



# LA SCUOLA ITALIANA A LONDRA

## PRIVACY POLICY

**Last Reviewed May 2018**

Date of next review May 2019

## Policy Statement

This policy explains when and why SIAL (“we”) collect personal information about our pupils, staff, supporters and suppliers, how we use it and how we keep it secure and your rights in relation to it.

**SIAL requires current parents and staff to formally consent (opt-in) or unsubscribe (opt-out) to receiving communications from the organisation.**

### 1. Introduction

- 1.1 This policy sets out the basis on which any personal data collected by SIAL or provided to SIAL by users of its services, will be treated. The policy aims to set out SIAL’s views and practices regarding personal data and how this data will be handled and stored. For the purpose of the General Data Protection Regulation (GDPR), SIAL is the data controller and processor.
- 1.2 The SIAL website is operated by SIAL. SIAL is registered in England and Wales under company number 604604, and Registered Charity number 1119966 with registered office at 156 Holland Park Avenue, London W11 4UH.
- 1.3 For the purpose of this policy the terms “data processor”, “data subject” and “data controller” are defined as in the 1998 Act. The term “user” refers to anyone using SIAL’S services including its online services such as the SIAL website at [www.scuolaitalianalondra.org](http://www.scuolaitalianalondra.org) The term “community member” refers to students, staff, parents, alumni and members of the SIAL governing board.
- 1.4 SIAL is registered with the Information Commissioner’s Office (ICO) as La Scuola Italiana a Londra under registration number Z1968421. SIAL is mindful of its responsibilities. Consequently SIAL commits to ensuring that personal data shall be:
  - processed lawfully, fairly and in a transparent manner in relation to the data subject (‘lawfulness, fairness and transparency’);
  - 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, in accordance with Article 89(1) GDPR not be considered to be incompatible with the initial purposes (‘purpose limitation’);
  - adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed (‘data minimisation’);
  - 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 (‘accuracy’);
  - 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 safeguarding, public interest, academic or historical research purposes or statistical purposes in accordance with Article 89(1) GPDR subject to implementation of the appropriate technical and organisational measures required by this Regulation in order to safeguard the rights and freedoms of the data subject (‘storage limitation’);

- 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

1.5 SIAL further commits to the principle of privacy by design recommended by the ICO and described in the GDPR. To that end, SIAL commits to monitoring 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 SIAL will be designed to include consideration of data privacy concerns.

## 2. Data Collection

2.1 SIAL may collect and process the following data about users of its services:

- Information provided to SIAL by respondents' filling in forms on SIAL'S website.
- Records of correspondence.
- Data from respondents to surveys completed voluntarily.

2.2 SIAL may also use automated systems that collect details of visits to the SIAL website (cookies). These may include, but are not limited to, traffic data, location data and other similar communication data and resources accessed by users. In accordance with Privacy and e-commerce regulation 6, SIAL commits to:

- Inform the user of the existence of the automated system (cookies);
- Explain how cookies will be used and why;
- Ask for the user's consent to store cookies on their device.

2.3 SIAL may also collect statistical data about users' browsing actions and patterns that do not identify any individual such as that collected by the use of cookies and similar automated systems. This may include such information as computer IP addresses and which operating systems and browsers are used to access the SIAL website, which may be helpful to SIAL for system administration purposes.

## 3. Data Storage

3.1 Unless users have adjusted their browser setting so that it will refuse cookies, SIAL'S system will issue cookies to users when they log on to the SIAL website. Cookies are files that contain information that is transferred to the user's computer's hard drive. SIAL uses cookies to help it improve its website and to deliver a better and more personalised service to users. Among the most common uses of cookies are to enable organisations to estimate more accurately their audience size and usage patterns, to speed up searches, and to recognise users when they make return visits to the website.

3.2 By submitting their personal data, users agree to its storing and processing described in SIAL will take all reasonable steps necessary to ensure that users' data is treated securely and in accordance with this privacy policy.

3.3 SIAL recognises that the transmission of information via the internet can never be completely secure. Although SIAL undertakes to do its best to protect users' personal data, it is not possible to offer a 100% guarantee of the security of data transmitted

electronically, and all transmission is at users' own risk. SIAL commits to using strict procedures and security features to prevent unauthorised access to users' data.

#### 4. Use of Information

4.1 SIAL uses information held about its community members in the following ways:

- To comply with its educational and safeguarding purposes, also in respect of DfE (Department for Education), MIUR (Ministero dell'Istruzione, dell'Università e della Ricerca) and MAE (Ministero Affari Esteri e della co-operazione internazionale) legislations.
- To provide users with information or services that they request or which SIAL believes may interest them, where users have consented to be contacted for such purposes.
- To allow users to participate in interactive features of SIAL'S service when they choose to do so.
- To notify users about changes to SIAL'S service.
- To ensure that content from the SIAL website is presented in the most effective manner for users and their devices.

4.2 SIAL commits to using information obtained from community members and users of its services solely for the purpose for which it was obtained. Should SIAL wish to use information for a purpose not associated with its original provision, the consent of the data subject will be sought.

4.3 SIAL regards consent from a data subject to use their personal data as being meaningful and actionable only when it is freely given, specific, and unambiguous.

4.4 SIAL further recognises that users' consent to SIAL processing their personal data must be informed consent. To that end, where SIAL is relying on consent as the basis for lawful processing, it will ensure that:

- consent is active and does not rely on silence, inactivity or pre-ticked boxes;
- consent to processing is distinguishable, clear, and is not "bundled" with other written agreements or declarations;
- supply of services is not made contingent on consent to processing which is not necessary for the service being supplied;
- data subjects are informed that they have the right to withdraw consent at any time but that this will not affect the lawfulness of processing based on consent before its withdrawal;
- there are simple methods for withdrawing consent, including methods using the same medium used to obtain consent in the first place; and
- separate consent is obtained for each distinct processing operation.

4.5 SIAL recognises that requests for consent must be intelligible to the data subject. SIAL is mindful in this respect of the multiple languages used by its community members. Where possible, requests for consent to data subjects who do not speak English will be made in Italian to ensure the request is intelligible.

4.5 SIAL recognises that consent is not necessarily always the most appropriate basis on which an organisation may rely for making decisions about the lawfulness of data processing, especially in cases where there is a clear imbalance between the data subject

and the controller. Associated with this recognition, SIAL remains mindful of its responsibilities with regard to legitimate interest in data.

- 4.6 SIAL asserts its legitimate interest in collecting and processing certain categories of personal data (such as staff banking information required for the purposes of payroll processes). Where SIAL regards its data processing as associated with a legitimate interest an assessment will be made and a record of the assessment will be maintained to demonstrate proper consideration was given to the rights and freedoms of data subjects.
- 4.7 SIAL recognises its legal obligation to collecting and storing certain categories of personal data (such as the results of checks made under the Disclosure and Barring Service). Data such as these that SIAL has a legal obligation to hold and process will be recorded in the Single Central Record maintained at SIAL'S school office and will be made available to authorised personnel such as Her Majesty's Inspectors.
- 4.8 SIAL is a school accredited by the Dfe and MAE as 'scuola parificata'. SIAL is therefore under the obligation to pass, when requested, sensitive personal data on to the Italian Consulate in London, the Italian Embassy in London, MIUR, MAE, Dfe, Ofsted, LAs (Local Authority) and RBK&C (Royal Borough of Kensington and Chelsea). SIAL may also share personal data with peripatetic teachers (i.e. after school clubs teachers) and external institutions (i.e. examination boards) when necessary.

## 5. Data Subjects' (Your) Rights under GDPR

5.1 Data Subjects have the following rights under GDPR:-

- to access their personal data
- to be provided with information about how their personal data is processed
- to have their personal data corrected
- to have their personal data erased in certain circumstances
- to object to or restrict how their personal data is processed
- to have their personal data transferred to yourself or to another business in certain circumstances.

5.2 You have the right to take any complaints about how we process your personal data to the Information Commissioner:

<https://ico.org.uk/concerns/>

0303 123 1113

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire SK9 5AF

5.3 SIAL recognises its duty to provide data subjects making requests with a copy of any personal data being processed that concerns them, free of charge, in an electronic format compatible with the data portability principle supported by the GDPR. Such requests should be made to SIAL'S Data Protection Officer at [dop@scuolaitalianalondra.org](mailto:dop@scuolaitalianalondra.org). SIAL will respond within one month of receiving the request. If a request is manifestly unfounded or

excessive, SIAL may refuse to respond but will provide evidence of how the conclusion that the request is manifestly unfounded or excessive was reached. SIAL will withhold personal data if disclosing it would adversely affect the rights and freedoms of others.

- 5.4 SIAL recognises its duty to erase personal data, cease further dissemination of the data, and where appropriate request third parties to halt processing of the data in cases where the data is no longer relevant to original purposes for processing, or where a data subject withdraws their consent, in accordance with Article 17 of the GDPR (Data Erasure). SIAL notes that this right requires data controllers to compare the data subjects' rights to the public interest in the availability of the data when considering such requests.
- 5.5 SIAL recognises its duty to be mindful of the principles of data minimisation when reviewing data storage and data processing procedures, and to ensure that access to personal data is limited as far as possible to those who need to act out processing. Further, SIAL recognises its duty under Article 23 of the GDPR to include effective data protection in the design of data systems from the outset, rather than to attempt to add data protection measures to systems.
- 5.6 SIAL recognises its duty to report to the Information Commissioner's Office any data breach likely to result in a risk for the rights and freedoms of individuals. SIAL also commits to reporting any such breach within 72 hours of first becoming aware of it, and of appropriately notifying data subjects and data controllers without undue delay.

## **6. Data Storage length**

1. 6.1 We will hold your personal data on our systems in accordance with our Data Eco-System and as it is necessary to comply with our legal obligations. We will review your personal data every year to establish whether we are still entitled to process it. If we decide that we are not entitled to do so, we will stop processing your personal data except that we will retain your personal data in an archived form in order to be able to comply with future legal obligations (e.g. compliance with tax requirements).
- 6.2 We securely destroy all financial information once we have used it and no longer need it.

## **7. Automated individual decision-making, including profiling**

- 7.1 SIAL recognises data subjects' right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her as described in Article 22 of the GDPR (Automated individual decision-making, including profiling).
- 7.2 Consequently, SIAL commits to ensuring any automated processing is undertaken with all due regard to the safeguarding of data subject's rights and freedoms and legitimate interests. Automated processing may take place where:
  - it is necessary for entering into, or performance of, a contract between the data subject and a data controller;
  - it is authorised by state law to which the controller is subject, and which also lays down suitable measures to safeguard the data subject's rights and freedoms and legitimate interests; and

- it is based on the data subject's explicit consent.

7.3 Where automated processing is used, SIAL will remain mindful of its duty to implement suitable measures to safeguard the data subject's rights and freedoms and legitimate interests, at least the right to obtain human intervention on the part of the controller, to express his or her point of view and to contest the decision.

7.4 SIAL recognises the special privacy requirements required with regard to sensitive data such as a data subject's racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership. SIAL respects, and commits to abiding by, the guidelines described in Article 9 of the GDPR (Processing of special categories of personal data).

## **8. Wealth screening, data analysis and updating of contact details**

8.1 SIAL is a UK registered charity and carry out fundraising activities to further its charitable object. As a charity, SIAL may gather information about current parents, students and staff from publicly available sources, such as Companies House, the Electoral Register and the media – to facilitate understanding of how SIAL can tailor its services more effectively.

8.2 SIAL may carry out wealth screening, a process which may use trusted third-party partners to automate some of this work. SIAL may use information gathered from public sources alongside the information provided by parents, students and staff. This process enables SIAL to undertake analysis of who might support the organization and to understand the preferences of current parents, about events, communications and services.

## **9. Intellectual Property Rights**

9.1 SIAL is the owner or the licensee of all intellectual property rights in its website, and in the material published on it. Those works are protected by copyright law and other laws and treaties around the world. All such rights are reserved. Users of the website may not modify the content of the website, nor may they modify digital copies of any content materials they may have downloaded or copied, or paper copies of materials they may have printed off. By using the SIAL website, users are indicating that they accept these terms of website use and that they agree to abide by them. If users do not agree to these terms of website use, they are respectfully directed not to use the SIAL website.

9.2 Similarly, users of the SIAL website may not use any illustrations, photographs, video or audio sequences or any graphics separately from any accompanying text. SIAL'S status (and that of any identified contributors) as the authors of material on the SIAL website must always be acknowledged.

9.3 Users of the SIAL website must not use any part of the materials on the website for commercial purposes without obtaining a licence to do so from SIAL or its licensors. Printing, copying or downloading any part of the SIAL website will be deemed to constitute a breach of these terms of website use. In such a case, SIAL asserts its right to terminate the user's right to use the SIAL website and the user may be required to return or destroy any copies of the materials made. This assertion will be made without limitation to any legal rights of the user, which are reserved in full.

- 9.4 SIAL may revise the terms of website use at any time. In such cases appropriate notice will be given of the changes. Users are expected to have regard to any such changes as they will be binding on users.

## **10. Viruses, Hacking and Other Offences**

- 10.1 Users must not misuse the SIAL website by knowingly introducing viruses, Trojan horses, worms, logic bombs or other material which is malicious or technologically harmful.
- 10.2 Users must not attempt to gain unauthorised access to the SIAL website, the server on which the website is stored, or any server, computer or database connected to the SIAL website.
- 10.3 Users must not attack the SIAL website (for example, by means of a denial-of-service attack or a distributed denial-of service attack). Breach of this provision may constitute a criminal offence under the Computer Misuse Act 1990 and other applicable legislation. SIAL will report any such breach to the relevant law enforcement authorities and will co-operate with those authorities by disclosing users' identity to them.
- 10.4 In the event of a breach such as that described in 8.3, the users' right to use the SIAL website will cease immediately.
- 10.5 SIAL will not be liable for any loss or damage caused by a distributed denial-of-service attack, viruses or other technologically harmful material that may infect users' computer equipment, computer programs, data or other proprietary material due to the users' use of the SIAL website or to their downloading of any material posted on it, or on any website linked to it.

## **11. Links from the SIAL Website**

- 11.1 Where the SIAL website contains links to other sites and resources provided by third parties, these links are provided for users' information only. SIAL has no control over the contents of those sites or resources and accepts no responsibility for them or for any loss or damage that may arise from users' use of them.

## **11. Data Protection Officer**

- 11.2 SIAL has appointed a Data Protection Officer (DPO) who is responsible for internal record keeping and who reports to SIAL'S Senior Leadership team and Governors. SIAL commits to ensuring that the Information Commissioner's Office and all relevant data protection authorities are provided with the DPO's contact details and that the DPO is provided with appropriate resources to carry out her tasks and maintain her expert knowledge. SIAL further commits to ensuring that the DPO is not required to carry out any other tasks that could result in a conflict of interest.

## **12. Related Policies**

This policy is associated with, and should be read in conjunction with, the following policies and documents:

Data Protection Policy

Admission Policy

Recruitment policy

e-Safety Policy

Child Protection and Safeguarding Policy

Staff and Parents handbook

CCTV Policy