

| Instill Education Ltd. General Data Protection Regulation (GDPR) Policy | | |
|--|-------------|------------------------------------|
| Date | Review Date | Contact name |
| 01.05.2018 | 01.05.2019 | Ward Lincoln, Data Protection Lead |

Policy Statement

Instill Education Ltd. is fully committed to prepare for and, after 25 May 2018, to comply with the General Data Protection Regulation (GDPR). The GDPR applies to all organisations that process data relating to their employees, as well as to others including customers, contractors and clients. It sets out principles which should be followed by those who process data; it gives new and extended rights to those whose data is being processed.

To this end, Instill Education Ltd. endorses fully and adheres to the six principles of data protection, as set out in the Article 5 of the GDPR.

1. Data must be processed lawfully, fairly and in a transparent manner in relation to individuals.
2. Data must be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.
3. Data must be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
4. Data must be 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 the purposes for which they are processed, are erased or rectified without delay.
5. Data must be 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.
6. Data must be 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.

The Company Processes

These principles must be followed at all times when processing or using personal information. Therefore, through appropriate management and strict application of criteria and controls, Instill Education Ltd and its employees shall:

- observe fully the conditions regarding the fair collection and use of information including the giving of consent
- meet its legal obligations to specify the purposes for which information is used
- collect and process appropriate information only to the extent that it is needed to fulfil our operational needs or to comply with any legal requirements
- ensure the quality of information used
- ensure that the information is held for no longer than is necessary
- ensure that the rights of people about whom information is held can be fully exercised under the GDPR (ie the right to be informed that processing is being undertaken, to access one's personal information; to prevent processing in certain circumstances, and to correct, rectify, block or erase information that is regarded as incorrect)

- take appropriate technical and organisational security measures to safeguard personal Information
- publicise and abide by individuals' right to appeal or complain to the supervisory authority (the Information Commissioner's Office (ICO)) in the event that agreement cannot be reached in a dispute regarding data protection.
- ensure that personal information is not transferred abroad without suitable safeguards.

Status of this Policy

The Policy does not form part of the formal contract of employment for staff but it is a condition of employment that staff will abide by the rules and policies made by Instill Education from time to time. Any failure to follow the Data Protection Policy may lead, therefore, to disciplinary proceedings. This Policy was approved on 1 May 2018. It will be reviewed no later than 1 May 2019.

Data Protection Lead

The Data Protection Lead will deal with day-to-day matters. Any member of staff, or other individual who considers that the policy has not been followed in respect of personal data about himself or herself should raise the matter with Ward Lincoln at hr@insilleducation.com.

Staff Responsibilities

All staff are responsible for:

- checking that any information that they provide to the Company in connection with their employment is accurate and up to date;
- informing your manager, payroll or HR of any changes to information that they have provided, e.g. changes of address, either at the time of appointment or subsequently. The Company cannot be held responsible for any errors unless the employee has informed it of such changes.
- acting in accordance with data protection policy and procedure in handling personal data about others at all times.

Data Security

All staff are responsible for ensuring that:

- any personal data that they hold is kept securely
- personal information is not disclosed either orally or in writing or via Web pages or by any other means, accidentally or otherwise, to any unauthorised third party.

Staff should note that unauthorised disclosure will usually be a disciplinary matter, and may be considered gross misconduct in some cases. Personal information should be kept in a locked filing cabinet, drawer, or safe. If it is computerised, it should be coded, encrypted or password protected both on a local hard drive and on a network drive that is regularly backed up. If a copy is kept on removable storage media, that media must itself be kept in a locked filing cabinet, drawer, or safe.

Disaster Recovery

1. Instill Education Ltd. backs up data every day and has multiple copies (at least one set for each day of the week and additional weekly ones in order to have at least a month's worth of data at any one time). Records of these are kept.

2. Backups are kept off site.
3. Backups are verified regularly by the software and system supplier.
4. Master copies of software are stored off site or in a heat-proof safe.
5. Firewalls and virus checkers are kept up to date and running, and users are trained in virus avoidance and detection.
6. Computers are protected from physical harm, theft or damage, and from electrical surges using protective plugs.
7. Instill Education Ltd. plans for how to deal with loss of electricity, external data links, server failure, and network problems. It uses paper forms where necessary for temporary record keeping.

Subject Consent

The GDPR sets a high standard for consent and requires a positive opt-in. Neither pre-ticked boxes nor any other method of default consent are allowed. As required by the GDPR, all schools and departments within Instill Education shall ask for separate consent for separate items and shall not use vague or blanket requests for consent. As well as keeping evidence of any consent, Instill Education Ltd. ensures that people can easily withdraw consent (and tells them how this can be done).

It should be noted, however, that consent is only one of the lawful bases on which data processing depends. In brief, the others include the following:

- Contract: if processing someone's personal data is necessary to fulfil the organisation's contractual obligations to them (eg to provide a quote).
- Legal obligation: if processing personal data is necessary to comply with a common law or statutory obligation.
- Vital interests: not one that will occur often as it refers to processing personal data to protect someone's life (and even then, it cannot be relied on with regard to health data or other special category data if the individual is capable of giving consent).
- Legitimate interests: the most flexible lawful basis for processing and one which applies when data is used in ways people would reasonably expect and which have a minimal privacy impact, or where there is a compelling justification for the processing.

Note that the GDPR provides for special protection for children's personal data and Instill Education Ltd. will comply with the requirement to obtain parental or guardian consent for any data processing activity involving anyone under the age of 16.

Subject Access Requests

An employee may request details of personal information which Instill Education Ltd. holds about him or her under the GDPR. A small fee may be payable and will be based on the administrative cost of providing the information. If an employee would like a copy of the information held on him or her, they should write to hr@instilleducation.com. The requested information will be provided within one month. If there is any reason for delay, that will be communicated within the four week time period. A request which is manifestly unfounded or excessive may be refused. The person concerned will then be informed of their right to contest this decision with the supervisory authority (the ICO). If an employee believes that any information held on him or her is incorrect or incomplete, then they should write to or email their line manager or the Data Protection Lead, at hr@instilleducation.com as soon as possible. Instill Education Ltd. will promptly correct any information found to be incorrect.

Conclusion

This policy sets out Instill Education’s commitment to protecting personal data and how that commitment is implemented in respect of the collection and use of personal data.

Signed: _____

Date: _____