



**Independent Bonn International School e.V.**

Staatlich anerkannte Ersatzschule der Primarstufe

## **DATA PROTECTION POLICY**

### **Principles of the European Data Protection regulations:**

Data will be:

- Processed lawfully, fairly and in a transparent manner in relation to individuals
- 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 purpose;
- Adequate, relevant and limited to what is necessary in relation to the purpose for which they are processed;
- 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 purposes for which they are processed, are erased or rectified without delay;
- 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 or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the regulations in order to safeguard the rights and freedoms of individuals
- 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.

## **General Statement**

The Independent Bonn International School (I.B.I.S.) intends to fully comply with the state and federal German Data Protection Laws as well as European regulations which govern the processing of personal data whether held electronically or in manual form.

Processing includes obtaining, recording, holding, accessing, disclosing or using personal data. The Headteacher, being the data controller in terms of the Data Protection Act, has overall responsibility for ensuring that records are correctly processed. All staff at I.B.I.S involved with such processing are aware of their duties and responsibilities in line with this policy.

The school will always do everything possible to follow the requirements of the Federal Data Protection Act (Bundesdatenschutzgesetz) Staff wishing to see a fully copy of the Act (in English) can do so at :

<http://germanlawarchive.iuscomp.org/?p=712>

The fundamental principle of the law is that as little data should be retained as necessary for the effective working of the organization. In practice, this means that any data we retain should only be accessible to those staff for whom it is relevant; in particular, access to highly sensitive personal data will be heavily restricted. Highly sensitive data includes Child Protection concerns, staff disciplinary records, salary information or general private information related to individual staff.

The Child Protection Law outranks the Data Protection Law, meaning that data can be shared for the protection of children, even if that sharing would otherwise be forbidden.

## **1. Processing Purposes**

I.B.I.S. processes personal data in relation to students and parents or legal guardians for the following purposes:

### **a) Administration**

Student and parent / legal guardian details are collected upon registration of a pupil to attend this school or upon admission of a student to this school. Such registration details are required to establish a register for the administration of the yearly intake of children, and for the daily efficient running of the school. Pupil records may also include photographs.

The pupil details will incorporate the details of their parents / legal guardians to be contacted as necessary and to maintain a sound relationship with them, by involving them in the educational development of their child attending this school. Parents / legal guardians may also participate in school activities in the interest of their children. It is the responsibility of parents / legal guardians to provide the school with any amendments or changes to the registration details of our students to keep such information up to date.

### **b) Academic progress monitoring**

I.B.I.S. is committed to provide the best education possible to its students. Performance data, including tests and / or assessment results are compiled and associated with pupil records, to monitor their progress during the scholastic years.

### **c) Organisation of school functions**

We organise activities from time to time to promote pupils' achievements, and give them exposure to certain field work to develop further their potential and abilities. The functions may form part of curricular requirements (such as sports day, etc.) or may be of a non-curricular nature (such as outings, exhibitions, Christmas parties, etc.). In all functions, data of pupils and their parents / legal guardians may be processed for this purpose. Consent will be sought for processing of personal data related to non-curricular activities.

### **d) Historic records**

Selective records processed for the above mentioned purposes (administration, academic and school functions) may be archived and kept for historic and record purposes.

### **e) Pupil welfare**

I.B.I.S. may process records related to the welfare and social behaviour of the pupil concerned. Such information may include court orders regarding custody of minors, information compiled by child protection services including guidance and

counselling, as well as any other information obtained from the child or parent / legal guardian, law enforcement officers.

Such welfare data is processed in the best interest of the student concerned in order to provide him / her with the best possible protection and assistance, to improve his / her welfare, and further progress the development of the student involved.

#### **f) Health**

Medical examinations may be carried out by state doctors, nurses, psychologists and other health professionals to monitor the state of health of the pupils attending this school. Other health related information may also be provided by the parent / legal guardian themselves as a preventive measure.

## **2. Processing of visual images**

I.B.I.S allows the taking of visual images in the form of photos, videos or other means,

in its school activities. The school is only responsible for visual images taken by school representatives. Persons taking visual images for personal use during a school activity are held responsible for the use of such visual images. Where a public event is held in the school and is approved by the Headteacher, the press covering the event will be data controllers in relation to the visual images. In such cases, the Headteacher should point out to the press any such objections to the publishing of any visual images. Upon the admittance of pupils to I.B.I.S consent is sought from parents / legal guardians where visual images are:

- taken by school representatives in non-curricular activities
- used for communications purposes by publishing them on printed matter including internal and external publications (e.g. school magazines, annual reports, newsletters, etc)
- school notice boards
- media – including newspapers and TV
- the internet (school website and class weblogs)
- used for any other purpose other than administrative, school functions, historic and communications purposes.

The consent given by parents / legal guardians may be withdrawn after informing the Headteacher in writing. No visual image of the student in question will be taken after the consent has been withdrawn.

When a professional photographer is engaged by the school, the school shall ensure that the photographer understands data protection considerations and that he/she is capable to satisfy all responsibilities and obligations in accordance with the Data Protection regulations. This relationship will be regulated by a contract between the school and the photographer.

Visual images will be kept for as long as necessary.

Places where video cameras are to be found will be clearly denoted. In case staff, parents or children have questions about the images being recorded they should approach Mrs. Busse in the office. This information will be made visible in the school so as the individual concerned is able to make a decision as to whether they are active in the areas being filmed.

CCTV cameras are not present in any classrooms and teachers will never be filmed by CCTV when teaching.

### **3. Recipients of data**

Personal data will not be disclosed to other third parties without the consent of the parent / legal guardian, unless obliged by law and unless it is in the best interest of the child. Personal data will therefore be accessed and disclosed as follows:

#### **a) Access**

Restricted staff members of the school will access personal data on a need to know basis in the course of executing their duties. The professional staff requiring such data is fully aware of the obligations the school has under the Data Protection regulations, and they will only use the data for the purposes for which it was collected.

#### **b) Disclosure**

The school endeavours to inform students and their parents / legal guardians when there is a possibility that personal data may be disclosed to third parties, and will ask for consent where applicable. Individuals have the right to a complete overview of the data kept about them. The school must provide this within a month of the request. Individuals have the right to have inaccurate data corrected. There are instances where personal data will have to be disclosed without consent to the following third parties:

- **Other schools** - where a pupil is transferred to another school, all academic records and other data related to the welfare and health of the pupil are forwarded to the other school upon request, for continuation purposes.
- **Health Authorities** – to avoid contagious diseases or epidemics as obliged under health legislation in the interest of public health.
- **Hospitals / Clinics / other medical professional** – where a pupil needs medical treatment due to illness or injuries suffered by him / her.
- **Police** – in cases of criminal investigations and in the interest of law and order inside the school premises.

- **Social workers / Support agencies (Jugendamt)** – where the welfare of the student is not being maintained and in cases of child abuse.
- **Courts** – as ordered.

### **c) Data breaches**

The school will have internal procedures for detecting, reporting and investigating a personal data breach. Mrs. Busse in the office must always be informed within twelve hours if a data breach is suspected.

The school will be able to report a breach of data to the supervisory authority without undue delay and certainly within seventy two hours of becoming aware of it.

The school will have a designated Data Protection Officer (external) to advise on the systems in place.

## **4. Children and Parent / Legal Guardian Rights**

Students and parents / legal guardians are entitled to be provided with:

- a) current information processed about them;
- b) a description from where this information has been collected;
- c) the purpose for processing such information;
- d) details about the recipients to whom data is disclosed;
- e) the reason for any automatic processing of data concerning them.

The request has to be made in writing duly signed by the parents / legal guardians and addressed to the Headteacher. Requests concerning students are to be made by their parents / legal guardian on behalf of the students.

The school aims to comply as quickly as possible with requests for access to personal information and will ensure that it is provided within a reasonable time, unless there is a good reason for delay. When a request for access cannot be met within a reasonable time, the reason will be explained in writing to the parent /legal guardian making the request.

In the event that personal data proves to be incorrect, the parent / legal guardian concerned may request to rectify, erase or not to use the information in question.

## **5. Retention of Personal data**

The school does not hold any data longer than necessary, having considered the purposes for processing.

In this regard, all personal data relating to children and their parents / legal guardian will be held for the period during which the student attended this school,

with the exception of records selected to be kept for record purposes, and statistical data. The school observes the following guidelines.

- Childrens' leavers' reports must be stored for a time specified by NRW regulations.
- Salary information – 10 years.
- Petty cash claims – 10 years
- Pupil records – 10 years
- Central register – 6 years minimum

It is very important that all other material such as certificates, results and any other record indicating the educational progress of the student, is to be appropriately preserved by the parents / legal guardian for future use by the pupil.

## **6. Retention of background checks and disclosure.**

The school will retain only a copy for 5 years then it will be shredded. Originals will be returned to staff members. Original references are also returned to personnel.

All personnel data and documents are stored securely. Restricted and specified staff only will have access to this data.

Employment and finance records are stored by the school's Accountants for 10 years according to German law.

There is a fire safe for important records such as the central register and external hard drive for our server.

### **Enquiries**

All enquiries related to this school's Data Protection Policy are to be addressed as follows:

*The Headteacher  
Independent Bonn International School  
Tulpenbaumweg 42  
53177 Bonn*

*Reviewed April 2018 (P. Wharton- Headteacher)*

*Signed: .....*