

# HILL CASTLE INTERNATIONAL SCHOOL PRIVACY INFORMATION COLLECTION STATEMENT (“PICS”)

## 1. Our Privacy Policy

1.1 Hill Castle International School (HCIS) is committed to safeguarding Personal Data. This PICS is addressed to Parents or Guardians that are responsible for one or more prospective, past or present Students of HCIS. It explains how we collect and use your Personal Data and the Personal Data of each Student you are responsible for during the course of our provision of educational and related services to them.

1.2 If you are the Parent or Guardian of a Student who is, or becomes, competent to make their own decisions relating to the processing of their personal data, then you must provide a copy of this PICS to them. More information about provision and withdrawal of consent is set out at *Consent*.

1.3 This PICS is intended to explain our privacy practices and covers the following areas:

- Information we may collect about you and any Student you are responsible for and where we may collect it from;
- How we use your Personal Data, and that of any Student that you are responsible for;
- Use of Special Categories of Personal Data and Criminal Conduct Data;
- Legal Capacity of Students to make decisions about the Processing of their Personal Data;
- Transmission, storage and security of your Personal Data, and that of any Student that you are responsible for;
- Your rights, and those of any Students you are responsible for, relating to your Personal Data collected and processed by us;
- Changes to our PICS or our Cookies Policy;
- Lawful Bases processing of personal data;
- Definitions; and
- Contact Details

1.4 By providing your information, or the information of any Student you are responsible for (whether via our website, in person, in writing or over the phone) you acknowledge to us, you acknowledge the processing set out in this PICS. Further notices highlighting certain uses we wish to make of your Personal Data together with the ability to opt in or out of selected uses may also be provided to you when we collect Personal Data from you.

1.5 Some of the processing activities set out in this PICS are undertaken by our School. Other processing activities are undertaken by iCademy Middle East. Contact us. The exact split differs between Schools, Students and over

time. We can confirm which processing activities are undertaken by which entity on request.

1.6 This PICS only relates to processing undertaken by or on behalf of NAE entities. Whilst their websites may contain links to other third party websites, please note that we do not accept any responsibility or liability for their policies in relation to any Personal Data or their collecting processing of any Personal Data.

## 2. What Personal Data do we process?

2.1 We may collect and process the following Personal Data about you and any Student you are responsible for:

- **Biographical and identification information** ► including name, gender, nationality, date and place of birth, details of family members, passport information;
- **Contact information** ► including address(es), telephone number(s), email address(es), emergency contacts;
- **Student information** ► this includes admission information (e.g. tests scores), start date, year group, class information, school ID, grades, notes, timetables, transport routes, photographs and communications with Parents or Guardians, teachers and other Students and information relating to reports made by/concerning Student (e.g. bullying reports etc).

In certain very limited circumstances, it may also include Criminal Conduct Data (so that we can deal with serious behavioural issues and authorities appropriately) and the following Special Categories of Personal Data:

- Health/medical information comprising information relating to any injury a Student may sustain during a school managed excursion or trip; any disability; health conditions relevant to education; and any health problems that could affect the ability to learn, so that we can maintain a safe environment for all Students;
- Religious beliefs, ethnicity and race, so that we can evaluate the sociocultural environment from which Students come from for the purpose of creating the most suitable study conditions for everyone; and
- Photographs of Students, so that we can identify them for security purposes. We do not use these photos for any other purpose. Sometimes we can offer the option to include photographs on marketing materials or social media, but we will not do this without first obtaining consent for the specific use.

You can find out more about this processing here: *Use of Special Categories of Personal Data and Criminal Conduct Data*.

- **Payment information** ► including bank account and credit/debit card information;
- **Our correspondence** ► where we are contacted by you or a Student you are responsible for, we will keep a record of that correspondence;

- **Website and communication usage** ► details of visits to our websites and information collected through cookies and other tracking technologies including, but not limited to, IP address and domain name, browser version and operating system, traffic data, location data, web logs and other communication data, and the resources that are accessed;
- **Information you have provided to us** ► any additional information that you or a Student you are responsible for may provide to us, such as through completing enquiry or feedback forms.

#### **Where we collect Personal Data from**

2.2 We may obtain Personal Data from you (or any Student you are responsible for) directly, or from third parties such as other educational or sporting institutions, sanctions and politically exposed persons screening lists, our business partners and public registers.

### **3. How we use your Personal Data**

3.1 Your Personal Data (and that of any Student you are responsible for) will only be processed where we have a specific purpose, and a lawful basis, for doing so. These purposes and bases are listed below. An explanation of the scope of the grounds available can be found under *Lawful Bases*.

**a) To select, onboard and enrol Students** ► to process application forms, tests, interviews, travel arrangements and all activities relating to the Student's enrolment in a School. This may, in certain limited circumstances, include Special Categories of Personal Data, in the form of photographs of Students for identification and security purposes; or Criminal Conduct Data, for understanding the background of potential Students;

**Lawful Bases:** *contract performance; legitimate interests (to enable us to perform our obligations and provide our services). Where we need to process Criminal Conduct Data, we will rely on substantial public interest under Section 31(4) of the Education Act.*

**b) To manage the Student's academic timetable and to provide access to the School's communication networks** ► to schedule the Student's activities and provide access to the School's intranet and other information storage communication tools;

**Lawful Bases:** *contract performance; legitimate interests (to enable us to perform our obligations and provide our services)*

**c) To develop and support Students** ►

**Lawful Bases:** *contract performance; legitimate interests (to enable us to perform our obligations and provide our services). In the limited circumstances where we need to process selected Special Categories of Personal Data we will rely on explicit consent*

**d) To provide a safe and healthy environment for Students and staff ►** this may in certain limited circumstances include Special Categories of Personal Data such as:

(i) Health data, comprising information relating to any injury a Student may sustain at a school managed event; any disability; health conditions relevant to education; and any health problems that could affect the ability to learn. We use this data to make suitable provision and adjustments relating to the management of disabilities, allergies, illnesses and injuries, including the provision of such information to third parties such as insurers or medical professionals where appropriate; or

(ii) Criminal Conduct Data, so that we can deal with serious behavioural issues and inform authorities if appropriate.

**Lawful Bases:** *contract performance; legal obligations; legitimate interests (to enable us to perform our obligations and provide our services).*

*In the limited circumstances where we need to process Special Categories of Personal Data (health data) we will rely on substantial public interest under Section 29(3) of the Education Act, or protection of the vital interests of students, you or another person (where you are unable to consent).*

*In the limited circumstances where we need to process Criminal Conduct Data, we will rely on explicit consent, substantial public interest under Section 31(4) of the Education Act or defence of our legal claims.*

**e) To conduct extra-curricular programs ►** to organise, administer and operate extra-curricular expeditions and activities, including processing payment, which may include passing Personal Data to third parties for relevant insurance cover, medical assistance, supervision and execution of activities;

**Lawful Bases:** *contract performance; legitimate interests (to enable us to perform our obligations and provide our services)*

**f) To report back to Parents and Guardians on Students ►** To provide reports and note correspondence on Students' progress, opportunities and any issues. In conjunction with Students, Parents or Guardians, liaise with other bodies (educational, sporting or any other sector) in relation to Students;

**Lawful Bases:** *contract performance; legitimate interests (to enable us to perform our obligations and provide our services)*

**g) To provide newsletters and marketing materials: Contact us**

*NAE will (i) honour any request we may receive from you to stop receiving such communications and (ii) assist in ensuring that you do not receive targeted advertising that it unlikely to be of interest of you. Where you do not consent to direct marketing, or where we do not wish to target specific*

ads to you, we will sometimes meet these requirements by sharing your email address with our advertising service providers, to ensure that such communications are not issued to you. We will provide you with the opportunity to opt out or refrain from any other electronic marketing communication sent to you, or you can unsubscribe by contacting us at one of the contacts in the section: Contact us. Your email address will be irreversibly encrypted by them and will not be used for any other purpose.

**Lawful Bases:** legitimate interests (to promote our services); consent

**h) To ensure that we are paid**

**Lawful Bases:** contract performance; legal claims; legitimate interests (to ensure that we are paid for our services)

**i) To improve our services ►** to analyse Personal Data in order to better understand your requirements, or those of any Student you are responsible for. This will assist us in tailoring and developing the services we offer;

**Lawful Bases:** legitimate interests (to allow us to improve our services)

**j) To monitor certain activities**

**Lawful Bases:** fulfilment of legal obligations; protection of legal claims; legitimate interests (to ensure that the quality and legality of our services)

**k) To ensure website content is relevant ►** to ensure that content from our websites are presented in the most effective manner for you and any Student you are responsible for;

**Lawful Bases:** contract performance; legitimate interests (to allow us to provide the content and services on the websites)

**l) To reorganise or make changes to our business ►** In the event that we are (i) subject to negotiations for the sale of our business or part thereof to a third party, (ii) sold to a third party or (iii) undergo a re-organisation, we may need to transfer some or all of your and your Student(s)' Personal Data to the relevant third party (or its advisors) as part of any due diligence process or to that re-organised entity or third party, provided that Personal Data are used for the same purposes as set out in this PICS or for the purpose of analysing any proposed sale or re-organisation;

**Lawful Bases:** legitimate interests (in order to allow us to change and develop our business)

**m) In connection with legal or regulatory obligations ►**

**Lawful Bases:** fulfilment of legal obligations; protection of legal claims; legitimate interests (cooperation with law enforcement, control and public authorities).

*In the limited circumstances where we need to process Special Categories of Personal Data or Criminal Conduct Data we will rely on substantial public interest (ie. the Education Act) or legal claims.*

**n) To manage our websites ►** We use cookies on our websites. To find out more about how we use cookies, please see our *Cookies Policy* below.

3.2 We may also process personal data (including Special Categories of Personal Data or Criminal Conduct Data) where necessary in relation to the establishment, exercise or defence of legal claims.

#### **Sharing Personal Data with other organisations**

3.3 In order to provide our education and schooling services (including extra-curricular activities) effectively, we sometimes need to share information with other organisations. We share information with the following entities:

- a) iCademy Middle East and ISBerne online (identified at [Contact Us](#)) which undertake management functions; and
- b) Our suppliers, who assist us in providing educational and extra-curricular services.

3.4 Where these entities are outside of the EEA, we ensure that there are adequate safeguards in place to ensure the security of your Personal Data. See *Export of data outside of the EEA* for more information.

#### **4. Use of Special Categories of Personal Data and Criminal Conduct Data**

4.1 As a general rule, we do not process Special Categories of Personal Data or Criminal Conduct Data of Students, Parents or Guardians. However, in order to provide our education and schooling services (including extra-curricular activities) effectively to you and any Student you are responsible for, we are, in certain very limited circumstances, required to collect, process and disclose Special Categories of Personal Data of Students, including but not limited to:

- a) Health/medical information comprising information relating to any injury a Student may sustain at a School managed extra-curricular activity; any disability; health conditions relevant to education; and any health problems that could affect the ability to learn, so that we can maintain a safe environment for all Students;
- b) Religious beliefs, ethnicity and race, so that we can create an appropriate educational environment for all students; and
- c) Photographs of Students, so that we can identify them for security purposes. Where necessary, we may also process Criminal Conduct Data,

so that we can deal with serious behavioural issues and report to authorities appropriately.

4.2 In addition to the usual appropriate technical and organisational measures we implement to ensure the security and integrity of the personal data processed by us, we may implement additional measures in relation to Special Categories of Personal Data, as appropriate. These may include segregation, pseudonymisation or restriction of access to the data.

4.3 Where we must process Special Categories of Personal Data or Criminal Conduct Data, we will do so on the following lawful bases (see *Lawful Bases* for more information):

| <b>Special Category / Criminal Conduct Data</b> | <b>Lawful bases / condition for processing</b>  |
|---|---|
| Health/medical information                      | Substantial public interest (Section 29(3) of the Education Act) to protect the vital interests of a person, or in relation to legal claims.  |
| Religious beliefs, ethnicity and race           | Explicit consent or in relation to legal claims.  |
| Photographs of Students                         | Explicit consent or in relation to defence of legal claims.   |
| Criminal Conduct Data                           | Explicit consent, unless the criminal offence in question leads to the Student's suspension or expulsion from School where we will rely on substantial public interest (Section 31(4) of the Education Act) or the data is processed in relation to legal claims. |

### **Consent**

4.4 Where a Student is under the age of 18, we will obtain explicit consent from a Parent/Guardian responsible for the Student, on his/her behalf. This consent will remain valid until it is withdrawn by the Parent/Guardian who provided it, or the Student, provided that:

- a) The Student has legal capacity to withdraw consent (see *Legal Capacity*); and
- b) Withdrawal of consent does not have a prejudicial impact on the interests of the Student.

4.5 In any instance where a Student under the age of 18 who was deemed to be capable of providing consent later withdraws that consent against his/her own best interests, we may revert to a Parent/Guardian to obtain consent on his/her behalf. We will obtain consent directly from any Student over the age of 18.

## **5. Legal capacity of Students to make decisions about the processing of their Personal Data**

5.1 Legal capacity will be assessed as follows:

**5.2 Students under 15 years of age** Where a Student is below the age of 15, they will not be considered sufficiently mature to make decisions about the processing of their personal data. We will provide these Students with a simplified, age-appropriate version of this PICS and rely on the consent provided by a Parent/Guardian, as required.

**5.3 Students between 15-18 years of age** Where a Student is above the age of 15 but below the age of 18, processing of their personal data, an individual evaluation of their maturity and understanding, if deemed necessary. We will provide these Students with a copy of this PICS but continue to rely on the consent provided by a Parent/Guardian, as required, as described here *Consent*.

**5.4 Students over 18 years of age:** When a student reaches the age of 18, they will be considered mature enough to decide on the processing of their personal data. We will provide these students with a copy of the PICS statement and receive their consent directly, as appropriate.

## **6. Transmission, storage and security of Personal Data**

### **Security over the internet**

6.1 No data transmission over the Internet or through a website can be guaranteed to be secure from intrusion. However, we maintain commercially reasonable physical, electronic and procedural safeguards to protect your Personal Data, and that of any Student you are responsible for, in accordance with data protection legislative requirements.

6.2 All information you, or any Student you are responsible for, provide to us is stored on our or our suppliers' secure servers and accessed and used subject



to our security policies and standards. We ask that you, or any Student you are responsible for:

- a) Refrain from sharing any password providing access to certain parts of our websites, applications or systems with any other person; and
- b) Comply with any other security procedures that we may notify you of from time to time.

### **Export outside the EEA**

6.3 Your Personal Data, or that of any Student you are responsible for, may be transferred to, stored in or accessed by staff or suppliers in, a destination outside the European Economic Area (EEA). Regardless of location, we will impose the same data protection safeguards that we deploy inside the EEA.

6.4 Certain countries outside the EEA have been approved by the European Commission as providing essentially equivalent protections to EEA data protection laws and therefore no additional safeguards are required to export Personal Data to these jurisdictions. In countries which have not had these approvals, (see the full list here [http://ec.europa.eu/justice/data-protection/international-transfers/adequacy/index\\_en.htm](http://ec.europa.eu/justice/data-protection/international-transfers/adequacy/index_en.htm)) we will transfer it subject to European Commission approved contractual terms that impose equivalent data protection obligations directly on the recipient unless we are permitted under applicable data protection law to make such transfers without such formalities.

### **Storage limits**

6.6 We will Personal Data for as long as is necessary for the processing purpose(s) for which they were collected and any other permitted linked purpose (for example certain transaction details and correspondence may be retained until the time limit for claims in respect of the transaction has expired or in order to comply with regulatory requirements regarding the retention of such data). So, if Personal Data is used for two purposes we will retain it until the purpose with the latest period expires; but we will stop using it for the purpose with a shorter period once that period expires. We restrict access to Personal Data to those persons who need to use it for the relevant purpose(s).

6.7 Our retention periods are based on business needs and relevant laws. Records that are no longer needed are either irreversibly anonymised (and the anonymised information may be retained) or securely destroyed.

## 7. Rights relating to Personal Data

### **Be aware of the rights that Data Subjects have in relation to their Personal Data**

7.1 Data Subjects have a number of rights relating to how their personal data is used. Please be aware that certain exceptions apply to the exercise of these rights and so you will not be able to exercise them in all situations. In addition, these will vary slightly between EU member states. If you wish to exercise any of these rights we will check your entitlement and respond within a reasonable timescale.

7.2 Students may be able to exercise these rights independently, provided that they have *Legal Capacity*.

7.3 Where applicable, you will have the following rights relating to your Personal Data or the Personal Data of a Student you are responsible for:

- **Subject Access:** ► Be provided access to any Personal Data held about you/a Student you are responsible for, by NAE. This information will generally be provided within one month of us confirming your identity and understanding the scope of your request.
- **Rectification:** ► Require to have inaccurate Personal Data amended.
- **Erasure:** ► Require us to erase Personal Data in certain circumstances. If the Personal Data has been made public, reasonable steps will be taken to inform other controllers that are processing the data that you have requested the erasure of any links to, copies or replication of it.
- **Withdrawal of consent:** ► Withdraw any consents to processing that you have given us or that have been given on your behalf and prevent further processing, if there is no other ground under which we can rely to process your Personal Data.
- **Restriction:** ► Require certain Personal Data to be marked as restricted in some circumstances, for example, whilst we resolve any complaint we may have received. Restriction means that whilst we still store the data, we will not process it until such time as the restriction may be lifted.
- **Portability:** ► Have a copy of any Personal Data you have provided to us returned to you, or transmitted to another controller in a commonly used, machine readable format.
- **Prevent processing:** ► Require NAE to stop any processing based on the legitimate interests ground unless NAE's reasons for undertaking that processing outweigh any prejudice to your data protection rights.
- **Marketing:** ► Require NAE to prevent processing of your Personal Data for direct marketing purposes.
- **Raise a complaint:** ► Complain to your local Data Protection Authority about our processing of your Personal Data.

7.4 If you have any queries relating to your rights or exercise of your rights, please [Contact Us](#)

## 8. Changes to our PICS and/or Cookies Policy

8.1 Our PICS and our Cookie Policy may change from time to time in the future. We therefore encourage you to review them when you visit the website from time to time to stay informed of how we are using Personal Data.

8.2 This PICS was last updated on 2 August 2021.

### Lawful Bases

Use of Personal Data under EU data protection laws must be justified under one of a number of Lawful bases and we are required to set out the Lawful bases in respect of each use in this policy. We note the Lawful bases we use to justify each use of your information here: *How we use your Personal Data*.

*These are the principal Lawful bases that justify our use of your Personal Data:*

**Consent:** *You have given your consent to the processing of those personal data for one or more specified purposes. You are free to withdraw your consent by contacting us . Where you do so, we may be unable to provide educational services anymore.*

**Contract performance:** *where your information is necessary to enter into or perform our contract with you.*

**Legal obligation:** *where we need to use your information to comply with our legal obligations.*

**Legitimate interests:** *where we use your information to achieve a legitimate interest and our reasons for using it outweigh any prejudice to your data protection rights.*

**Legal claims:** *where your information is necessary for us to defend, prosecute or make a claim against you, us or a third party.*

These are the principal Lawful bases that justify our use of Special Categories of your Personal Data or Criminal Conduct Data, in the limited circumstances where it is necessary to do so:

**Explicit consent:** *You have given your explicit consent to the processing of those personal data for one or more specified purposes. You are free to withdraw your consent by contacting us. Where you do so, we may be unable to provide educational services anymore.*

***Protection of vital interests of you, Student or another person, where you are unable to consent:*** Processing is necessary to protect the vital interests of you, Student or of another natural person where you are physically or legally incapable of giving consent.

***For legal claims:*** Processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity.

***In the substantial public interest:*** Processing is necessary for reasons of substantial public interest, on the basis of EU or local law.

**Criminal Conduct Data:** In the EU, Personal Data relating to criminal convictions or offences or related security measures may only be processed when authorised by Member State or EU law.

**Data Controller:** this is the person which alone or jointly with others determines the purpose and means of the processing of Personal Data. NAE is the Data Controller of all freely provided details used in its business.

**Data Subject:** for the purpose of this policy this includes all living individuals about whom we hold Personal Data, including employees, Students, Parents or Guardians, suppliers and business partners. A Data Subject need not be a national or resident of the country the concerned NAE business is based in. Within the EU, all Data Subjects have legal rights in relation to their Personal Data.

**Data Processor:** this is the person which processes Personal Data on behalf of the Data Controller (not including employees of the Data Controller). NAE's suppliers and agencies that handle Personal Data on our behalf will be Data Processors.

**Education Act:** Act No. 561/2004 Coll., on Pre-school, Basic, Secondary, Tertiary Professional and Other Education.

**Guardians / Parents:** this means any parents or guardians responsible for a Student.

**Legal Capacity** has the meaning provided to it here: *Legal Capacity*

**Parents / Guardians:** this means any parents or guardians responsible for a Student.

**Personal Data:** this is defined as any information relating to an identified or identifiable natural person. An identifiable person is one who can be identified (either directly or indirectly) by reference to an 'identifier'. These include names, ID numbers, location data, online identifiers or one or more factors specific to the physical, psychological, genetic, mental, economic, cultural or social identity of that person.

**Special Categories of Personal Data:** this type of data is, in the EU and some other countries, subject to more stringent processing conditions than other Personal Data and in the EU includes Personal Data which reveals racial or ethnic origin, political opinion, religious or philosophical beliefs, trade-union membership, and the processing of genetic data, biometric data in order to uniquely identify a person or

data concerning health, sex life and sexual orientation. Data concerning health covers Personal Data relating to the physical or mental health of an individual which reveals information about the individual's health status. In the EU, Personal Data relating to criminal convictions or offences or related security measures may only be processed when authorised by Member State or EU law. In other countries the term Special Categories of Personal Data may include other categories of information such as financial information and passwords. If in doubt, please contact the School.

**Student:** this means any prospective, past or present student of a School.