Norman Henshilwood High School

Leaner Personal Information Policy

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1. Policy Statement

Norman Henshilwood High School may collect, receive, record, organise, collate, store, update, change, retrieve, read, process, analyse, use and share the parents and learners' personal information in a way that is set out in this policy.

The purpose of this policy is to promote the protection of personal information and ensure that learner's right to privacy are protected, subject to justifiable limitations.

The policy prescribes that learner profiles and information are kept in line with the Protection of Personal Information Act of 2013.

This policy only covers the personal information of learners and must be read in conjunction with the Learner Profile Policy.

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2. Scope

This policy applies to all Norman Henshilwood School staff members, all learners, all parents of learners enrolled and all third parties acting as therapists who process personal information of learners.

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3. Definitions

The following definitions are relevant to this policy and are as such included in the Protection of Personal Information Act:

3.1 "Act" means the Protection of Personal Information Act 4 of 2013.
3.2 "Consent" means any voluntary, specific and informed expression of will in terms of which permission is given for the processing of personal information.
3.3 "Data Subject" means the person to whom the personal information relates.
3.4 "Electronic Communication" means any text, voice, sound or image message sent over an electronic communication network which is stored in the network or in the recipient's network until it is collected by the recipient.
3.5 "Information Officer" means an employee of Norman Henshilwood High School.
3.6 "Filing System" means any structured set of personal information, whether centralized, decentralized, which is accessible according to specific criteria.

3.7 "Operator" means a person who processes personal information for a responsible party in terms of a contract or mandate.

3.8 "Personal Information" means information relating to an identifiable natural or juristic person, including but not limited to:

- 3.8.1 Information relating to race, gender, sex, pregnancy, marital status, national, ethnic, social origin, colour, sexual orientation, age, physical and mental health, well-being, disability, religion, belief, culture, language and birth of a person.
- 3.8.2 Information relating to the education, medical, financial, behavior, schooling of a learner.
- 3.8.3 Any identifying image, contact number, email address.
- 3.8.4 Correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence.

3.9 "Processing" means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including, but not limited to:

- 3.9.1 The collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alterations, consultation or use.
- 3.9.2 Dissemination by means of transmission, distribution or making available in any other form.
- 3.9.3 Merging, linking as well as restrictions, degradation, erasure or destruction of information.

3.10 "Record" means any recorded information.

- 3.10.1 Regardless of form or medium, including any of the following:
  - * Writing of any material.
  - * Information recorded or stored by means of any tape-recorder, computer equipment.
  - * Label marking or other writing that identifies or describes anything of which is forms part or to which it is attached by any means.
  - * Book, map, plan graph or drawing.
  - * Photograph of one or more visual image of being reproduced.
- 3.10.2 in the possession or under the control of a responsible party
- 3.10.3 whether or not it was created by the responsible party.
- 3.10.4 regardless of when it came into existence.

3.11 "Regulator" means the Information Regulator established in terms of Section 39 of the Act.

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4. Information Officer

The Headmaster is automatically appointed as the Information Officer.

The Information Officer may from time to time, delegate responsibilities to the Executive team.

The Information Officer shall be responsible to ensure that the school is compliant with the Act.

5. **Processing of Personal Information**

Norman Henshilwood High School shall process personal information lawfully to ensure that the learners rights to privacy are not infringed, which shall include.

5.1 only processing personal information with the consent from the legal parent / guardian.
5.2 limiting the processing of personal information for the purpose for which it is required.
5.3 collecting information directly from the data subject to ensure correctness.
5.4 informing the data subject as to the reason why the information is required.
5.5 storing personal information for only the period that it is required for.
5.6 ensuring that the personal information shared with therapists, are done so by consent.
5.7 not processing any personal information for any other reason as to which the information was collected for.
5.8 to the best ability to ensure that the personal information is stored accurately and complete.

6. **How the collected information is used**

Personal Information provided to Norman Henshilwood High School by you will only be used for the purposestated when the personal information is requested.

We may use your personal information:

6.1 to administer our school management system.
6.2 to conduct business analysis
6.3 to provide communication that is relevant to you
6.4 to protect our rights in any litigation.
6.5 to administer our booking system
6.6 to communicate with you and keep a record of our communications with you and your communications with us.
6.7 to create user profiles on Google Classroom
6.8 to monitor the control of using the internet through devices
6.9 demographical and statistical information collected is used to analyses the popularity and effectiveness of our social media platforms.

7. Sharing your personal information

Personal Information provided to Norman Henshilwood can be shared under the following circumstances:

7.1 to our employees and to the extent that they need to know the information in order to provide the service for which they have been appointed to.
7.2 in order to draw up any contract between us.
7.3 to governmental agencies, where we have to comply with the law or any legal process.

8. Cross-border transfer

Information that we collect from you may be collected in or transferred to a destination outside of South Africa. Such destinations may not have comparable data protection legislations. We will however, ensure that there is a binding agreement in place to ensure your information is processed in line with South African privacy legislation.

9. How we store and safeguard information collected

The personal information is held only as long as it is necessary to provide the service to you or as may be required in terms of the business requirements. Norman Henshilwood High School shall take the following measures to ensure that the personal information is secure and safeguarded.

9.1 The information will be stored electronically and/or in a hard copy format, with reasonable organizational and technical safeguards in place to protect this information.
9.2 Taking appropriate and organizational measures to prevent the loss or damage or unauthorized destruction of personal information.
9.2 Taking appropriate and organizational measures to prevent unauthorized access to the personal information.
9.3 Identifying internal and external risks to personal information.
9.4 By doing regular checks to ensure that the safeguarding measures are updated to secure and reduce any new risks.

9.5 By doing regular checks to ensure that the safeguarding measures are effectively implemented.

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10. **Unauthorized access to Personal Information**

10.1 Norman Henshilwood High School will notify the Regulator and data subject, if possible, if the personal information of a data subject has been accessed or acquired by any unauthorized party. The data subject will be informed via email to the last known email address.

10.2 Notification must provide sufficient information to allow the data subject to take protective measures against the potential consequences of the compromise.

10.3 Notification must take place as soon as reasonably possible after Norman Henshilwood High School becomes aware of the compromise.

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11. **Consent for processing and storing personal information.**

11.1 Norman Henshilwood High School may process information without the data subject and/or parent/guardian's consent if it is necessary for the conclusion or performance of a contract to which the data subject is a party; and/or the processing complies with an obligation contained in South African legislation; and/or it protects the legitimate interest of the date subject; and/or it is necessary for the proper performance of a public law duty that has been imposed on the school; and/or it is necessary for pursuing the legitimate interest of the school or a third party to whim the information is supplied. The Information Officer shall determine what shall constitute a legitimate interest and if necessary, shall seek legal advice.

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12. **Processing of Special Personal Information.**

Any information regarding a data subject's religious or philosophical beliefs, race or ethnic original, political persuasion, health, sexual orientation, disciplinary issues or hearing of the data subject shall be considered special personal information. Norman Henshilwood High School will ensure that the data subject is not adversely affected to a disproportionate extent. The Information Officer shall take

special precautions when processing such special personal information and ensure that extra measures are taken to safeguard and secure the information.

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13. **Your rights**

Please note that under certain circumstances, you may have rights under data protection laws in relation to your personal information. You have the right to:

13.1 Request access to your personal information. We may refuse your request to access or disclose your personal information if any of the grounds permitted in law applies.
13.2 Request correction of personal information that we hold about you. On receipt of a written request, we will as soon as possible, correct and complete your personal information.
13.3 Request erasure of personal data. Norman Henshilwood will not always be able to comply with your request of erasure for specific legal reasons, which we will notify you on receipt of the written request.
13.4 Withdraw consent at any time where we are relying on consent to process your personal information. If you withdraw written consent, we may not be able to provide the full service to you. Please note that we may continue to process your personal information in certain instances where we are not relying on your consent.
13.5 Right to object. Should you require to exercise this right to object, you should inform us that you do not want us to process your personal information and state the reason why we should stop using such information. We will inform you of the result of your objection.

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14. **Amendments.**

This policy can only be amended and reviewed in line with the Policy of Policies and Procedures.