



PEMBROKE HOUSE



SCHOOL AND WEBSITE PRIVACY POLICY

Written: July 2022 – IR, CT, MAM & EM

Next Review: September 2023

1. Introduction

Welcome to Pembroke House School and Website Privacy Notice. We appreciate you taking the time to read all our notices carefully. Pembroke House School (“Pembroke”, “School” “We” “Us” “Our”) is committed to ensuring that your personal data is collected and used lawfully and transparently. We process your personal information according to the provisions of the Data Protection Act, 2019 and the Data Protection (General) Regulations, 2021.

2. Who is Pembroke House School?

Pembroke House School is a unique British Boarding School located in the heart of Kenya. We are a small, multicultural school of around 200 pupils, and cater for boys and girls aged 6 months to 13 years. We have a 90-year history of private education in East Africa, and our focus is on developing well-rounded, happy, independent, polite, and confident pupils. We are members of the Independent Association of Preparatory Schools (IAPS), and we follow the British Common Entrance curriculum.

We are located along Nyahururu Road, Gilgil, Kenya.

3. What is the Purpose of this Notice?

To perform our functions, we need to collect certain types of information from various people including pupils, parents/guardians, employees (job applicants, employees, casual labourers, interns, consultants), visiting speakers, alumni, suppliers, members of the public or any other relevant individuals (referred to as “you” or “your” in this Privacy Notice).

This Privacy Notice:

- sets out the types of personal data that we collect about you
- explains how and why we collect and use your personal data
- explains how long we keep your personal data for
- explains when, why and with who we will share your personal data
- sets out the legal basis we have for using your personal data
- explains the effect of refusing to provide the personal data collected
- explains the different rights and choices you have when it comes to your personal data
- explains how we may contact you and how you can contact us

4. Who Does This Privacy Notice Apply To?

This Privacy Notice applies to the personal data of:

- Parents/Guardians
- Pupils
- Visiting Speakers
- Alumni
- Members of the public/Website users

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Next Review: September 2023

To be clear, if you are a Pembroke House School Council Member, employee/casual worker, contractor or consultant you should refer to the Pembroke House’s Employee, Privacy Policy which is available in Pembroke’s Intranet. If you are a Job Applicant, refer to our Job Applicant Privacy Notice here

<https://pembrokehouse.sc.ke/admissions/#admissions-4>

It is important to point out that we may amend this Privacy Notice from time to time. Please visit this page if you want to stay up to date, as we will post any changes here.

5. What Personal Data Do We Collect About You?

We collect Personal Data directly from you as well as from other available sources to the extent permitted by law. We endeavour to only collect Personal Data that is necessary for the purpose(s) for which it is collected and to retain such data for no longer than necessary for such purpose(s). Subject to applicable law and practice, the categories of Personal Data that are typically collected and processed are: -

Data Subject	Examples of Types of Data Collected
Pupils (current and alumni)	<ul style="list-style-type: none"> ▪ Names, nationality, date of birth, sex, religion, nationality, registration/enrolment records, attendance records, academic records, extra-curricular records, boarding records, learning support records, health records, financial records relating to school fees or other payments, disciplinary records, safeguarding records, dietary records, photographs and videos taken during school events, school trip records, bursary records, scholarship records, library records and any communication with Pembroke, internet and IT use records, CCTV recordings when in Pembroke premises, cookies and online identifiers collected when using any internet enabled tools to access our systems such as the website, bus trip information through GPS devices fitted in school buses and information received from schools that a pupil transfers from to join our School
Parents	<ul style="list-style-type: none"> ▪ Names, email addresses, telephone numbers, occupation, signatures, information necessary to support an application for bursary or scholarship, bank details, fee payments history, photos and videos taken during school activities or events, health information, location information, complaints or any communication with Pembroke, cookies and online identifiers collected when using any internet enabled tools to access our systems such as the website, CCTV recordings and car registration numbers when in Pembroke premises.
Job Applicants	<ul style="list-style-type: none"> ▪ Please refer to the Job Applicant Privacy Policy

Written: July 2022 – IR, CT, MAM & EM

Next Review: September 2023

Data Subject	Examples of Types of Data Collected
Staff/Employees (including School Council Members casuals and contractors)	<ul style="list-style-type: none"> ▪ Please refer to the Employee Privacy Policy
School Council members	<ul style="list-style-type: none"> ▪ Please refer to the Employee Privacy Policy
Suppliers	<ul style="list-style-type: none"> ▪ Names, email addresses, phone numbers, tax identification information, CR12 information, and any communication you have with Pembroke
School visitors	<ul style="list-style-type: none"> ▪ Phone Numbers, IDs, Car registration numbers, time of visit and purpose of visit and CCTV recordings when on Pembroke premises
Website Visitors	<ul style="list-style-type: none"> ▪ when you input information through the website contact form, cookies and other online identifiers collected when using when the website.
Persons appointed by parents or school staff	<ul style="list-style-type: none"> ▪ Bio data i.e., name, date of birth, ID/Passport Number/ passport photo ▪ Contact details i.e., telephone numbers and personal email addresses, postal address ▪ Recruitment data i.e., work history, academic qualifications ▪ Background check data i.e., DBS Checks; Police Clearance Certificates, References from former employers ▪ Work Permit Application data including all the information gathered during the recruitment process (including interview notes), statutory documents, police clearance checks, vetting letters approving or rejecting the successful application., passport photos, no objection letter if you have previously worked in an international school in Kenya. ▪ CCTV footage while in the school premises ▪ Photographs and videos while on school premises or an off-site event sanctioned by the school ▪ Information about your health, including any medical condition ▪ biometric data for access to designated areas within the school

6. How and For What Purpose Do We Collect Your Personal Data?

- a. **Pupils:** - we collect data directly from you while you are learning at our School. We may also collect data indirectly such as when parents or guardians fill out our school registration and/or enrolment forms, when our CCTV systems captures images of you while in Pembroke premises, when using any of our IT systems or platforms.

Written: July 2022 – IR, CT, MAM & EM

Next Review: September 2023

- b. **Parents:** we collect data directly from you in the course of your child’s learning at Pembroke. We may also collect data indirectly such as when our CCTV systems captures images of you while in Pembroke premises, when using any of our IT systems or platforms.
- c. **Alumni pupils and teachers:** we collect data directly from you while you are learning or teaching in our school.
- d. **Suppliers:** we collect data directly from you when you approach us with an offer to use our goods and services or when we get into a contract with you for supply of goods or services. We may also collect data indirectly such as when our CCTV systems captures images of you while in Pembroke premises, when using any of our IT systems or platforms.
- e. **School visitors** – we collect data directly from you when you visit our school. We may also collect data indirectly such as when our CCTV systems captures images of you while in Pembroke premises.
- f. **Website visitors** – we collect data directly from you when you visit our website input contact information on the website. We may also collect data indirectly such cookies and other online identifiers.
- g. **Persons appointed by parents or School staff** – we collect the data directly from you prior to commencement of your assignment or stay at the school.

Where we collect indirectly from you, we will endeavour to inform you within fourteen (14) days of such collection.

We use your information in the following ways:-

Data Subject	Purpose of Data Collection
Pupils	<ul style="list-style-type: none"> ▪ To interest you in our School ▪ To enrol and onboard you to our school ▪ To provide education services ▪ To provide extra-curricular activities ▪ To provide accommodation in our boarding facilities ▪ To support pupil learning ▪ To monitor and report on pupil attainment process ▪ To monitor and report on your attendance record ▪ To provide appropriate pastoral care ▪ To assess the quality of our services ▪ To keep you safe as per our child protection policies ▪ To develop fee statements, invoices and any other necessary financial information ▪ To meet your dietary requirements ▪ To meet your healthcare needs ▪ To evaluate your scholarship or bursary needs ▪ To meet statutory duties imposed on us by the Kenyan Government and the UK Government

Written: July 2022 – IR, CT, MAM & EM

Next Review: September 2023

Data Subject	Purpose of Data Collection
	<ul style="list-style-type: none"> ▪ To monitor the use of Pembroke’s IT and communications systems in accordance with Pembroke’s Acceptable Use Policies. ▪ To market or promote our school (where we do this, we must first seek your parents’ consent)
Parents	<ul style="list-style-type: none"> ▪ To communicate with you regarding your child’s learning or well-being at the school ▪ To understand your child’s medical history and provide appropriate healthcare ▪ To share fee statements, invoices or financial related reports and communication ▪ To invite you to participate in our School Community initiatives and events ▪ To receive and handle your complaints ▪ To market or promote our school (where we do this, we must first seek your consent) ▪ To evaluate your scholarship or bursary needs ▪ To meet statutory duties imposed on us by the Kenyan Government and the UK Government
Alumni	<ul style="list-style-type: none"> ▪ To invite you to participate in our School Community initiatives and events ▪ To market or promote our school (where we do this, we must first seek your consent or your parent’s consent, if you are under the age of 18 years or your consent)
Suppliers	<ul style="list-style-type: none"> ▪ To understand your product or service offerings ▪ To enter into a contract with you for supply of goods of services ▪ To administer your contract with us ▪ To meet statutory obligations
School visitors	<ul style="list-style-type: none"> ▪ To grant you access to our school premises ▪ To keep our pupils, staff and School safe
Website Visitors	<ul style="list-style-type: none"> ▪ To optimise our website and enhance your user experience ▪ To collect your expressions of interest to join our school
Persons appointed by parents or School staff	<ul style="list-style-type: none"> ▪ To comply with our legal obligations as per Kenya laws and any British Standards/laws that the school may be subject to.

Written: July 2022 – IR, CT, MAM & EM

Next Review: September 2023

7. Our Lawful Basis for Processing Your Personal Data

Pembroke processes your personal data for on the following lawful basis:

- where you consent to processing for one or more specified purposes. According to the law, we can only process children’s data where we have consent from the guardian or parent. We also rely on consent where we need to use your data for marketing purposes or transfer it outside Kenya. Where we rely on consent, we do so to the extent that it is permissible in law. Where you give us consent, you have the right to withdraw the consent at any time.
- where the processing is necessary: -
 - for the performance of a contract to which you are a party or to take certain steps at your request before entering a contract
 - for compliance with any legal obligation to which Pembroke is subject.
 - to protect your vital interests or another person/individual
 - to enable us to perform a task carried on in public interest or in the exercise of official authority vested in Pembroke
 - to perform any task carried out by a public authority
 - for legitimate interests pursued by Pembroke by a third party to whom the data is disclosed, except if the processing is unwarranted having regard to the harm and prejudice to your rights and freedoms or legitimate interests.
 - for purpose of historical, statistical, journalistic, literature and art or scientific research.

8. Who Do We Share Your Personal Data With?

Where appropriate, we may share your personal data in various ways and for various reasons with:

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- appropriate personnel within Pembroke.
- Child Protection Officers, Police or other authorities when we believe in good faith that the law or other regulations requires us to share this data.
- School Inspectors or officials affiliated with the United Kingdom’s Department of Education
- third-party service providers who perform functions on our behalf including IT systems providers, medical or insurance service providers, marketing consultants and security agencies.

where we share your data, we ensure that there are appropriate data processing or data sharing agreements (or similar protections) in place.

Written: July 2022 – IR, CT, MAM & EM

Next Review: September 2023

9. How Do We Safeguard Your Personal Data?

Pembroke has taken appropriate technical, administrative, and procedural security measures, consistent with local and international information practices and regulations, to protect the personal data from misuse, unauthorised access or disclosure, loss, alteration, or destruction. These measures include:

- Technology safeguards, such as use of anti-virus and firewall, passwords, encryption, and monitoring of our systems to ensure compliance with our security policies.
- Organizational safeguards, through training and awareness programs on security and privacy, to ensure employees understand the importance and means by which they must protect personal data, as well as through data protection and security policies and Notice standards that govern how Pembroke treats personal data.

If you suspect any misuse or loss of or unauthorized access to your personal data, please let us know immediately by sending us an email on dpo@pembrokehouse.sc.ke

10. How Long Do We Keep Your Personal Data For?

We will only keep your personal data for as long is necessary to achieve the purposes for which it was required unless the retention is required or authorized by law, reasonably necessary for a lawful purpose, you have consented to longer retention periods or if the personal data is required for statistical, journalistic, literature and art or research purposes. We maintain an up-to-date retention schedule. Where the information is past the retention period, we use secure methods to dispose the data.

11. What Happens if You Do Not Provide Us With The Personal Data We Request or Ask That We Stop Processing Your Personal Data?

Our ability to perform our obligations derived from your business relationship with us and our ability to comply with our legal and contractual obligations sometimes depends on Pembroke accessing and being able to use certain personal data. Therefore, and depending on the circumstances, if you do not provide us with the personal data we request or if you ask that we stop processing your personal data, we may not be able to perform our contractual obligations, we may be in breach of one or more legal obligations applicable to us. In some cases, if we are not allowed to process your personal data, this may result in us being required to terminate our work relationship with you.

12. What Rights Do You Have Over Your Data?

The Data Protection Act accords you with several rights over your data.

- **right to information:** you have a right to be informed of how Pembroke will use your personal data.

Written: July 2022 – IR, CT, MAM & EM

Next Review: September 2023

- **right of access:** you are entitled to access your personal data that is in our possession or custody.
- **right to object:** you can object to the processing of all part of your personal data, unless we can demonstrate a compelling legitimate interest for the processing which overrides your interests or for the establishment, exercise or defence of a legal claim.
- **right to rectification:** you have the right to request us to rectify or correct, without undue delay, personal data in our possession or under our control that is inaccurate, outdated, incomplete or misleading
- **right to erasure:** you can request us to delete or destroy, without undue delay personal data that we are no longer authorized to retain, or which is irrelevant, excessive, or obtained unlawfully.
- **right to data portability:** you have the right to receive personal data concerning you in a structured, commonly used, and machine-readable format and to transmit the data to another data controller without hindrance. You also have the right, where technically possible, to have personal data transmitted directly from us to another data controller or data processor.
- **automated decision making** you have the right not to be subjected to a decision based solely on automated processing, including profiling, which produces legal effects concerning or that significantly affects you. Pembroke may from time to time make decisions based on the automated processing of your personal data. In such instances, you will be informed, in writing, whenever a decision based on automated processing is taken. In addition, you can request us to reconsider any decisions made based on automated processing or to take a new decision that is not based solely on automated processing.
- **right of restriction:** You have the right to request us to restrict the processing of personal data where: -
 - you contest the accuracy of the personal data
 - the personal data is no longer required for the purpose of the processing
 - the processing is unlawful of you have opposed the erasure of the personal data and requested for restriction of its use instead.
 - you have objected to the processing of personal data, pending verification as to whether our legitimate interests override your interests over the data.
- **right to raise a complaint:** You can raise a complaint about our processing with the Regulator i.e., the Data Commissioner in Kenya. You may also be able to seek a remedy through the courts if you believe that your rights have been breached.

Written: July 2022 – IR, CT, MAM & EM

Next Review: September 2023

13. How to Exercise Your Rights

- o If you wish to exercise any of the rights outlined above, please write an email to the Data Protection Officer (DPO) on dpo@pembrokehouse.sc.ke
- o We will endeavor to answer all questions via email within the timelines stipulated in law.
- o If the provision of the data involves the data of third parties, these third parties can be asked in advance whether they have objections to the provisions.
- o We may ask for identification, because we need to know for certain whether we are issuing the data to the right person.
- o In some cases, we will not be able to comply with your request. If this happens, you will be duly notified.

14. International Data Transfers

- To carry out the purposes outlined in Clause 6 of this Privacy Notice, your data may be transferred to:
 - o regulatory bodies such as the Independent Association of Preparatory Schools
 - o police enforcement authorities in the UK
 - o our cloud-based system service providers
 - o other third parties as stated in clause 8 of this Privacy Notice who may utilize servers located outside Kenya.
- We will only transfer your personal data outside Kenya where such transfer is compliant with the provisions of the Data Protection Act 2019 and the Data Protection (General) Regulations, 2021
- To ensure that your personal data receives adequate levels of protection, we shall put in place appropriate procedures with our third-party service providers whom we share your personal data with to ensure that your personal information is treated by those third parties in a way that is consistent with, and which respects the data protection laws.

15. What are Cookies and How Do We Use Them?

- A "cookie" is a byte-sized piece of data that is stored on your computer's hard drive. They are used by nearly all websites and do not harm your system. We use them to track your activity to help ensure you get the smoothest possible experience when visiting our website. We can use the information from cookies to ensure we present you with options tailored to your preferences on your next visit. We can also use cookies to analyse traffic and for advertising purposes.
- If you want to check or change what types of cookies you accept, this can usually be altered within your browser settings, or you visit our Cookie Preference Center.
- When you first visit our website(s) you will be asked to choose what kind of cookies you want to receive. We ask for your prior consent for some cookies through our Cookies Preference Center while strictly necessary cookies will be set within our legitimate interests. You may also set your cookie preferences on your browser's privacy settings. However,

Written: July 2022 – IR, CT, MAM & EM

Next Review: September 2023

rejecting all cookies through your browser's privacy settings means that you may not be able to take full advantage of all our website's features. Each browser is different, so check the "Help" menu of your browser to learn how to change your cookie preferences.

- You can update your given consent at any time by visiting our Cookie Preference Center which can be found by clicking on the "Cookie Preferences" link either on the top or bottom of our website. Instead of using our Cookie Preference Center you may choose to opt-out to cookies which are not strictly necessary to perform basic features of our site by changing your browser settings. If you use our Cookie Preference Center to update your choice of cookies, please note that this does not result in deletion of already placed cookies on your device. So, if you want to delete such cookies you may delete them in your browser's privacy settings.
- For more information generally on cookies, including how to disable them, please refer to aboutcookies.org. You will also find details on how to delete cookies from your computer.

16. Third Party Links

This website may include links to third-party websites, plug-ins, and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy Notice of every website you visit.

17. Our Responsibilities

- You are responsible for the information you make available to Pembroke, and you must ensure it is accurate, honest, truthful, and not misleading in any way. You must ensure that the information does not contain material that is obscene, defamatory, or infringing on any rights of any third party.
- Further, if you provide any information concerning any other person, such as individuals you provide as emergency contacts and family doctor(s), you are responsible for providing any notices and obtaining any consents necessary for Pembroke to collect and use that information.

18. To Whom Should I Direct a Question or a Complaint?

If you have any questions or complaints about the processing of personal data, you can contact our Data Protection Officer on the following email address dpo@pembrokehouse.sc.ke

You can also write a letter addressed to:

The DPO
Pembroke House School
31-20116- Gilgil
Nyahururu, Kenya.

Written: July 2022 – IR, CT, MAM & EM

Next Review: September 2023