

## **OPDS Policy on General Data Protection Regulation (GDPR)**

**As at 31<sup>st</sup> March 2018**

### **1. Awareness**

- 1.1 The contents of this paper will be discussed at a training meeting with all members of OPDS staff and they will be invited to raise any issues.
- 1.2 Issues raised by OPDS members of staff will be incorporated into this paper, as appropriate.
- 1.3 The subject of GDPR will be raised at monthly staff meetings to maintain awareness and 1.2 will continue to apply.

### **2. Information held by OPDS**

- 2.1 Information we receive and hold in order to run the business efficiently comes from a variety of sources.
- 2.2 Initially, we receive information about students via a set of documents (see Appendix A), which has been submitted to us from their parents. This information is used to create a Student Record, containing their personal data. Permission to hold and process this data is sought when the initial guardian service application is made to OPDS.
- 2.3 Services we offer include School Placement and Student Guardianship.
- 2.4 School Placement may contain student information pertaining to their success or failure to gain a place in a school of their choice, with reasons where they have been provided by the school. Such reasons may include results of school tests, aptitude tests and interviews.
- 2.5 OPDS makes frequent bank transfers to students who request funds to be used as pocket money. These are made from a client account, into which funds have been paid by the parents. In order to make these transfers swiftly, bank account information is held in the Barclays On-Line Banking system.
- 2.6 During exeat and school holidays, students may stay with a host family. Information is held as to where they stay, how they get to and from the school and feedback forms are requested from them and the host family inviting comments on their stay

### **3. Communicating private information**

- 3.1 OPDS staff are aware that private information on a student or their family may not be revealed to a third party, without the express permission, in writing, from the person(s) involved.

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- 3.2 The only exceptions to this are where, legally, OPDS is requested by statutory bodies, such as the Police or Local Council, to provide such information. Even in these circumstances, OPDS insists that such requests are given in writing. To facilitate such requests, e-mail is accepted as a form of writing, although OPDS is aware that the precise source of that e-mail must be credible.

#### **4. Individual's rights**

- 4.1 Individuals have a right to see the information we hold for them at any time although they are requested to make a written appointment, with proof of identity, to ensure the appropriate staff are available to demonstrate this to them.
- 4.2 Once OPDS no longer provides services to a student, all information pertaining to that student is passed from the 'live' file to the 'archive' file. Once archived, the information is not available to anyone unless it is brought back into the 'live' file, which does happen from time to time.

#### **5. Subject Access Requests**

- 5.1 OPDS undertakes to allow access to the appropriate individuals at the earliest practical opportunity and within the statutory 30 day period.
- 5.2 OPDS will maintain a log of all such requests, including when made and when implemented, with comments on each case from both parties.

#### **6. Lawful Basis for processing personal data**

OPDS has identified three categories under which processing may take place:

- 6.1 Consent: the individual has given clear consent for O.P.D.S. to process their personal data for a specific purpose.
- 6.2 Legal obligation: the processing is necessary for O.P.D.S. to comply with the law (not including contractual obligations).
- 6.3 Vital interests: the processing is necessary to protect someone's life.
- 6.4 OPDS works directly with parents and agents (representing parents) abroad.

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- 6.5 Parents are asked to sign, giving their approval for OPDS to use the data they have supplied in a manner compliant with the needs of GDPR when they first appoint OPDS as placement agent or guardian.

## 7. Children

- 7.1 OPDS requests the current passport of all students and accepts this as a bona fide document containing wholly accurate information. No further checks are carried out by OPDS on the data contained therein.
- 7.2 OPDS is aware when a passport expires and will update the record with new passport information as it becomes available.

## 8. Data Breaches

- 8.1 OPDS is aware that data breaches may have to be reported to the ICO and/or the individual concerned, depending on the nature of the breach.
- 8.2 Where inaccurate data has been processed, either because of initial inaccuracy at the time of receipt or through the inherent inaccuracy of human intervention, this will be reported to the Lead Data Protection Officer, who will decide on the severity of the case and report as appropriate.
- 8.3 A log will be maintained by OPDS of all such incidents, with a decision recorded as to the action taken and whether the matter was escalated or not.

## 9. Data Protection Officers

- 9.1 Larry Field, a Director of OPDS, is the nominated DPO for the company and accepts the responsibilities as specified by GDPR.
- 9.2 However, all staff are aware of their individual responsibilities and the reporting lines they must follow if they have any concerns.

## 10. International Issues

- 10.1 OPDS deals with overseas companies, primarily in China, although periodically we have requests to assist families in EU countries.
- 10.2 Each family we work with will be requested to complete and sign Appendix B as a standard document, to be held on OPDS files, giving OPDS approval to process their personal data as it is supplied to OPDS.

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## Appendix A

### Documents requested by OPDS from families

1. Passport
2. BRP
3. Resume
4. School Transcripts
5. Personal Statement
6. School Reference letter
7. IELTS Certificate (where available)

### Documents we may hold at some time on behalf of a student

8. School application form
9. School offer / rejection letter
10. Parent signed Acceptance form
11. Funds transfer documents
12. Certificate of Acceptance for Study (CAS)
13. Medical records
14. Ongoing school progress reports
15. Notarised documents

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