

SelectStudies GDPR Data Protection Policy

Edition 1.0
May 2018



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1. Policy statement and objectives

- 1.1 The objectives of this Data Protection Policy are to ensure that SelectStudies and its directors and employees are informed about, and comply with, their obligations under the General Data Protection Regulation (“the GDPR”) and other data protection legislation.
- 1.2 Everyone has rights with regard to how their personal information is handled. During the course of our activities we will Process personal information about a number of different groups of people and we recognise that we need to treat it in an appropriate and lawful manner.
- 1.3 The type of information that we may be required to handle include details of students; host families; current, past and prospective employees; partners; schools; volunteers; and other individuals we communicate with. The information, which may be held on paper or on a computer or other media, is subject to certain legal safeguards specified in the GDPR and other legislation. The GDPR imposes restrictions on how we may use that information.
- 1.4 This policy does not form part of any employee’s contract of employment and it may be amended at any time. Any breach of this policy by members of staff will be taken seriously and may result in disciplinary action and serious breaches may result in dismissal. Breach of the GDPR may expose SelectStudies to enforcement action by the Information Commissioner’s Office (ICO), including the risk of fines. Furthermore, certain breaches of the Act can give rise to personal criminal liability for SelectStudies’ employees. At the very least, a breach of the GDPR could damage our reputation and have serious consequences for SelectStudies and for our stakeholders.

2. Status of the policy

- 2.1 This policy has been approved by the Managing Director of SelectStudies. It sets out our rules on data protection and the legal conditions that must be satisfied in relation to the obtaining, handling, processing, storage, transportation and destruction of personal information.

3. Data Protection Officer

- 3.1 The Data Protection Officer is: Bo Slot Larsen. Email: dpo@selectstudies.uk
- 3.2 The Data Protection Officer (the “DPO”) is responsible for ensuring that SelectStudies is compliant with the GDPR and this policy.
- 3.3 The DPO will play a major role in embedding essential aspects of the GDPR into SelectStudies’ culture, from ensuring the data protection principles are respected to preserving data subject rights, recording data processing activities and ensuring the security of processing.
- 3.4 The DPO should be involved, in a timely manner, in all issues relating to the protection of personal data. To do this, the GDPR requires that DPOs are provided with the necessary support and resources to enable the DPO to effectively carry out their tasks. Factors that should be considered include the following:

- 3.4.1 senior management support;

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- 3.4.2 time for DPOs to fulfil their duties;
 - 3.4.3 adequate financial resources, infrastructure and staff where appropriate;
 - 3.4.4 official communication of the designation of the DPO to make known existence and function within the organisation;
 - 3.4.5 access to other services, such as HR and IT, who should provide support to the DPO;
 - 3.4.6 continuous training so that DPOs can stay up to date with regard to data protection developments;
- 3.5 The DPO is responsible for ensuring that SelectStudies operations procedures adequately safeguard Personal Data, in line with legal requirements. This means that the management structure within the company must ensure the independence of the DPO.
- 3.6 SelectStudies will ensure that the DPO does not receive instructions in respect of the carrying out of their tasks, which means that the DPO must not be instructed how to deal with a matter, such as how to investigate a complaint or what result should be achieved. Further, the DPO should report directly to the highest management level, i.e. the Managing Director
- 3.7 The DPO is permitted to undertake other tasks and duties for the organisation, but these must not result in a conflict of interests with his or her role as DPO. In order to avoid conflicts the DPO cannot hold another position within the organisation that involves determining the purposes and means of processing personal data.
- 3.8 If you consider the policy has not been followed in respect of Personal Data about yourself or others you should raise the matter with the DPO.

4. Definition of terms

- 4.1 **Consent** of the Data Subject means any freely given, specific, informed and unambiguous indication of the Data Subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of Personal Data relating to him or her;
- 4.2 **Contractual Obligations** refers to the obligations held by a Data Controller or Processor who has undertaken to provide a service to a Data Subject or other party which makes the collection / processing of someone's personal data necessary;
- 4.3 **Data** is information which is stored electronically, on a computer, or in certain paper-based filing systems or other media such as CCTV;
- 4.4 **Data Subjects** for the purpose of this policy include all living individuals about whom we hold Personal Data. All Data Subjects have legal rights in relation to their Personal Data.

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- 4.5 **Data Controllers** means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of Personal Data.
- 4.6 **Data Users** include employees (internal and external), volunteers (including, for example, trip leaders), whose work involves using Personal Data. Data Users have a duty to protect the information they handle by following our data protection and security policies at all times;
- 4.7 **Data Processors** means a natural or legal person, public authority, agency or other body which processes Personal Data on behalf of the Data Controller;
- 4.8 **Natural Parent (NP)** is the term commonly used within the exchange industry to refer to the person/s who hold the legal status as parents/guardians for a student taking part in our programme
- 4.9 **Host Family (HF)** refers to the family which the student taking part in our programme resides with while they participate in our programme.
- 4.10 **Personal Data** means any information relating to an identified or identifiable natural person ('Data Subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;
- 4.11 **Personal Data Breach** means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, Personal Data transmitted, stored or otherwise processed;
- 4.12 **Privacy by Design** means implementing appropriate technical and organisational measures in an effective manner to ensure compliance with the GDPR;
- 4.13 **Processing** means any operation or set of operations which is performed on Personal Data or on sets of Personal Data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;
- 4.14 **Sensitive Personal Data** means Personal Data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation.

5. Data Protection Principles

- 5.1 Anyone processing Personal Data must comply with the enforceable principles of good practice. These provide that Personal Data must be:
- 5.1.1 processed lawfully, fairly and in a transparent manner in relation to individuals;

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- 5.1.2 collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
 - 5.1.3 adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
 - 5.1.4 accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that Personal Data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
 - 5.1.5 kept in a form which permits identification of Data Subjects for no longer than is necessary for the purposes for which the Personal Data are processed; Personal Data may be stored for longer periods insofar as the Personal Data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals; and
 - 5.1.6 Processed in a manner that ensures appropriate security of the Personal Data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.
- 5.2 Processed lawfully, fairly and in a transparent manner
- 5.2.1 The GDPR is intended not 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. The Data Subject must be told who the Data Controller is (in this case SelectStudies), who the Data Controller's representative is (in this case the DPO), the purpose for which the data is to be Processed by us, and the identities of anyone to whom the Data may be disclosed or transferred.
 - 5.2.2 For Personal Data to be processed lawfully, certain conditions have to be met. These may include:
 - 5.2.2.1 where we have the Consent of the Data Subject;
 - 5.2.2.2 where it is necessary in order to fulfil our contractual obligations to the Data Subject or another party
 - 5.2.2.3 where it is necessary for compliance with a legal obligation;
 - 5.2.2.4 where processing is necessary to protect the vital interests of the Data Subject or another person;

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5.2.2.5 where it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

5.2.3 Personal data may only be processed for the specific purposes notified to the Data Subject when the data was first collected, or for any other purposes specifically permitted by the Act. This means that Personal Data must not be collected for one purpose and then used for another. If it becomes necessary to change the purpose for which the data is processed, the Data Subject must be informed of the new purpose before any processing occurs.

5.3 Sensitive Personal Data

5.3.1 SelectStudies will be processing Sensitive Personal Data about our stakeholders. We recognise that the law states that this type of Data needs more protection. Therefore, Data Users must be more careful with the way in which we process Sensitive Personal Data.

5.3.2 When Sensitive Personal Data is being processed, as well as establishing a lawful basis (as outlined in paragraph 5.1 above), a separate condition for processing it must be met. In most cases the relevant conditions are likely to be that:

5.3.2.1 the Data Subject's explicit consent to the processing of such data has been obtained

5.3.2.2 processing is necessary in order to fulfil contractual obligations to the Data Subject

5.3.2.3 processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, where we respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the Data Subject;

5.3.2.4 processing is necessary 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;

5.3.2.5 processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the Data Controller or of the Data Subject in the field of employment law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the Data Subject.

5.3.3 SelectStudies recognises that in addition to Sensitive Personal Data, we are also likely to Process information about our stakeholders which is confidential in nature, for example, information about family circumstances, child protection or safeguarding

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issues. Appropriate safeguards must be implemented for such information, even if it does not meet the legal definition of Sensitive Personal Data.

5.4 Criminal convictions and offences

5.4.1 There are separate safeguards in the GDPR for Personal Data relating to criminal convictions and offences.

5.4.2 It is likely that SelectStudies will Process Data about criminal convictions or offences. This may be as a result of pre-vetting checks we are required to undertake on staff and host families or due to information which we may acquire during the course of their employment or appointment.

5.4.3 Where appropriate, such information may be shared with external agencies such as the child protection team at the Local Authority, the Local Authority Designated Officer and / or the Police. Such information will only be processed to the extent that it is lawful to do so and appropriate measures will be taken to keep the data secure.

5.5 Transparency

5.5.1 One of the key requirements of the GDPR relates to transparency. This means that SelectStudies must keep Data Subjects informed about how their Personal Data will be processed when it is collected.

5.5.2 One of the ways we provide this information to individuals is through a privacy notice which sets out important information about what we do with their Personal Data. SelectStudies has developed privacy notices for the following categories of people:

5.5.2.1 Students

5.5.2.2 Host Families

5.5.2.3 Staff & Volunteers

5.5.3 We will ensure that privacy notices are concise, transparent, intelligible and easily accessible; written in clear and plain language, particularly if addressed to a child; and free of charge.

5.6 Consent

5.6.1 SelectStudies must only process Personal Data on the basis of one or more of the lawful bases set out in the GDPR, which include Consent. Consent is not the only lawful basis and there are likely to be many circumstances when we process Personal Data and our justification for doing so is based on a lawful basis other than Consent.

5.6.2 A Data Subject consents to Processing of their Personal Data if they indicate agreement clearly either by a statement or positive action to the Processing. Consent

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requires affirmative action so silence, pre-ticked boxes or inactivity are unlikely to be sufficient. If Consent is given in a document which deals with other matters, then the Consent must be kept separate from those other matters.

- 5.6.3 Data Subjects must be easily able to withdraw Consent to Processing at any time and withdrawal must be promptly honoured. Consent may need to be refreshed if we intend to Process Personal Data for a different and incompatible purpose which was not disclosed when the Data Subject first consented.
- 5.6.4 Unless we can rely on another legal basis of Processing, Explicit Consent is usually required for Processing Sensitive Personal Data.
- 5.6.5 Evidence and records of Consent must be maintained so that SelectStudies can demonstrate compliance with Consent requirements.

6. Specified, explicit and legitimate purposes

- 6.1 Personal data should only be collected to the extent that it is required for the specific purpose notified to the Data Subject, for example, in the Privacy Notice or at the point of collecting the Personal Data. Any data which is not necessary for that purpose should not be collected in the first place.
- 6.2 SelectStudies will be clear with Data Subjects about why their Personal Data is being collected and how it will be processed. We cannot use Personal Data for new, different or incompatible purposes from that disclosed when it was first obtained unless we have informed the Data Subject of the new purposes and they have Consented where necessary.

7. Adequate, relevant and limited to what is necessary

- 7.1 SelectStudies will ensure that the Personal Data collected is adequate to enable us to perform our functions and that the information is relevant and limited to what is necessary.
- 7.2 In order to ensure compliance with this principle, SelectStudies will check records at appropriate intervals for missing, irrelevant or seemingly excessive information and may contact Data Subjects to verify certain items of data.
- 7.3 Employees must also give due consideration to any forms stakeholders are asked to complete and consider whether all the information is required. We may only collect Personal Data that is necessary for the operation of our programmes and we should not collect excessive data. We should ensure that any Personal Data collected is adequate and relevant for the intended purposes.
- 7.4 SelectStudies will implement measures to ensure that Personal Data is processed on a 'Need to Know' basis. This means that the only members of staff who need to know Personal Data about a Data Subject will be given access to it and no more information than is necessary for the relevant purpose will be shared.

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7.5 When Personal Data is no longer needed for specified purposes, it must be deleted or anonymised in accordance with SelectStudies' data retention guidelines.

8. Adequate and, where necessary, kept up to date

8.1 Personal data must be accurate and kept up to date. Information which is incorrect or misleading is not accurate and steps should therefore be taken to check the accuracy of any Personal Data at the point of collection and at regular intervals afterwards. Inaccurate or out-of-date data should be destroyed.

8.2 If a Data Subject informs SelectStudies of a change of circumstances their records will be updated as soon as is practicable.

8.3 Where a Data Subject challenges the accuracy of their data, SelectStudies will immediately mark the record as potentially inaccurate, or 'challenged'. In the case of any dispute, we shall try to resolve the issue informally, but if this proves impossible, disputes will be referred to the Data Protection Officer for their judgement. If the problem cannot be resolved at this stage, the Data Subject should refer their complaint to the Information Commissioner's Office. Until resolved the 'challenged' marker will remain and all disclosures of the affected information will contain both versions of the information.

8.4 Notwithstanding paragraph 8.3, a Data Subject continues to have rights under the GDPR and may refer a complaint to the Information Commissioner's Office regardless of whether the procedure set out in paragraph 8.3 has been followed.

9. Data to be kept for no longer than is necessary for the purposes for which the Personal Data are processed

9.1 Personal data should not be kept longer than is necessary for the purpose for which it is held. This means that data should be destroyed or erased from our systems when it is no longer required.

9.2 It is the duty of the DPO, after taking appropriate guidance for legal considerations, to ensure that obsolete data are properly erased. SelectStudies has a retention schedule for all data. Details of our retention schedule for personal data are available in the relevant privacy statement on our website.

10. Data to be processed in a manner that ensures appropriate security of the Personal Data.

10.1 SelectStudies has taken steps to ensure that appropriate security measures are taken against unlawful or unauthorised processing of Personal Data, and against the accidental loss of, or damage to, Personal Data. Data Subjects may apply to the courts for compensation if they have suffered damage from such a loss.

10.2 The GDPR requires us to put in place procedures and technologies to maintain the security of all Personal Data from the point of collection to the point of destruction.

10.3 We will develop, implement and maintain safeguards appropriate to our size, scope, our available resources, the amount of Personal Data that we own or maintain on behalf of others

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and identified risks (including use of encryption and Pseudonymisation where applicable). We will regularly evaluate and test the effectiveness of those safeguards to ensure security of our Processing of Personal Data.

- 10.4 Data Users are responsible for protecting the Personal Data we hold. Data Users must implement reasonable and appropriate security measures against unlawful or unauthorised Processing of Personal Data and against the accidental loss of, or damage to, Personal Data. Data Users must exercise particular care in protecting Sensitive Personal Data from loss and unauthorised access, use or disclosure.
- 10.5 Data Users must follow all procedures and technologies we put in place to maintain the security of all Personal Data from the point of collection to the point of destruction.
- 10.6 Maintaining data security means guaranteeing the confidentiality, integrity and availability of the Personal Data, defined as follows:
 - 10.6.1 **Confidentiality** means that only people who are authorised to use the data can access it.
 - 10.6.2 **Integrity** means that Personal Data should be accurate and suitable for the purpose for which it is processed.
 - 10.6.3 **Availability** means that authorised users should be able to access the data if they need it for authorised purposes.
- 10.7 It is the responsibility of all members of staff to work together to ensure that the Personal Data we hold is kept secure. We rely on our colleagues to identify and report any practices that do not meet these standards so that we can take steps to address any weaknesses in our systems. Anyone who has any comments or concerns about security should notify the Managing Director or the DPO.
- 10.8 External Staff and volunteers (including LSCs and trip leaders).
 - 10.8.1 External staff (in particular LSCs, but also others) process personal data when performing their jobs. External staff must receive appropriate training on SelectStudies Data Protection processes and procedures, and should be informed about their responsibilities to keep data secure. This includes:
 - 10.8.1.1 Ensuring that Personal Data which comes into their possession as part of their duties for SelectStudies is kept secure from third parties, including family member, friends and other students;
 - 10.8.1.2 Using an SelectStudies email account for any SelectStudies related communications;
 - 10.8.1.3 Ensuring that any SelectStudies-related communications or information stored or saved on an electronic device or computer is password protected and encrypted;

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- 10.8.1.4 Taking appropriate measures to keep Personal Data secure, which includes ensuring that hard copy documents are securely locked away so that they cannot be accessed by third parties

11. Processing in line with Data Subjects' rights

11.1 Data Subjects have rights when it comes to how we handle their Personal Data. These include rights to:

- 11.1.1 withdraw Consent to Processing at any time;
- 11.1.2 receive certain information about the Data Controller's Processing activities;
- 11.1.3 request access to their Personal Data that we hold;
- 11.1.4 prevent our use of their Personal Data for direct marketing purposes;
- 11.1.5 ask us to erase Personal Data if it is no longer necessary in relation to the purposes for which it was collected or Processed or to rectify inaccurate data or to complete incomplete data;
- 11.1.6 restrict Processing in specific circumstances;
- 11.1.7 challenge Processing which has been justified on the basis of our legitimate interests or in the public interest;
- 11.1.8 request a copy of an agreement under which Personal Data is transferred outside of the EEA;
- 11.1.9 object to decisions based solely on Automated Processing, including profiling (Automated Decision Making);
- 11.1.10 prevent Processing that is likely to cause damage or distress to the Data Subject or anyone else;
- 11.1.11 be notified of a Personal Data Breach which is likely to result in high risk to their rights and freedoms;
- 11.1.12 make a complaint to the supervisory authority (the ICO); and
- 11.1.13 in limited circumstances, receive or ask for their Personal Data to be transferred to a third party in a structured, commonly used and machine readable format.

11.2 We are required to verify the identity of an individual requesting data under any of the rights listed above. Members of staff should not allow third parties to persuade them into disclosing Personal Data without proper authorisation.

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12. Dealing with subject access requests

- 12.1 The GDPR extends to all Data Subjects a right of access to their own Personal Data. A formal request from a Data Subject for information that we hold about them must be made in writing. SelectStudies can invite a Data Subject to complete a form but we may not insist that they do so.
- 12.2 It is important that all members of staff are able to recognise that a written request made by a person for their own information is likely to be a valid Subject Access Request, even if the Data Subject does not specifically use this phrase in their request or refer to the GDPR
- 12.3 Any member of staff who receives a written request of this nature must immediately forward it to the DPO as the statutory time limit for responding is **one calendar month**.
- 12.4 A fee may no longer be charged to the individual for provision of this information (previously a fee of £10 could be charged under the DPA 1998).
- 12.5 SelectStudies may ask the Data Subject for reasonable identification so that they can satisfy themselves about the person's identity before disclosing the information.
- 12.6 Requests from Natural Parents in respect of their own child will be processed as requests made on behalf of the Data Subject (the child) where the pupil is aged under 13 (subject to any exemptions that apply under the Act or other legislation). If the Parent makes a request for their child's Personal Data and the child is aged 13 or older and / or SelectStudies considers the child to be mature enough to understand their rights under the GDPR, SelectStudies shall ask the student for their Consent to disclosure of the Personal Data if there is no other lawful basis for sharing the Personal Data with the Parent (subject to any enactment or guidance which permits SelectStudies to disclose the Personal Data to a Parent without the child's Consent). If Consent is not given to disclosure, SelectStudies shall not disclose the Personal Data if to do so would breach any of the data protection principles
- 12.7 Following receipt of a subject access request, and provided that there is sufficient information to process the request, an entry should be made in SelectStudies' Subject Access log book, showing the date of receipt, the Data Subject's name, the name and address of requester (if different), the type of data required and the planned date for supplying the information (not more than one calendar month from the request date). Should more information be required to establish either the identity of the Data Subject (or agent) or the type of data requested, the date of entry in the log will be date on which sufficient information has been provided.
- 12.8 Where requests are "manifestly unfounded or excessive", in particular because they are repetitive, SelectStudies can:
- 12.8.1 charge a reasonable fee taking into account the administrative costs of providing the information; or
 - 12.8.2 refuse to respond.
- 12.9 Where we refuse to respond to a request, the response must explain why to the individual, informing them of their right to complain to the supervisory authority and to a judicial remedy

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without undue delay and at the latest within one month. Members of staff should refer to any guidance issued by the ICO on Subject Access Requests and consult the DPO before refusing a request.

- 12.10 Certain information may be exempt from disclosure so members of staff will need to consider what exemptions (if any) apply and decide whether you can rely on them. For example, information about third parties may be exempt from disclosure. In practice, this means that you may be entitled to withhold some documents entirely or you may need to redact parts of them. Care should be taken to ensure that documents are redacted properly. Please seek further advice or support from the DPO if you are unsure which exemptions apply.
- 12.11 Further information about exemptions to be added once the Data Protection Bill becomes law.

13. Providing information over the telephone

- 13.1 Any member of staff dealing with telephone enquiries should be careful about disclosing any Personal Data held by SelectStudies whilst also applying common sense to the particular circumstances. In particular they should:
 - 13.1.1 Check the caller's identity to make sure that information is only given to a person who is entitled to it.
 - 13.1.2 Suggest that the caller put their request in writing if they are not sure about the caller's identity and where their identity cannot be checked.
 - 13.1.3 Refer to their line manager or the DPO for assistance in difficult situations. No-one should feel pressurised into disclosing personal information

14. Authorised disclosures

- 14.1 SelectStudies will only disclose data about individuals if this is allowed within applicable law.
- 14.2 SelectStudies will share personal data with third parties where it is lawful and appropriate to do so including, but not limited to, the following:
 - 14.2.1 Schools and other educational institutions
 - 14.2.2 Local Authorities
 - 14.2.3 the Department for Education
 - 14.2.4 the Disclosure and Barring Service (UK)
 - 14.2.5 The Garda Vetting Service (Ireland)
 - 14.2.6 the Police or other law enforcement agencies
 - 14.2.7 NHS health professionals including educational psychologists and school nurses;

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14.2.8 Education Welfare Officers;

14.2.9 Courts, if ordered to do so;

14.3 Some of the organisations we share Personal Data with may also be Data Controllers in their own right in which case we will be jointly controllers of Personal Data and may be jointly liable in the event of any data breaches.

15. Reporting a Personal Data Breach

15.1 The GDPR requires Data Controllers to notify any Personal Data Breach to the ICO and, in certain instances, the Data Subject.

15.2 A notifiable Personal Data Breach must be reported to the ICO without undue delay and where feasible within 72 hours, unless the data breach is unlikely to result in a risk to the individuals.

15.3 If the breach is likely to result in high risk to affected Data Subjects, the GDPR, requires organisations to inform them without undue delay.

15.4 It is the responsibility of the DPO, or the nominated deputy, to decide whether to report a Personal Data Breach to the ICO.

15.5 We have put in place procedures to deal with any suspected Personal Data Breach and will notify Data Subjects or any applicable regulator where we are legally required to do so.

16. Accountability

16.1 SelectStudies must implement appropriate technical and organisational measures in an effective manner, to ensure compliance with data protection principles. SelectStudies is responsible for, and must be able to demonstrate, compliance with the data protection principles.

16.2 SelectStudies must have adequate resources and controls in place to ensure and to document GDPR compliance including:

16.2.1 appointing a suitably qualified DPO (where necessary) and an executive team accountable for data privacy;

16.2.2 implementing Privacy by Design when Processing Personal Data and completing Data Protection Impact Assessments (DPIAs) where Processing presents a high risk to rights and freedoms of Data Subjects;

16.2.3 integrating data protection into internal documents including this Data Protection Policy, related policies and Privacy Notices;

16.2.4 regularly training employees on the GDPR, this Data Protection Policy, related policies and data protection matters including, for example, Data Subject's rights, Consent, legal bases, DPIA and Personal Data Breaches. SelectStudies must maintain a record of training attendance by SelectStudies personnel; and

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16.2.5 regularly testing the privacy measures implemented and conducting periodic reviews and audits to assess compliance, including using results of testing to demonstrate compliance improvement effort.

17. Record Keeping

- 17.1 The GDPR requires us to keep full and accurate records of all our Data Processing activities.
- 17.2 We must keep and maintain accurate records reflecting our Processing including records of Data Subjects' Consents and procedures for obtaining Consents.
- 17.3 These records should include, at a minimum, the name and contact details of the Data Controller and the DPO, clear descriptions of the Personal Data types, Data Subject types, Processing activities, Processing purposes, third-party recipients of the Personal Data, Personal Data storage locations, Personal Data transfers, the Personal Data's retention period and a description of the security measures in place. In order to create such records, data maps should be created which should include the detail set out above together with appropriate data flows.

18. Training and audit

- 18.1 We are required to ensure all SelectStudies personnel have undergone adequate training to enable us to comply with data privacy laws. We must also regularly test our systems and processes to assess compliance.
- 18.2 Members of staff must attend all mandatory data privacy related training.

19. Privacy By Design and Data Protection Impact Assessment (DPIA)

- 19.1 We are required to implement Privacy by Design measures when Processing Personal Data by implementing appropriate technical and organisational measures (like Pseudonymisation) in an effective manner, to ensure compliance with data privacy principles.
- 19.2 This means that we must assess what Privacy by Design measures can be implemented on all programs/systems/processes that Process Personal Data by taking into account the following:
- 19.2.1 the state of the art;
 - 19.2.2 the cost of implementation;
 - 19.2.3 the nature, scope, context and purposes of Processing; and
 - 19.2.4 the risks of varying likelihood and severity for rights and freedoms of Data Subjects posed by the Processing.
- 19.3 We are also required to conduct DPIAs in respect to high risk Processing.
- 19.3.1 SelectStudies should conduct a DPIA and discuss the findings with the DPO when implementing major system or business change programs involving the Processing of Personal Data including:

SelectStudies GDPR Data Protection Policy

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May 2018



- 19.3.1.1 use of new technologies (programs, systems or processes), or changing technologies (programs, systems or processes);
- 19.3.1.2 Automated Processing including profiling and ADM;
- 19.3.1.3 large scale Processing of Sensitive Data; and
- 19.3.1.4 large scale, systematic monitoring of a publicly accessible area.

19.4 We will also undertake a DPIA as a matter of good practice to help us to assess and mitigate the risks to students. If our processing is likely to result in a high risk to the rights and freedom of children then a DPIA should be undertaken.

19.5 A DPIA must include:

- 19.5.1 a description of the Processing, its purposes and SelectStudies' legitimate interests if appropriate;
- 19.5.2 an assessment of the necessity and proportionality of the Processing in relation to its purpose;
- 19.5.3 an assessment of the risk to individuals; and
- 19.5.4 the risk mitigation measures in place and demonstration of compliance.

20. Policy Review

- 20.1 It is the responsibility of the Managing Director to facilitate the review of this policy on a regular basis. Recommendations for any amendments should be reported to the DPO.
- 20.2 We will continue to review the effectiveness of this policy to ensure it is achieving its stated objectives.

21. Enquiries

- 21.1 Further information about the SelectStudies' Data Protection Policy is available from the DPO.
- 21.2 General information about the Act can be obtained from the Information Commissioner's Office: www.ico.gov.uk