 370 385

### **What to do if you have a concern or complaint about how we store, use or share your personal data?**

Initially, we would encourage you to raise this with the appropriate department depending on the nature of the concern or complaint who should be able to resolve the matter informally. If following this you do not believe that your concern has been adequately addressed, then you should raise your complaint in writing to [info@medwayschoolenglish.com](mailto:info@medwayschoolenglish.com) or call +44 (0) 1622 370 385

In the unlikely event that we have been unable to address your concern internally, you may call the Information Commissioner's Office helpline on +44 (0) 303 123 1113. They are there to both handle complaints and to advise you accordingly about your concern or complaint.

### **Changes to our Privacy Policy**

Any changes we may make to our Privacy Policy in the future will be posted on our website in this document. Please check from time to time to ensure that you are aware of any changes to our Privacy Policy and to the policies of the ICO in line with all current legislation.

### **The Rights Of All Data Subjects**

A copy of your personal data should always be provided free.

You have the right to find out what data is used or is being stored.

This is called the right of access. However we as a company have the right to cover our administration costs in facilitating this access.

### **How to Exercise Those Rights**

Make a request for information under Freedom of Information Act.

You can exercise this right by:

- Asking for a copy of the data commonly known as making a 'subject access request'.
- Make this request direct to ourselves.
- State clearly what you want.
- Also include in your request your name and contact details.

- Any details or relevant dates that will help us identify what you want.
- We may charge for any additional copies you request.

Please enquire of Christian Schmitz the person who is referred to by the ICO as the contact for all data purposes and Managing Director of this company.

If this is a Public Interest Matter and Disclosure cannot be made for any reason you can ask for an internal review or complain to the ICO.

### **How to complain to the ICO**

You can report direct to them on their website.

Alternatively, you can call their helpline on +44 (0)303 123 1113.

Some of the things people complain about include nuisance calls or messages and use of cookies.

If you are not happy with any of our practices you may contact them.

Acknowledged:

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(date, signature of applicant, name in block letters)