



ST ANDREW'S COLLEGE

## Data Protection Policy

Drafted by Angie Marriner | April 2021

### INTRODUCTION

St Andrew's College (incorporating St Andrew's Preparatory School) is committed to protecting all personal data it holds and supports the data protection rights of all those individuals with whom it interacts.

The school processes personal data regarding staff, pupils, their parents and guardians, alumni, donors, business partners, contractors, suppliers, visitors and friends of St Andrew's College relevant to its operation and will take all reasonable steps to do so in accordance with this Policy.

Processing may include sourcing, obtaining, recording, holding, handling, disclosing, transporting, destroying, archiving or otherwise using data. Any reference to pupils, parents, business suppliers, contractors, friends or staff in the Policy includes current, past or prospective entities.

### SCOPE AND POLICY STATEMENT

St Andrew's College will comply with both the POPI Act and good practice, will respect individuals' rights, be open and honest with individuals' data that is held, and will provide appropriate training for staff who handle personal data so that they can act confidently and consistently.

This Policy covers St Andrew's College's acquisition, storage, processing handling and disposal of the personal and sensitive personal data it holds on individuals including but not limited to all staff, parents, pupils, contractors, business suppliers, friends, donors, alumni and other parties defined as Data Subjects by the POPI Act.

This Policy explains the school's general approach to data protection which is to ensure that individuals' personal data and information is protected and appropriately processed.

It sets out the accountability and responsibilities of St Andrew's College to comply fully with the provisions of the Protection of Personal Information Act of 2013 and recognises that handling personal data appropriately and in compliance with the data protection legislation enhances trust and protects the school's relationship with all of its stakeholders.

### STATUS AND REVIEW OF THIS POLICY

This Policy will be revised on an annual basis prior to the policy anniversary date.

## DEFINITIONS

### Personal Information

The POPI Act applies to the 'personal information' of identifiable, living, natural persons and, where applicable, identifiable existing juristic persons.

This definition provides for a wide range of personal identifiers which constitute personal data, including but not limited to

- a) information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
- b) information relating to the education or the medical, financial, criminal or employment history of the person;
- c) any identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- d) the biometric information of the person;
- e) the personal opinions, views or preferences of the person;
- f) correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
- g) the views or opinions of another individual about the person; and
- h) the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.

The POPI Act applies to both automated personal data and manual filing systems where personal data is accessible according to specific criteria.

### Special personal information

The definition 'special personal information' covers

- (a) the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information of a data subject; or
- (b) the criminal behaviour of a data subject to the extent that such information relates to
  - (i) the alleged commission by a data subject of any offence; or
  - (ii) any proceedings in respect of any offence allegedly committed by a data subject or the disposal of such proceedings.

St Andrew's College will adhere to the guidelines of processing the special personal information of children.

### Data Subjects

'Data subject' means the person to whom personal information relates.

Data subjects at St Andrew's College include but are not limited to:

- a) Prospective pupils and their parents / guardians

- b) Pupils applying to St Andrew's College and their parents / guardians
- c) Pupils
- d) Parents and guardians of pupils
- e) Exchange students
- f) Old Andreans and Honorary Old Andreans
- g) All employees
- h) All contract staff
- i) Employment candidates
- j) External members of committees
- k) Service providers, suppliers and independent contractors
- l) Partner organisations
- m) Donors, funders and sponsors
- n) Visitors

### Data processing

'Processing' means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including

- (a) the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
- (b) dissemination by means of transmission, distribution or making available in any other form; or
- (c) merging, linking, as well as restriction, degradation, erasure or destruction of information.

POPIA prescribes rules for each phase in the information life cycle.

The POPIA applies regardless of how the processing is done, whether it is automated or not as long as the personal information is entered into a 'record' and forms part of, or is intended to form part of, a filing system.

The school has additional obligations in connection with the use of special personal data. The school must identify special personal information because additional justifications for processing this information are required.

## THE INFORMATION OFFICER

The Information Officer of St Andrew's College is responsible for determining what data is processed and how this information is used throughout the organisation and beyond.

The Information Officer is responsible for:

- a) Developing, publishing and maintaining a POPI Policy;
- b) Reviewing the POPI Act and periodic updates as published;
- c) Ensuring that POPI Act training takes place for all staff;
- d) Ensuring that appropriate policies and processes appropriate to the POPI Act are defined, finalised and implemented;
- e) Handling Data Subject access to information requests;
- f) Ensuring the quality of the data that is held;
- g) Ensuring that appropriate security safe guards are in place;
- h) Handling all aspects of the relationship with the Regulator

Although the responsibility of the above actions rests with the Information Officer, certain tasks may be delegated to the Deputy Information Officer as required.

## ACQUIRING PERSONAL DATA

Personal data can be obtained directly from the party or via other information channels, such as previous schools, health professionals, social media channels, credit bureaus etc.

Personal data is also obtained by actions of St Andrew's College itself or its data processors, e.g. via camera surveillance, access control measures, etc.

St Andrew's College undertakes to obtain written consent where appropriate.

## PROCESSING PERSONAL DATA

The School will only process personal data for specific and legitimate purposes. These include:

- a) Protecting and promoting the interests and objectives of St Andrew's College;
- b) Promoting St Andrew's College to prospective pupils and their parents;
- c) Processing applications for enrolment;
- d) Processing bursary and scholarship applications;
- e) Providing pupils and staff with a safe and secure environment;
- f) Safeguarding and promoting the welfare of pupils;
- g) Providing an academic education;
- h) Providing sporting and cultural opportunities and activities;
- i) Providing pastoral care;
- j) Providing academic, examination and career references for pupils and staff;
- k) Communicating with former pupils;
- l) Communicating with, and undertaking its responsibilities to, donors and sponsors;
- m) Sending invitations to school and Old Andrean events and functions;
- n) Approaching potential donors;
- o) Managing numerous personnel processes;
- p) Undertaking a variety of administrative and management activities;
- q) Undertaking historical and archival activities;
- r) Fulfilling all of the school's contractual and other legal obligations;
- s) Complying with the requirements as set out by numerous legal authorities.

## SPECIFIC USE OF PERSONAL DATA

St Andrew's College is committed to ensuring that in principle Data Subjects are aware of the purposes for which their data is being processed, who has access to their data and what type of disclosure is likely.

Access to personal information will be tightly controlled according to function and strict access controls which will be reviewed on a regular basis.

The list below provides the type of data processed at St Andrew's College but the list is not exhaustive.

General	Council and committee minutes Internal and external correspondence Publications News clips
Finance	Accounting records Tax records Debtors' records Creditors' records Insurance records Auditors reports Interim and annual financial statements Bank statements and other banking records Invoices
Employees	List of employees Statistics regarding employees Employment contracts Conditions of employment Information relating to prospective employees Personal records Disciplinary records Performance appraisals Employee tax information Records of UIF contributions Group life assurance records Payroll records Health and safety records Codes of conduct Disciplinary and grievance codes and procedures Internal policies Correspondence
Suppliers	Supplier lists Banking details Invoices Agreements Correspondence

Pupils	<ul style="list-style-type: none"> <li>Names</li> <li>Addresses</li> <li>Contact details</li> <li>ID and passport numbers</li> <li>Photographs</li> <li>Biometric information</li> <li>Video material</li> <li>Medical information</li> <li>Scholastic and educational records</li> <li>Evaluations</li> <li>Previous school records</li> <li>Testimonials</li> <li>School marks and reports</li> </ul>
Parents	<ul style="list-style-type: none"> <li>Names</li> <li>Addresses</li> <li>Contact details</li> <li>ID and passport numbers</li> <li>Photographs</li> <li>Video material</li> <li>Medical information</li> <li>Bank account details</li> <li>Credit bureau details</li> <li>Job profiles</li> </ul>
Old Andreans	<ul style="list-style-type: none"> <li>Names</li> <li>Addresses</li> <li>Contact details</li> <li>ID and passport numbers</li> <li>Photographs</li> <li>Video material</li> <li>School awards, records and dates</li> <li>Family links</li> <li>Invitations</li> <li>Correspondence</li> <li>System statuses</li> <li>Educational records</li> <li>Employment history</li> <li>Dietary preferences</li> <li>Subscription lists</li> </ul>
Donors	<ul style="list-style-type: none"> <li>Names</li> <li>Addresses</li> <li>Contact details</li> <li>ID and passport numbers</li> <li>Photographs</li> <li>Donation history</li> </ul>

## INFORMATION QUALITY

St Andrew's College will take all reasonable steps to ensure that personal information is of a good quality. For information to be considered of a 'good quality', it has to be;

- a) Complete
- b) Accurate
- c) Not misleading
- d) Updated when necessary

St Andrew's College will assume that the information provided by the Data Subject is correct, and will request that personal information to be updated on a regular basis.

## RETENTION PERIODS

Personal information should not be retained for any longer than is necessary to achieve the purpose for collection, unless there are justifiable reasons for retaining the information for longer periods. St Andrew's College destroys personal information as soon as reasonably practical after it no longer has a justification to retain the information.

## ARCHIVAL MATERIAL

St Andrew's College is an historical educational institution and holds archival information which is invaluable for future research purposes.

Personal information of pupils, parents, staff and external parties that are kept as historical records are stored in a secure Archival repository, only accessible by the staff members of the Foundation Office and is prevented from being used for any other purpose.

## SHARING OF PERSONAL INFORMATION

St Andrew's College may only share personal information with a third party if there is a justifiable reason to do so and subject to an agreement between the two parties.

## PROTECTING CONFIDENTIALITY

Personal data will only be shared on a need to know basis. Personal data will not be disclosed to anyone who does not have the appropriate authority to receive such information, irrespective of their seniority within the School or their relationship to the data subject, unless they need to know it for a legitimate purpose.

Sharing personal data with other parties is permissible so long as doing so is fair and lawful under the POPI Act. Staff should always speak to the Information Officer if in doubt, or if staff are being asked to share personal data in a new way.

Before sharing personal data outside the school, particularly in response to telephone requests for personal data staff should:

- a) make sure they are allowed to share it – that they have the necessary consent;
- b) ensure adequate security measures are implemented.
- c) ensure that the sharing is authorised.

The school will follow appropriate guidelines when using photographs, videos or other media.

## ENSURING DATA SECURITY

St Andrew's College will do all that is reasonable to ensure that personal data is not lost or damaged, or accessed or used without proper authority, and will take appropriate steps to prevent these events from happening.

St Andrew's College ensures that the necessary technical and organisational measures are in place in order to protect personal information.

Technical measures include the implementation of firewalls, anti-virus software and, encryption software. St Andrew's College reviews all foreseeable internal and external threats to personal information on a regular basis and established and maintains appropriate safeguards against the identified threats. St Andrew's College uses a range of measures to protect personal data stored on computers, including file encryption, anti-virus and security software, sufficiently robust and frequently changed user passwords, audit trails and back-up systems.

Operational measures include the regular view of relevant security policies, and the assurance that these policies are implemented and enforced.

In particular:

- a) Paper records which include confidential information will be kept in a cabinet or office which is kept locked when unattended.
- b) Staff must not remove personal data from the school's premises unless it is stored in an encrypted form on a password protected computer or memory device.
- c) Staff must not use or leave computers, memory devices or papers where there is a significant risk that they may be viewed or taken by unauthorised persons.

## DATA SUBJECT PARTICIPATION

Individuals are entitled to know whether St Andrew's College is holding any personal data relating to them, what that information is, the source of the information, how the school uses it and to whom it has been disclosed.

Amongst other rights, individuals have a right to ask the school not to use their personal data for direct marketing purposes; to request that St Andrew's College corrects or deletes any personal information that is inaccurate, irrelevant, excessive, out of date, incomplete or misleading; to request that St Andrew's College destroys or deletes a record that it is no longer authorised to retain; and to restrict or halt the processing of their personal data.

Requests of this nature must be submitted in writing to the Information Officer. Requests for access to personal information will be handled in compliance with the POPI Act and in compliance with the Promotion of Access to Information Act (PAIA), as defined in the St Andrew's College PAIA manual.

## FURTHER INFORMATION

For any questions or requests regarding this Policy, or if a Data Subject would like to exercise his/her rights, please contact the St Andrew's College Information Officer:

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