



European School LTD  
შპს ევროპული სკოლა

# Procedure for Personal Data Protection



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## **Procedure for Personal Data Protection**

### **Article 1. Objective**

The objective of this Procedure is to ensure the rights and freedoms of the members of the European School Community, and to protect their personal privacy especially in the process of processing their personal data.

### **Article 2. The Scope**

This Procedure applies to the processing of personal data using the automatic, semi-automatic or non-automatic means of the European School's staff, students, parents and other natural persons related to the European school, by the European School.

### **Article 3. Definition of Terms**

Terms used in this Procedure have the following meanings:

- a) **Data subject** - any natural person on which personal data is processed;
- b) **Personal data** - any information relating to identified or identifiable natural person; A natural person is identifiable when it is identified by direct or indirect, namely, identification number or by person's characteristic physical, physiological, psychological, economic, cultural or social features;
- c) **Personal data of a particular category** - data relating to person's racial or ethnic affiliation, political views, religious or philosophical beliefs, membership in a professional association, health status, sexual life, conviction, administrative imprisonment, applying a measure of restraint, a plea bargain with a person, evasion, recognizing as victim of a crime or as suffering damage as well as biometric and genetic data, which enables identification of a natural person with the above features;
- d) **Data processing** - any action performed by the automated, semi-automatic or non-automatic means in connection with the data, namely collection, recording, capturing in photograph, audio recording, video recording, organizing, storing, modification, restoration, retrieval, use or disclosure by way of data transmission, distribution or otherwise making available, grouping or combination, blocking, deletion or destruction

#### **Article 4. Principles of Personal Data Processing**

In the case of personal data processing, each employee of the European School is obliged to follow the following principles:

- a) Data shall be processed fairly and legally, without infringement of dignity of the data subject;
- b) Data may be processed only for specific, clearly defined, legitimate purposes. Further processing of data is inadmissible for the purpose that is incompatible with the original purpose;
- c) Data may be processed only to the extent necessary to achieve the appropriate legal goal. The data must be adequate and proportionate to the objective for which they are processed;
- d) The data should be true and accurate and, if necessary, should be renewed. Data that are collected without legal basis and are inconsistent with the purpose of processing shall be blocked, deleted or destroyed;
- e) Data can only be stored for a period that is necessary to achieve the data processing. After achieving the objective for which the data is processed, they must be blocked, deleted or destroyed or stored in the form excluding a person's identity unless otherwise provided for by law.

#### **Article 5. Basis for Processing Personal Data**

1. Personal data processing is allowed if:

- a) there is a consent of a data subject;
- b) data processing is provided for by law;
- c) data processing is required by a data processor to perform its obligations under the legislation;
- d) data processing is needed to protect the vital interests of a data subject;
- e) data processing is necessary to protect the lawful interests of a data processor or a third party unless there is an surpassing interest in protecting the rights and freedoms of a data subject;
- f) according to the law, the data is publicly available or the data subject made them available;
- g) data processing is necessary to protect important public interest in accordance with the law;

2. Special category data processing is permitted only with the written consent of a data subject or in the following cases:

- a) The processing of data related to the conviction and health status is essential for the determination of employment obligations and the nature of the relationship, including for making the decision on employment;
- b) Data processing is necessary to protect the vital interests of a data subject or a third person and the data subject does not have the physical or legal ability to declare the consent to the data processing;
- c) Data is processed to protect the health of a natural person by the European School, or if it is necessary for the management or functioning of the health care system;
- d) Data subject made his/her personal data public without the explicit prohibition of their use;
- e) Data is processed for the purpose of realizing the right to education of persons with special educational needs.

3. The data subject is entitled at any time, to withdraw a consent given by him/her without any explanation's and to request to discontinue data processing and / or destroy the processed data.

4. The European School shall, at the data subject's request, discontinue data processing and / or destroy processed data within the database within 5 days after submitting a statement, unless there are other grounds for data processing.

#### **Article 6. Special Requirements for the Processing of Personal Data of Under-age**

Processing of personal data of a under-age person is permitted if there is a written consent of a parent or legal representative of a under-age person on data processing.

#### **Article 7. Implementing Video Surveillance in the European School**

1. Video surveillance is implemented at the premises of the European School (also at the outer perimeter of the building, at the entrance, corridors, classroom and work rooms), in the yard and sports grounds, only for the protection of under-age persons from the harmful, for the safety of under-age persons and also for examination / tests purposes.

2. In the place of video surveillance, the appropriate warning sign shall be placed. In this case, the data subject is considered to be informed about data processing about him/her.

3. Installation of a video surveillance system at the workplace may only be allowed in exceptional cases, if it is necessary for the security and protection of property of a person and

for the purpose of examination / tests and if it is impossible to achieve these objectives by other means.

4. Video surveillance is not allowed in the dressing rooms and hygiene areas.

5. Technical Support Center of the European School is responsible for creating a file system for storing of video records. In addition to recordings (pictures / sound), the system must contain information about the date, place and time of processing date.

6. The period for retaining the data obtained according to this Procedure shall be determined on the basis of the legislation of Georgia.

### **Article 8. Data Security**

1. The data processor shall receive such organizational and technical measures that provide data protection against accidental or unlawful destruction, change, disclosure, extraction, and any other form of illegal use and accidental or illegal loss.

2. The measures taken for data security should be adequate to risks related to data processing.

3. Any employee of a data processor and the European School participating in the data processing should not go beyond the authority granted to him/her. In addition, he/she is bound by an obligation to protect the data secrecy, including after termination of his / her official authority.

4. Data security measures shall be determined by the legislation of Georgia.

### **Article 9. Duties of Data Processor and European School**

When disclosing data, the data processor and authorized persons of the European School shall provide registration of the following information: which data has been disclosed, to whom, when and the legal basis thereof. This information should be stored together with data about the data subject for the period of their storage.

### **Article 10. Final Provisions**

Changes and additions to this Procedure may be made by the order of the Academic Director of the European School.