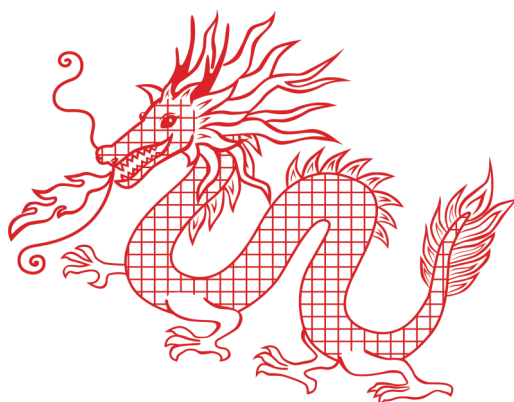


KELLETT SCHOOL HONG KONG

DATA PRIVACY POLICY

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KELLETT SCHOOL HONG KONG

DATA PRIVACY POLICY

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1 AIMS

- 1.1 Kellett School Association Limited (Kellett School) shall comply with the Personal Data (Privacy) Ordinance. In doing so, Kellett School will ensure compliance by all staff with the strictest standards of security and confidentiality.
- 1.2 This Data Privacy Policy is formulated to protect the privacy of all Data Subjects and outlines internal codes of practice to ensure compliance with the conditions prescribed in the Personal Data (Privacy) Ordinance.

2 SCOPE OF THIS POLICY

- 2.1 This Policy applies to all Personal Data handled within Kellett School relating to all individual stakeholders (prospective, past and present), namely: -
 - 2.1.1 The Board of Governors and any subcommittees thereof;
 - 2.1.2 Staff Members;
 - 2.1.3 Students;
 - 2.1.4 Parents/guardians of students;
 - 2.1.5 Job applicants;
 - 2.1.6 Third party Service providers; and
 - 2.1.7 Alumni.

3 DEFINITIONS / ABBREVIATIONS

- | | | |
|----|-------------------------|---|
| a) | Kellett School: | Kellett School Association Limited |
| b) | The Parents' Committee: | The Parents' Committee |
| c) | The Board: | The Board of Governors of Kellett School |
| d) | SMT: | Members of the Senior Management Team of Kellett School |

e)	Principal & CEO:	The Principal & CEO of Kellett School
f)	HR Manager:	Human Resources Manager of Kellett School
g)	Kellett School Staff Member:	Any employee of Kellett School
h)	Data Privacy Officer:	Person responsible for Personal Data privacy matters at Kellett School
i)	PDPO:	Personal Data (Privacy) Ordinance (as amended or varied from time to time)
j)	Data Protection Principles:	The six data protection principles set out in the PDPO
k)	Data Subject:	Any person who is the subject of any Personal Data collected by Kellett School;
l)	Personal Data:	Any data: relating directly or indirectly to a living individual; and from which it is practicable for the identity of the individual to be directly or indirectly ascertained; and in a form in which access to or processing of the data is practicable.
m)	Confidential	Refer to Data Classification Table

Policy Statement

4 RESPONSIBILITIES

4.1 Data User

- 4.1.1 Kellett School is subject to the Personal Data (Privacy) Ordinance. Kellett School shall treat all Personal Data, in all recorded forms, as confidential. It will also take all reasonable and practicable steps to ensure adequate security controls are in place when using Personal Data according to Data Protection Principles.
- 4.1.2 Kellett School Staff Members are responsible for complying with the data protection policies and practices outlined in this Policy when disclosing Personal Data.

4.2 Data Subjects

- 4.2.1 Data Subjects are responsible for ensuring that they keep the Kellett School updated with changes to their Personal Data.

4.3 Personal Data Privacy Officer and SMT member with responsibility for Data Office

- 4.3.1 The SMT member with responsibility for Data Office, with assistance from the Personal Data Privacy Officer, is responsible for communicating, monitoring and implementing this Policy across Kellett School.
- 4.3.2 The Personal Data Privacy Officer is responsible for ensuring that a Personal Information Collection Statement (PICS) inclusive of a Privacy Policy Statement is incorporated into all Kellett School data collection forms, whether hard copy, electronic or on-line.

5 PRINCIPLES

- 5.1 Personal Data collected, held and used by Kellett School may be recorded, kept and processed electronically by Kellett School on computers, online portals and systems and/or in hard copy form.
- 5.2 All Personal Data, in whatever form it is recorded, shall be treated as confidential. Reasonable and practicable steps shall be taken by Kellett School to ensure that the use, storage and disclosure of Personal Data are in accordance with the following data protection principles:

- 5.3 In collecting Personal Data, Kellett School shall make clear to the Data Subjects certain information, including but not limited to the purpose of such collection: the Personal Information Collection Statement (Appendix I) shall be printed on all data collection forms;
- 5.4 Personal Data shall only be used for the purposes for which it was intended to be used at the time of collection, or for directly related purposes, unless consent to use such Personal Data for other purposes has been given by the Data Subject;
- 5.5 Kellett School shall take all reasonable and practicable steps to keep Personal Data accurate and up-to-date;
- 5.6 Personal Data kept on paper, tape or disks shall be stored in a secure location when not in use;
- 5.7 Personal Data which is on Kellett School databases or online portals shall be kept secure with adequate security measures;
- 5.8 Subject to legal requirements affecting specific data, Personal Data which is no longer required for the purposes for which it was collected/used shall be destroyed;
- 5.9 Kellett School shall take all reasonable and practicable steps to ensure that the Data Subjects can ascertain Kellett School's policies and practices in relation to Personal Data; and
- 5.10 Kellett School shall ensure that requests from a Data Subject to access or correct their Personal Data is handled in accordance with the PDPO.

Guidance

6 PROCEDURE

6.1 Requests for Data Access or Correction

6.1.1 All Data Subjects have the right to:

- a) obtain a copy of their Personal Data held by Kellett School;
- b) require Kellett School to correct or update any Personal Data which is inaccurate; and,
- c) be informed of the kind of Personal Data held by Kellett School through obtaining a copy of this Policy.

6.1.2 All requests for access to data or correction of data must be either made in writing and be addressed to the Personal Data Privacy Officer or if available, submitted by electronic means through the online systems provided by Kellett School.

6.1.3 Upon receipt of a written data access/correction request from a Data Subject, the Personal Data Privacy Officer shall respond to the request within 40 days.

6.2 The Personal Data Privacy Officer may reject any data access/correction request on any of the grounds set out in the Personal Data (Privacy) Ordinance, including (but not limited to) where:

6.2.1 the data access request or data correction request is not in writing in English or Chinese;

6.2.2 Kellett School is not supplied with such information as it may reasonably require to locate the Personal Data to which the data access request relates;

6.2.3 the request follows 2 or more similar data access requests made by:

- a) the individual who is the Data Subject in respect of the Personal Data to which the data access request relates;
- b) to one or more relevant persons on behalf of that individual; or

- c) any combination of that individual and those relevant persons, and it is unreasonable in all the circumstances for Kellett School to comply with the data access request.
- d) there is an applicable exemption from subject access provided in Part VIII of the Personal Data (Privacy) Ordinance

6.2.4 The Personal Data Privacy Officer must reject any data access/correction request on any of the grounds set out in the Personal Data (Privacy) Ordinance, including (but not limited to) where:

- a) Kellett School is not supplied with such information as it may reasonably require in order to satisfy itself as to the identity of the requestor of a data access request or data correction request;
- b) Kellett School cannot comply with a data access request without disclosing Personal Data of a third party unless such third party has consented to the disclosure of the Personal Data to the requestor.

6.3 If a data access or correction request is to be rejected, the Personal Data Privacy Officer shall give reasons in writing to the person making the request within 40 days of receiving the written request.

6.4 The Personal Data Privacy Officer shall keep and maintain a logbook of requests and refusals which will be kept for at least four years.

6.5 Kellett School may levy a reasonable administration charge for the processing of any data access requested. Such charge shall be notified to a Data Subject prior to the processing of the data access request.

6.6 **Hong Kong Identity Card (“HKID”) Numbers or HKID Copies**

6.6.1 Kellett School abides by certain restrictions when it collects, holds or uses HKID card numbers and/or copies of HKID cards of Data Subjects.

6.6.2 The general principle is that Kellett School will usually first consider whether there are alternatives to collecting HKID card numbers/copies from Data Subjects, such as using another personal identifier of the Data Subject’s choice (eg a passport number or copy).

6.6.3 Where Kellett School is required or permitted under “The Code of Practice on the Identity Card Number and other Personal Identifiers” issued by the Office of the Privacy Commissioner (the “Code”) to collect a copy of a HKID number or a HKID

card number from a Data Subject, Kellett School shall take reasonable steps to ensure that:

- c) in relation to HKID card numbers;
 - (i) Kellett School's method of collecting HKID card numbers ensures that they are truly the HKID card numbers of the individuals providing them (for example, the HKID card number collected from a Data Subject should be checked against the actual HKID card to ensure that the correct HKID card number is obtained),
 - (ii) Kellett School only uses the HKID card numbers for the purposes permitted by the Code,
 - (iii) the HKID card numbers collected are not publicly displayed or disclosed, and
 - (iv) HKID card numbers are not kept longer than is necessary to fulfil the purpose for which they were collected,
- d) in relation to copies of HKID;
 - (i) Kellett School's method of collecting copies of HKID cards ensures that they are truly copies of the HKID card of the individuals providing them (for example, the copy of the HKID card should be checked against the actual HKID card to ensure that the correct copy of the HKID card is obtained),
 - (ii) Kellett School only uses the copies of HKID card for the purposes permitted by the Code,
 - (iii) adequate security safeguards are in place for holding/transmitting the copies of HKID cards and that such copies are treated as confidential documents, and
 - (iv) copies of the HKID cards should be marked "copy" (or the Chinese equivalent term) across the image of the HKID card. Where a copy of the HKID card is obtained in the presence of the Data Subject, it should be marked "copy" (or the Chinese equivalent term) in his or her presence.

6.7 Access to Personal Data of Others

- 6.7.1 Staff Members and other Kellett School stakeholders may have access to Personal Data of others while engaged in any activities related to Kellett School. They shall make every effort to treat such information as confidential, and familiarise themselves and comply with the personal data policies (including this Policy) of Kellett School.
- 6.7.2 Staff members or other Kellett stakeholders may not retrieve or read an email that was not sent to them unless authorised by SMT Member with responsibility for Data Office or by the email recipient.
- 6.7.3 In situations where parents of a student/s are divorced or separated Kellett will continue to send both parents information about their child/ren (for examples, school activities and student reports) unless otherwise prohibited under Hong Kong law. Kellett reserves the right, where it considers appropriate, to contact the father, mother and guardians of the student to provide general information about the student.

6.8 Disclosure of Personal Data to Certain Third Parties

- 6.8.1 Staff members' data (for example names, pictures, email, experience and/or teaching qualifications) may be made available to relevant Kellett School stakeholders at the discretion of the school's Principal or HR Manager (e.g., on the school website or announcements of appointments in newsletters or emails.)
- 6.8.2 Kellett School may also disclose certain Personal Data to third parties, such as agencies and authorities (including the Hong Kong government), service providers and contractors (whether within or outside Hong Kong) appointed by Kellett School. In the case of services provided and contractors it will be a condition of passing on such information that they in turn duly abide with data protection, confidentiality and safeguarding policies of the school.

6.9 Other Third Parties

- 6.9.1 Other than those parties set out in paragraph 5.4 above, Kellett School will not disclose any Personal Data to any external bodies or organisations unless:
 - a) Such disclosure is expressly provided for under the Personal Information Collection Statement under which the Personal Data was collected;
 - b) The Data Subject has given permission for Kellett School to disclose such Personal Data; and /or
 - c) Kellett School is required or permitted to do so by law.

6.10 Direct Marketing Materials to Staff Members, Parents and Students

6.10.1 Direct Marketing Definition:

- a) The PDPO defines direct marketing as, “The offering, or advertising of the availability, of goods, facilities or services or the solicitation of donations or contributions for charitable, cultural, philanthropic, recreational, political or other purposes through marketing means.”
- b) As such, the following methods can constitute direct marketing, “Sending information or goods to specific persons by name, by mail, fax, electronic mail or other means of communication or making telephone calls to specific persons. “

6.10.2 How This Affects Kellett School

The following groups of activities are considered an extension of curriculum and not part of direct marketing or sending of promotional materials,

- a) Promoting activities related to the curriculum (for example, activities paid for via “Termly Costs”) including school trips, camps, etc.
- b) School materials or activities that are mandatory, such as school uniforms, laptops etc
- c) Materials related to extracurricular activities and clubs that are an extension of the curriculum. Regardless of whether or not they are offered by staff or third-party agencies provided the activities primarily take place on the school campus and the extra-curricular activities are viewed as valued added to students.
- d) School concerts and shows are considered an extension of curriculum unless a fee is paid, or donation sought.

Any individual involved in sending communications on behalf of the school should seek guidance from the Communications Office if they are uncertain whether or not a communication constitutes direct marketing.

- 6.10.3 **Opt-in:** Subject to parents’ consent through an opt-in mechanism, Kellett School and the Parent Committee may use Personal Data (such as name and contact details) to send communications that may be considered to be direct marketing/promotional material that are relevant to parents and students.

- 6.10.4 To obtain consent to use Personal Data this way, the Statement II ***"Statement of Consent to Receive Direct Marketing/Promotional Materials through use of Personal Data"*** should be used.
- 6.10.5 The direct marketing/promotional material should only be sent in relation to the classes of marketing subject set out in Statement II unless consent for other subjects has been obtained from the Data Subject.
- 6.10.6 The classes set out in Statement II relate to:
- a) Materials related to promoting shows and concerts and events which are not considered an extension of the curriculum
 - b) Materials related to promoting admissions;
 - c) Materials related to on campus services (for example catering, sport facilities, school shop);
 - d) Materials related to support, donations (including monetary donations) and contributions including benefits in kind;
 - e) Materials related to educational services and products of business partners not considered to be an extension of curriculum.
- 6.10.7 Upon receiving a request to not receive promotional materials, Kellett School will cease sending all promotional materials to any of the parent and the parent's contact details held in Kellett School's database.

7 SECURITY

- 7.1 All staff, students and stakeholders (prospective, past and present) who deal, in any way, with Personal Data have a responsibility to take all practicable precautions to protect the data against unauthorized or accidental access, processing, erasure, loss or use. This includes all manual and electronic documents, external drive or any other media containing Personal Data. Data should only be held in accordance with the Data Protection Principles as laid out in Section 5.

- 7.2 Care must be taken to ensure that Personal Data is kept securely and away from people who are not entitled to see it. Care must also be taken when sending and receiving Personal Data. A shredder must be used to dispose of unwanted material that contains Personal Data.
- 7.3 Personal Data may only be taken off school campus or accessed remotely of school campus with the authorisation of the SMT. For the purposes of this policy, expressed authorisation is granted to all teaching staff and designated administrative staff, on the condition that the personal data is used for school related purposes only. Where authorisation is granted, the individual will have responsibility to take all practicable precautions to protect the data against unauthorised or accidental access, processing, erasure, loss or use.
- 7.4 All computer equipment or media to be sold or scrapped will have all Personal Data completely destroyed, by reformatting, overwriting or degaussing. This also extends to personal computers, such as laptops or computers at home, where authorisation has been granted by the SMT for work to be carried out off-site.
- 7.5 In the event of leaving Kellett School, all notes, memoranda, records, test and examination results, price or cost information, lists of students, suppliers or customers, and staff members, correspondence, documents, computer, peripheral device, and other discs and tapes, data listings, codes and other documents and material whatsoever (whether made or created by the individual or otherwise) relating to the business and affairs of Kellett School (and any copies of the same) shall be and remain the property of Kellett School and shall be handed over to Kellett School, or irrevocably deleted from any computer and/or word processing system in the person's possession or under the person's control.
- 7.6 Regarding the security of the computer network, Kellett School have implemented physical, electronic and managerial measures to secure and safeguard Personal Data stored on Kellett School databases and online portals. Kellett School utilises the Secure Socket Layer (SSL) protocol which is an industry standard for encryption of data over the Internet.
- 7.7 Kellett School servers are protected by a firewall that operates 24 hours a day, 7 days per week. Anti-virus software is installed on the servers and the software is updated regularly to combat against newly identified security threats.
- 7.8 Those who have access to such databases or online portals must log in using their unique username and password. Users should keep the username and password secret and confidential. See eSafety Policy.
- 7.9 When a user accesses our online systems, their visit to the site may be recorded for analysis of the number of visitors and general usage patterns, including the total access time, the operating system and browser of the machine used and the location of the access.

8 COMPLIANCE

- 8.1 This policy is in compliance with the Personal Data (Privacy) Ordinance, the new provisions of 2021 Personal Data (Privacy) (Amendment) Ordinance and the guidance note on direct marketing from the Office of the Privacy Commissioner for Personal Data, Hong Kong.
- 8.2 Any matters concerning the implementation of this Policy should be raised with the Principal or SMT with a view to reaching a mutually workable solution. Any matters of non-compliance should be raised with the Personal Data Privacy Officer of Kellett School.
- 8.3 Kellett School reserves the right to amend this Policy by notice in circumstances in which it considers such change to be necessary or appropriate.

9 APPENDIX 1: STATEMENT 1 - PERSONAL INFORMATION COLLECTION STATEMENT (PICS) – SHORT VERSION

9.1 The following statement is used on any form that collects personal data

9.1.1 *'The information submitted on this form is being collected in accordance with the Kellett School Policy for Data Privacy and its related Personal Information Collection Statement ("PICS"). A copy of the PICS can be found on the Kellett School website (www.kellettschool.com).'*

10 APPENDIX 2: STATEMENT 1 - PERSONAL INFORMATION COLLECTION STATEMENT (PICS) – FULL STATEMENT

Please take a moment to read the following Personal Information Collection Statement.

10.1 From time to time it is necessary for individuals to supply Kellett School Association Limited ("Kellett School"), with certain personal data for school administrative, academic, pastoral purposes and alumni activities including:

10.1.1 In relation to job applicants:

- a) assessing the suitability of the applicants for a role;
- b) negotiating with and making offers to selected candidates; and
- c) if appropriate, use for subsequent employment related matters and to form part of the employee records.

10.1.2 In relation to Kellett School Staff Members:

- a) recording remuneration and eligibility to benefits and payments;
- b) assessing job transfers and training needs;
- c) providing job references;
- d) managing performance;
- e) staff planning and promotion and career development;
- f) medical checks, sick leave and other medical claims;

- g) tax returns;
- h) conducting disciplinary proceedings
- i) review of employment decisions;
- j) promotion of the school; and
- k) other school related purposes, incl leave records etc.

10.1.3 In relation to student applicants and/or their parents/guardians:

- a) assessing the suitability of applicants for places at Kellett School;
- b) processing applications for admission;
- c) verification of the applicant's examination results, academic records and other information;
- d) school administration and operation;
- e) Parent Committee business;
- f) statistical and research purposes;
- g) alumni activities;
- h) promotion of the school; and
- i) other school related purposes.

10.1.4 In relation to admitted students and/or their parents/guardians:

- a) enrolment and admission of the student to Kellett School;
- b) school administration and operation;
- c) academic and pastoral purposes;
- d) Parent Committee business;
- e) statistical and research purposes;
- f) alumni activities;

- g) promotion of the school; and
- h) other school related purposes.

- 10.2 Personal data of staff members, students and their parents/guardians will be handled by relevant Kellett School Staff Members and will be kept confidential and subject to our policy for Data Privacy.
- 10.3 Staff members' name, photo, experience and/or teaching qualifications may be made available to relevant Kellett School stakeholders at the discretion of the school Principal or School Management (for example, on the school website or announcements of appointments in newsletters or emails.).
- 10.4 Kellett School may also disclose some of the data to third parties such as agencies and authorities (including the Hong Kong government), service providers and contractors (whether within or outside Hong Kong) appointed by Kellett School to undertake some of its academic, pastoral, administrative and alumni functions.
- 10.5 Apart from the parties listed above, Kellett School will not disclose any personal data to any individual, external bodies or organisations unless:
 - 10.5.1 such disclosure is expressly provided for under this Statement;
 - 10.5.2 permitted to do so by the student or his/her parent/guardian;
 - 10.5.3 permitted or required by law.
- 10.6 Kellett School may use personal data (such as name and contact details) to send communications that are relevant to parents and students, including but not limited to newsletters, programmes, courses, seminars, lectures, conferences, events and extracurricular activities and clubs of Kellett School or selected third party service providers. Kellett School will obtain consent from the data subjects before doing so by providing an opportunity for data subjects to opt-in to receiving materials which may have a direct marketing component.
- 10.7 Personal data may be stored in the Kellett School database systems and online portals and any such personal data provided will form part of the staff member or the student's official records (as relevant) at Kellett School.
- 10.8 Kellett School may include a staff member's image and their name in photos/videos in Kellett School publications or on the Kellett School website and social media platforms.
- 10.9 Kellett School may include a student's image and their name in photos/videos in Kellett School publications or on the Kellett School website and social media platforms. In the Senior

School we take all reasonable steps to ensure that a student's full name and picture are not put together online and in social media platforms. In the Preparatory Schools we take all reasonable steps to ensure that a student's full name and picture are not put together online and in social media platforms or in printed publications. The exception is in the School Year Book and a small number of printed publications for Kellett community use.

- 10.10 Kellett School may include a student's work and name in Kellett School publications or on the Kellett School website and social media platforms.
- 10.11 Failure to provide the data requested may result in Kellett School being unable to proceed with the purpose for which such data was requested
- 10.12 Data subjects have the right to request access to their personal data. Data subjects may make a written request, addressed to the Principal of Kellett School (using the form specified by the Privacy Commissioner) and submitted to PDPO@kellettschool.com to access personal data held by Kellett School. Kellett School may levy a reasonable charge for accessing the information.
- 10.13 Data subjects have the rights to request a correction of their personal data. Data subjects may contact the school's Private Data Protection Officer at PDPO@kellettschool.com to correct personal data held by Kellett School. Kellett School may levy a reasonable charge for accessing the information.
- 10.14 Please refer to the Kellett School Policy for Data Privacy, which is available upon request from the school's Private Data Protection Officer and found on the school website, for more information.

11 APPENDIX 3 STATEMENT II: STATEMENT OF CONSENT TO RECEIVE DIRECT MARKETING/PROMOTIONAL MATERIALS THROUGH USE OF PERSONAL DATA

(to be used when conducting opting-in communications)

- 11.1 From time to time Kellett School Association Limited or the Kellett School Parent's Committee may use the parent or guardian's personal data (such as name and contact details) to send information related to programmes, courses, seminars, lectures, conferences, events, activities, products or services provided or organised by Kellett School, the Kellett School Parent's Committee and/or selected third party service providers about:
- 11.1.1 shows and concerts and events;
 - 11.1.2 promoting admissions;
 - 11.1.3 campus services;
 - 11.1.4 support, donations; and
 - 11.1.5 educational services
 - 11.1.6 that are relevant to the parents or guardians and students and are not considered to be an extension of curriculum.
- 11.2 For example, this could include (but is not limited to) information relating to extra-curricular activities, school shows/concerts/fairs, school shop, Kellett Cares, Student Council and Parent Committee fundraising activities (e.g. Pizza Sales), the Annual Fund and school newsletters (e.g. the eBulletin, Kellett Dragon).
- 11.3 Kellett School is required by law to give you the opportunity to not receive this information. As such, please tick the box below to indicate your consent, or otherwise, to receive such information.
- 11.4 You can withdraw your consent at any time by writing to the Personal Data Privacy Officer of Kellett School (PDPO@kellettschool.com).
- 11.5 ***Please keep in mind that by opting out of receiving this information, you or your son or daughter may miss important information related to school activities that may affect his or her participation in the school community.***
- 11.6 ☐ Yes, I wish to receive communications from Kellett School Association Limited and the Kellett School Parents' Association, which may have a direct marketing component. I understand this will include information of the type identified above.

- 11.7 ☐ No, I do not wish to receive communications from Kellett School Association Limited and the Kellett School Parents' Association of the type referred above. ***Please remember that by ticking "no", you or your son or daughter may miss receiving information related to school activities that may affect his or her participation in the school community.***