

## TEG English

### General Data Protection Regulation (GDPR) Policy

#### 1. Policy statement

1.1 Everyone has rights with regards to the way in which their personal data is handled. During the course of our activities we will collect, store and process relevant personal data about our students, staff and other third parties that we deem necessary to conduct our business to the benefit of individuals coming into contact with TEG and the company itself. TEG recognises that the correct and lawful treatment of this data will maintain confidence in us.

1.2 **The Designated Data Protection Officer DPO at TEG is the Principal, David Tompkins.** He acts as the main Controller of Data at TEG and has responsibility to report any breaches to the ICO (Information Commissioner's Office). All staff must comply with Data Protection policy whenever they are involved in processing personal data. Any breach of this policy may result in disciplinary action by TEG.

#### 2. About this Policy

2.1 The types of personal data that TEG may be required to handle include information about current, past and prospective students, current and former staff, homestay providers and their families or other residents in the home, and other third parties, such as those with whom we communicate. The personal data, which may be held electronically or in structured paper files, is subject to certain legal safeguards specified in the Data Protection Act 1998 and the General Data Protection Regulation 2018 (collectively, the Data Protection Legislation).

2.2 This policy and any other documents referred to in it sets out the basis on which we will process any personal data we collect from individuals, or that is provided to us by individuals or other sources.

2.3 This policy does not form part of any employee's contract of employment and may be amended at any time.

2.4 This policy sets out rules on data protection and the legal conditions that must be satisfied whenever we obtain, handle, process, transfer and store personal data.

2.5 The DPO is responsible for ensuring compliance with the Data Protection Legislation and with this policy. Any questions about the operation of this policy or any concerns that the policy has not been followed should be referred in the first instance to the DPO, David Tompkins.

#### 3. Definitions of Data Protection terms

- **Data** is information which is stored electronically or in certain paper-based filing systems.
- **Data subjects** include all living individuals about whom we hold personal data. A data subject need not be a UK national or resident. All data subjects have legal rights in relation to their personal information.
- **Personal data** means data relating to a living individual who can be identified from that data. Personal data can be factual (for example, a name, address or date of birth) or it can be an opinion about that person, their actions and behaviour.
- A **Data controller** is a TEG employee who determines which personal data is processed. A data controller is responsible for establishing practices and policies in line with the Data Protection Legislation.

- A **Data processor** is a TEG employee that processes personal data on our behalf and on our instructions.
- **Processing** is any activity that involves use of the data. It includes obtaining, recording or holding the data or carrying out any operation(s).
- **Special categories** of personal data include information about a person's racial or ethnic origin, religious or similar beliefs, physical or mental health or condition.

#### **4. Data Protection principles**

4.1 Anyone processing personal data must comply with the data protection principles. These state that personal data must be:

- (a) Processed fairly, lawfully and used in a limited, relevant, appropriate way.
- (b) Accurate and up to date.
- (c) Not kept longer than necessary for the purpose.
- (d) Kept secure.

4.2 In addition, the Data Protection Legislation requires that personal data must be processed in line with data subjects' rights and not transferred to people or organisations situated in countries without adequate protection.

#### **5. Fair and lawful processing**

5.1 The Data Protection Legislation is not intended to prevent the processing of personal data, but to ensure that it is done fairly and without adversely affecting the rights of the data subject.

5.2 For personal data to be processed lawfully, the data subject must consent to the processing.

5.3 Whenever special categories of personal data or information about criminal offences (such as DBS checks) are being processed, additional conditions must be met.

#### **6. Processing for limited purposes**

6.1 In the course of our business, we may collect and process the personal data for a variety of purposes, including enrolment of our students, administration of our courses, details of homestays, recruitment of staff and staff administration, and compliance with our legal obligations.

6.2 Personal data may include information TEG receives directly from a data subject (for example, by completing forms or by corresponding with us by mail, phone, email or otherwise) and information we receive from other sources (including, for example, business partners, subcontractors in technical, payment and delivery services, the Disclosure and Barring Service and others).

6.3 We will only process personal data for the specific purposes set out in this policy or for any other purpose permitted by the Data Protection Legislation. We will notify those purposes to the data subject when we first collect the data or as soon as possible thereafter. Further information about how we process personal data relating to our staff is contained in our Staff Handbook.

#### **7. Notifying data subjects**

7.1 If we collect personal data directly from data subjects, we provide them with the transparency information required under the Data Protection Legislation. This includes the purpose or purposes for which we intend to process that personal data, the types of third parties with whom we may share the data and the existence of rights for data subjects.

7.2 If we receive personal data about a data subject from other sources, TEG will provide the data subject with this information as soon as possible thereafter and that we are the data controller with regards to that data.

### **8. Accurate data & Timely Processing**

8.1 TEG will ensure that personal data we hold is accurate and kept up to date. We will check the accuracy of any personal data at the point of collection and at regular intervals afterwards. We will take all reasonable steps to destroy or amend inaccurate or out-of-date data.

8.2 TEG will not keep personal data longer than is necessary for the purpose or purposes for which they were collected. We will take all reasonable steps to destroy, or erase from our systems, all data which is no longer required.

### **9. Processing in line with data subject's rights**

9.1 We will process all personal data in line with data subjects' rights, in particular their right to:

- (a) Request access to any data held about them by a data controller (see paragraph 15 for more information).
- (b) Prevent the processing of their data for direct-marketing purposes.

9.2 Under GDPR from 2018, data subjects have additional rights to request:

- (a) That any inaccurate personal data about them is corrected
- (b) That their personal data is deleted
- (c) That TEG stops using their personal information for certain purposes
- (d) That personal data is provided to them in a portable format
- (e) That decisions about them are not made by wholly automated means

9.3 Some of the rights listed above are limited to certain defined circumstances and we may not be able to comply with requests.

9.4 If a data subject is unhappy with the way we are processing or have processed their personal data, they have a right to complain to the Information Commissioner's Office (ICO). More information about this can be found at: <https://ico.org.uk/concerns/>.

### **10. Data security**

10.1 We will take appropriate security measures against unlawful or unauthorised processing of personal data, and against the accidental loss of, or damage to, personal data.

10.2 We will maintain the security of all personal data from the point of collection to the point of destruction. Personal data will only be transferred to a data processor if they agree to comply with those procedures and policies.

10.3 We will maintain data security by protecting the confidentiality, integrity and availability of the personal data, defined as follows:

- (a) **Confidentiality** means that only people who are authorised to use the data can access it.
- (b) **Integrity** means that personal data should be accurate and suitable for the purpose for which it is processed.
- (c) **Availability** means that authorised users should be able to access the data if they need it for authorised purposes. Personal data should therefore be stored on our database/intranet instead of individual PCs.

10.4 **Security procedures** include:

- (a) **Entry controls.** Any stranger seen in entry-controlled areas should be reported.
- (b) **Secure lockable desks and cupboards.** Desks and cupboards should be kept locked if they hold confidential information of any kind. (Personal information is always considered confidential.)
- (c) **Methods of disposal.** Paper documents should be shredded. Digital storage devices should be physically destroyed when they are no longer required.
- (d) **Equipment.** All computer users must ensure that individual monitors do not show confidential information to passers-by and that they log off from their PC when it is left unattended.

## **11. Transferring personal data to a country outside the EEA**

11.1 We may transfer any personal data we hold to a country outside the European Economic Area (EEA), provided that one of the following conditions applies:

- (a) The country to which the personal data are transferred ensures an adequate level of protection for the data subjects' rights and freedoms.
- (b) The data subject has given their consent.
- (c) The transfer is necessary for one of the reasons set out in the Data Protection Legislation, including the performance of a contract between us and the data subject, or to protect the vital interests of the data subject.
- (d) The transfer is legally required on important public interest grounds or for the establishment, exercise or defence of legal claims.
- (e) The transfer is authorised by the relevant data protection authority where we have adequate safeguards with respect to the protection of the data subjects' privacy, their fundamental rights and freedoms, and the exercise of their rights.

11.2 Subject to the requirements listed above, personal data we hold may also be processed by employees operating outside the EEA who work for us or for one of our suppliers.

## **12. Disclosure and sharing of personal information**

12.1 We may share personal data we hold with any member branch of TEG, as defined in section 1159 of the UK Companies Act 2006.

12.2 We may also disclose personal data we hold to third parties:

- (a) In the event that we sell or buy any business or assets, in which case we may disclose personal data we hold to the prospective seller or buyer of such business or assets.
- (b) If our assets are acquired by a third party, in which case personal data we hold will be one of the transferred assets.

12.3 If we are under a duty to disclose or share a data subject's personal data in order to comply with any legal obligation, or in order to enforce or apply any contract with the data subject or other agreements; or to protect our rights, property, or safety of our employees, customers, or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction.

12.4 We may also share personal data we hold with selected third parties for the purposes set out in this policy.

## **13. Dealing with requests for exercise of individual rights**

13.1 Data subjects may make a request under the rights listed in paragraph 11, including for access to information TEG holds about them. Employees who receive such a request should forward it to the DPO immediately.

13.2 When receiving telephone enquiries, we will only disclose personal data we hold on our systems if the following conditions are met:

- (a) We will check the caller's identity to make sure that information is only given to a person who is entitled to it.
- (b) We will suggest that the caller put their request in writing if we are not sure about the caller's identity and where their identity cannot be checked.

13.3 Our employees will, in the first instance, refer a request to their line manager for assistance in difficult situations. Employees should not be bullied into disclosing personal information.

#### **14. Changes to this policy**

We reserve the right to change this policy at any time. Where appropriate, we will notify data subjects of those changes by mail or email.

TEG English 2018  
Head Office: 7-9 Edinburgh Road, Portsmouth PO1 1DE  
(Portsmouth Language College Ltd – 06181002)