



WELLINGTON  
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INTERNATIONAL SCHOOL BANGKOK

## Data Protection Policy

<b>Approval:</b>	Executive Board	<b>Level:</b>	Public
<b>Writer:</b>	Bursar	<b>Review Frequency:</b>	3-yearly
<b>Next Review:</b>	January 2024	<b>Approval Dated:</b>	January 2021
<b>Linked Policies:</b>	Record Keeping Policy; eSafety / Acceptable Use Policy; Taking, Storing & Using Images of Children Policy		

### 1. Context

- 1.1 Wellington College International School Bangkok ('WCIB') collects and uses Personal Data about students, parents, employees, governors, alumni, and other individuals who come into contact with the School. This information is gathered in order to enable the School to provide education and other ancillary functions. In addition, there may be legal requirements from time to time to collect and use information to ensure that the School complies with its statutory obligations.
- 1.2 This Policy is designed to ensure the School operates the highest standards of data governance by which Personal Data is dealt with correctly, securely, and in line with Thai law and best practice.
- 1.3 The Policy applies to all personal information regardless of the way it is collected, used, recorded, stored, and destroyed, and irrespective of whether it is held in paper files or electronically.
- 1.4 Personal Data is defined as data which relates to a living individual who can be identified from that data or other information held.
- 1.5 All employees involved in the collection, processing and disclosure of Personal Data must be aware of their duties and responsibilities by reading, understanding, and adhering to this Policy.

### 2. Thai law

- 2.1 On 31 May 2021, Thailand's Ministry of Digital Economy and Society ('MDES') implemented new legislation to govern the use of data under the new Personal Data Protection Act ('PDPA').
- 2.2 The key elements of the PDPA as they apply to schools are:
  - Schools collecting, using, disclosing, and transferring Personal Data must comply with the PDPA.



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- Any failure to comply with the PDPA could result in civil liabilities with fines up to THB 5 million and/or criminal penalties which include imprisonment for up to one year, or a fine of up to THB 1 million.
- It is mandatory that any data breach is notified to the authorities within 72 hours.
- The appointment of a Data Protection Officer ('DPO') is a mandatory condition under the PDPA.

### **3. Core principles**

3.1 The School will adhere to the following core principles in the collection, storage, use, sharing, and destruction of Personal Data:

- Personal Data shall be processed fairly and lawfully.
- Personal Data shall be obtained only for one or more specified and lawful purposes; and shall not be further processed in any manner distinct from that purpose or those purposes.
- Personal Data shall be adequate, relevant, and not excessive in relation to the purpose or purposes for which it is processed.
- Personal Data shall be recorded exactly as it has been provided and, where necessary, kept up to date.
- Personal Data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or purposes.
- Personal Data shall be processed in accordance with the legal rights of data subjects under Thai law.
- Appropriate disciplinary action shall be taken against unauthorised or unlawful processing of Personal Data by employees and against accidental loss or destruction of, or damage to, Personal Data.

### **4. General statement**

4.1 The School is committed to maintaining strong data governance at all times. Therefore, the School will:

- Inform individuals why Personal Data is being collected at the point of collection in terms which are clear and straightforward.
- Inform individuals when their information is shared, and why and with whom it was shared.
- Check the quality and the accuracy of the information it holds.
- Ensure that information is not retained for longer than is necessary.
- Ensure that, when obsolete information is destroyed, it is done so appropriately and securely.



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- Ensure that clear and robust safeguards are in place to protect personal information from loss, theft, and unauthorised disclosure, irrespective of the format in which it is recorded.
- Share information with others only when it is legally appropriate to do so.
- Set out procedures for responding to requests for access to Personal Data.
- Ensure all employees are aware of and understand the WCIB Data Protection Policy.

## 5. Responsibilities

- 5.1 Responsibility for information governance rests with the most senior level of accountability, specifically the Executive Board.
- 5.2 The Policy applies to Data Controllers (the School) and to Data Processors (the employees). A Data Controller determines the purposes and means of processing Personal Data; a Data Processor is responsible for processing Personal Data on behalf of the Controller.
- 5.3 The School appoints the Bursar as the Data Protection Officer ('DPO') and as such the Bursar will monitor observance of the principles above and will report annually to the Executive Board.
- 5.4 The Data Processors are WCIB employees responsible for processing Personal Data as per the following table:

Personal Data	Data Processors
Student joining, progress, and departure data	Director of Admissions and the Admissions team
Marketing and communications	Head of Marketing and the Marketing team
Medical data	Nursing Manager, Nurses
Alumni and development	Head of Marketing
Education	SLT, HoDs, Admin Assistants, all users of iSAMS
Pastoral information	SLT, HoDs, Admin Assistants, all users of iSAMS
Disciplinary information (students)	SLT, HoDs, Admin Assistants, all users of iSAMS
Incidents and accidents	All users of Evolve
Safeguarding	Designated Safeguarding Lead(s)
Employee personal data (including payroll, contract, disciplinary)	HR Manager, HR team, Head of Finance, Finance team



## 6. Data streams and data handling

6.1 WCIB deals with five main data streams as follows:

- Students
- Parents
- Governors / Directors
- Employees / Volunteers
- Former parents / alumni

6.2 Each data stream has its own sensitivities, lawful bases for processing, and methods of processing, including the retention period or how data is destroyed.

### 6.3 Students

6.3.1 In dealing with students, the School must consider two broad data streams. The first is generated by the student joining, progressing through, and departing from, the School. The second set of data is generated by the interaction between the student and the School, and this will cover education, pastoral information, disciplinary information, incidents or accidents, etc.

6.3.2 Most of this information will be relatively straightforward to process; however, there will be instances where there is a third category of data, which is sensitive data concerning health, medical conditions, family circumstances or safeguarding issues.

6.3.3 All of this student data can be processed by WCIB using the lawful basis of the Parent Contract, as there is thereby a contractual/legal obligation in place between the parents and the School to process the data of the student.

### 6.4 Parents

6.4.1 It may sometimes be necessary for the School to get separate consents for particular activities that the student undertakes. These will not simply be data protection consents, but may be parental consents to certain activities. However, there is likely to be a personal data element which needs to be captured through policy and procedure as follows:

Activity	School Policy
Photographing of students for use in School marketing material or social media	<i>Taking, Storing and Using Images of Children Policy</i>
School trips and events, including sporting activities	<i>Educational Visits Safety Policy</i>
Use of School buses	<i>School Bus Policy and Procedures</i>



## **6.5 Governors / Directors**

6.5.1 The processes of governance require records. Best practice is that Governors should carry out official School business on secure School systems including School email accounts.

## **6.6 Employees / Volunteers**

6.6.1 Records are required to be kept of applications, the interview, the reference and clearance process including police and DBS or similar checks, before an employee starts at WCIB. This information is collated by the HR Department through the Single Central Register (SCR). Volunteers and embedded contractors are also included in this process.

6.6.2 Once employed, an employee's career path into, through and on departure from the School will be recorded including annual appraisals, changes in contractual terms, references to prospective future employers, and, if applicable, disciplinary procedures and outcomes.

## **6.7 Former Parents / Alumni**

6.7.1 WCIB processes the personal data of alumni and past parents. In future, this processing will include storing personal data, sending newsletters and invitations to events, processing donations, and using information in the public domain to research and contact alumni.

6.7.2 Within alumni relations, much of this processing of personal data is for direct marketing purposes. Where this communication is designed to promote the aims and objectives of the School, WCIB will clarify the basis for processing this personal data and as appropriate will seek consent.

## **7. Consent**

7.1 The School considers that consent must be a freely given, specific, informed, and unambiguous indication of the individual's wishes. The School sets a high standard for consent, which means offering individuals a genuine choice and not relying on either pre-ticked boxes or opt-outs.

7.2 In addition, the School will also maintain records of consent which have been received. This consent will not be wrapped up in general terms and conditions, and will be clear and explicit. For example, a student cannot give consent to be contacted as an alumnus when leaving WCIB simply through the Parent Contract signed on joining the School.

## **8. Privacy Notices**

8.1 The School will develop, implement and publish all appropriate Privacy Notices (for students, parents, employees, governors, and alumni) to inform individuals as to why



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Personal Data will be collected, how Personal Data will be processed, how long Personal Data will be stored, and with whom Personal Data will be shared.

- 8.2 The information provided to data subjects through privacy notices will be concise, transparent, intelligible, and easily accessible; written in clear and plain language; and free of charge.
- 8.3 In order to meet the requirements of the WCIB Data Protection Policy in the collection, storage, use, sharing, and destruction of Personal Data, WCIB has developed a number of privacy notices as attached in **Appendix A** below.



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## **APPENDIX A – PRIVACY NOTICES**

### **Template I: Parents (or guardians) of children at the School or applying to join the School**

This Privacy Notice will be provided to you at the time your Personal Data is being obtained, if it is being obtained directly.

Data will be processed for the purposes of responding to requests for information about joining the School, and the School will therefore have a legitimate interest for processing basic Personal Data and sensitive Personal Data. The data the School holds will be the minimum it requires to form and maintain the Parent Contract between you and the School.

We see the provision of Personal Data as necessary to properly admit your child into the School and to administer and fulfil our obligations under the contract once your child is a student here.

The School will share your data with the following organisations who have contracts with the School and who have equalled the School's precautions and systems for dealing with data, as follows:

- Thai government departments and regulatory authorities including OPEC and the Ministry of Education
- Catering contractor
- Photographer
- Bus company
- Healthcare service provider
- IT software providers
- Insurance provider

It is not necessary for data to be shared with other countries. The exceptions to this are:

- Reference requests required to transfer to an alternative school.
- International school trips that the School organises, in respect of which you will be contacted separately for consent which will be limited in time and content.

The retention period for student data will be until the School ceases to operate as an education provider.

You have the right to withdraw your consent to data processing at any time.

We will obtain the data the School requires directly from you; should we need any additional data from other sources, we will advise you within a month.



## **Template 2: Governors / Directors**

This Privacy Notice will be provided to you at the time your data is being obtained, if it is being obtained directly.

Data will be processed for the purposes of responding to requests for information about joining the Board of Governors of the School, and the School will therefore have a legitimate interest for processing basic Personal Data and, if necessary, sensitive Personal Data. The data the School holds will be the minimum it requires.

We see the provision of Personal Data as necessary to safeguard you and the School as it will allow the necessary checks to be made.

The School will share your data with the following organisations who have contracts with the School and who have equalled the School's precautions and systems for dealing with data, as follows:

- Thai government departments and regulatory authorities including OPEC and the Ministry of Education
- IT software provider
- The Wellington College International group including the parent and partner schools

It is not necessary for data to be shared with other countries.

The retention period for data on Governors to be held will be 25 years.

You have the right to withdraw your consent to data processing at any time.

We will obtain the data the School requires directly from you; should we need any additional data from other sources, we will advise you within a month.





### **Template 3: Employees of the School or applying to join the School**

This Privacy Notice will be provided to you at the time your data is being obtained, if it is being obtained directly.

Data will be processed for the purposes of responding to requests for information about joining the School, and the School will therefore have a legitimate interest for processing basic Personal Data and sensitive Personal Data. The data the School holds will be the minimum it requires to form and maintain the employment contract between you and the School.

We see the provision of Personal Data as necessary to properly employ you at the School and to administer and fulfil our obligations under the contract once you are an employee here.

The School may share your data with the following organisations who have contracts with the School and who have equalled the School's precautions and systems for dealing with data, as follows:

- Thai government departments and regulatory authorities including OPEC and the Ministry of Education; and equivalent regulatory authorities in the country of origin
- ICPC and DBS clearance provider
- Healthcare service provider
- IT software provider
- Insurance provider

It is not necessary for data to be shared with other countries. The exceptions to this are:

- Reference requests required to transfer to an alternative employer
- International school trips that the School organises, in respect of which you will be contacted separately for consent which will be limited in time and content
- The Wellington College International group including the parent and partner schools

The retention period for employee data will be 10 years after your departure from the School.

You have the right to withdraw your consent to data processing at any time, whilst recognising this may mean that it would be impossible for the School to continue your employment and will not negate the processing of any data relating to child protection and safeguarding matters.

We will obtain the data the School requires directly from you; should we need any additional data from other sources, we will advise you within a month.



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#### **Template 4: Former parents and Alumni**

Routine contact with alumni will be through a School database system; and direct email will only be used as a method of contact if you have provided consent to be contacted in this way.

Should you give consent, Personal Data will be processed for the purposes of maintaining an accurate record of those who were educated at WCIB or parents of former students. The School will process only the minimum personal data to achieve this purpose.

The School will not share your data with any other companies or organisations.

It is not necessary to share your data with other countries outside of the Wellington College International group including parent and partner schools.

The retention period for alumni data will be unlimited for as long as the School believes it has a relationship to serve with alumni.

You have the right to withdraw your consent to data processing at any time.

We will obtain the data the School requires directly from you; should we need any additional data from other sources, we will contact you first.