SUTTON VALENCE SCHOOL
SINCE 1576

Data Transfer Policy

(Prep School and Senior School)

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This Policy applies to Sutton Valence School (including as the context requires, the Nursery, the Prep School and Senior School).

1 Purpose

This policy and procedure establishes an effective, accountable and transparent framework for ensuring compliance with the requirements for data transfers both internally and outside of the EU by the GDPR.

2 Policy statement

2.1 Sutton Valence School may transfer personal data to internal or third party recipients located in another country where that country is recognised as having an adequate level of legal protection for the rights and freedoms of the relevant data subjects. Where transfers need to be made to countries lacking an adequate level of legal protection (i.e. third countries), they must be made in compliance with an approved transfer mechanism.

2.2 Circumstances which may arise where such transfers need to be made include:

- Reports being sent to overseas parents;
- Communication with overseas parents;
- References for overseas universities;
- References for potential employees;
- References / applications from overseas pupils;
- Communications with HIK SVS International School.

2.3 Sutton Valence School may only transfer personal data where one of the transfer scenarios listed below applies:

- The data subject has given consent to the proposed transfer;
- The transfer is necessary for the performance of a contract with the data subject;
- The transfer is necessary for the implementation of pre-contractual measures taken in response to the data subject's request;
- The transfer is necessary for the conclusion or performance of a contract concluded with a third party in the interest of the data subject;
- The transfer is legally required on important public interest grounds;

- The transfer is necessary for the establishment, exercise or defence of legal claims;
- The transfer is necessary in order to protect the vital interests of the data subject.

Transfers between organisations

2.4 In order for Sutton Valence School to carry out its operations effectively, there may be occasions when it is necessary to transfer personal data internally from one location to another, or to allow access to the personal data from an overseas location. Should this occur, Sutton Valence School remains responsible for ensuring protection for that personal data.

2.5 Sutton Valence School will only transfer the minimum amount of personal data necessary for the particular purpose of the transfer (for example, to fulfil a transaction or carry out a particular service) and ensure adequate security measures are used to protect the personal data during the transfer (including password-protection and encryption, where necessary).

Transfers to Third Parties

2.6 Sutton Valence School will only transfer personal data to, or allow access by, third parties when it is assured that the information will be processed legitimately and protected appropriately by the recipient. Where third party processing takes place, we will first identify if, under applicable law, the third party is considered a data controller or a data processor of the personal data being transferred.

2.7 Where the third party is deemed to be a data controller, Sutton Valence School will enter into, in cooperation with the Data Protection Officer, an appropriate agreement with the controller to clarify each party's responsibilities in respect to the personal data transferred. Where the third party is deemed to be a data processor, Sutton Valence School will enter into, in cooperation with the Data Protection Officer, an adequate processing agreement with the data processor. The agreement must require the data processor to protect the personal data from further disclosure and to only process personal data in compliance with our instructions. In addition, the agreement will require the data processor to implement appropriate technical and organisational measures to protect the personal data as well as procedures for providing notification of personal data breaches.

2.8 Sutton Valence School has a 'Standard Data Processing Agreement' document that should be used as a baseline template. When Sutton Valence School is outsourcing services to a third party (including cloud computing services), they will identify whether the third party will process personal data on its behalf and whether the outsourcing will entail any third country transfers of personal data. In either case, it will make sure to include, in cooperation with Sutton Valence School's Data Compliance Officer, adequate provisions in the outsourcing agreement for such processing and third country transfers.