



PRINCIPLES FOR THE PROTECTION OF PERSONAL DATA OF PUPILS, LEGISLATIVE REPRESENTATIVES AND THIRD PARTIES

Třebešín mateřská škola s.r.o. ID No. 039 35 591 with its registered office at Na Třebešíně 3374/39 b, 10800, Praha 10 Libeň, registered under file number C 240224 at the Municipal Court in Prague (hereinafter referred to as the “preschool”).

The main activity of the organisation is to operate facilities for preschool education of pupils in accordance with Act No. 561/2004 Sb., The Education Act.

It is essential for the organisation to process personal data of pupils and their legal guardians or other persons as part of their activities. The organisation’s personal data is protected under Regulation (EU) No 2016/679 of the European Parliament and of the Council (hereinafter referred to as ‘GDPR’). The aim of this document is to familiarise the subjects (pupils, legal guardians and third parties) with the processing of personal data by the organisation, and to inform them about the rights that personal data subjects can exercise.

The information is available on the organisation’s website (www.jazykovaskolka.cz) and can also be accessed at the seat of the organisation. The principles of handling personal data of subjects will be continuously updated and amended in accordance with the current purpose of processing.

1. GDPR IN GENERAL

The General Data Protection Regulation (GDPR) is a comprehensive set of data protection rules in the EU. The school must comply with this regulation. The aim is to defend the rights of pupils and their legal guardians against unauthorised use of their data and personal data, and to give them greater control over what is happening to their data.

General principles and legal grounds for processing

When working with personal data, all school staff follow these general principles: principles of legality, fairness, transparency, purpose limitations, data minimisation, accuracy, limitations of deposit, integrity, confidentiality, and accountability of the administrator.

- **Principle of legality**
Processing of personal data on the basis of a legal regulation (especially Section 28 of the Education Act). Processing of personal data on the basis of an informed consent.
- **Principle of purpose limitation**
Collection of personal data for a clearly defined purpose only.
- **Principle of limitation of deposit**
The personal data is stored only for as long as is necessary.
- **Principle of fairness**
Correct and socially sound use of personal data.
- **Principle of data minimisation**
No data is ever processed more than is absolutely necessary for the given purpose.
- **Principle of accuracy**
The processed personal data must be accurate – i.e. the personal data the subject provided; this data may not necessarily be true, however, the preschool will attempt to ensure its validity.
- **Principle of integrity and confidentiality**
Appropriate security of personal data, including protection by appropriate technical or organisational measures against unauthorised or unlawful processing and accidental loss, destruction, or damage.
- **Principle of transparency**
All data protection information addressed to the data subject (pupil, legal guardian, employee) was concise, easily accessible and comprehensible, and communicated in clear and simple language.

- Principle of accuracy principle of accountability of the administrator (the preschool)

The school will implement appropriate technical and organisational measures to ensure and be able to demonstrate that processing is carried out in accordance with EU Regulations.

Personal data may only be processed at the preschool in accordance with the GDPR, most often on the basis of the fulfillment of a legal obligation or on the basis of the data subject's consent (pupil, legal representative of the pupil, third person). The data subject's consent (pupil, pupil's legal representative, third party) must be informed, specific, and in writing.

The Preschool Director strictly forbids transferring personal data of pupils to third parties of private law, including offers of aids, books, and activities for pupils. The same applies to the personal data of preschool employees.

2. WHICH PERSONAL DATA DOES THE PRESCHOOL PROCESS?

The organisation only processes the data it needs for the purposes of its business, by virtue of its legal obligation. Some personal data is processed by the organisation based on a consent granted by the pupil's legal representative.

With the consent of the pupil's legal representatives, the personal data of the pupil is processed, as well as (to some extent) the personal data of legal representatives of the pupil or other persons authorised to collect the pupil from the preschool.

The organisation collects the following personal information in particular:

Identification data - personal data processed for the purpose of unambiguous and unmistakable identification of the pupil and his / her legal representatives (or other persons). This data includes the name, surname, birth number, date of birth, permanent address, and signature of legal representatives.

Contact Details - This is the contact address, telephone number, email address, and other information of a similar nature.

The Pupil's Education Record - This is the information about the education of the child, the child's activities, their creative works, and academic results.

Information on the communication between the legal representatives of the pupil and the organisation - the data processed in order to facilitate the compliance of legal guardians with the organisation's requirements, and to bear the burden of proof in case of legal proceedings. In particular, correspondence and email correspondence that contains personal data, especially personal identification data.

Profile data - the personal data processed for the purpose of fulfilling legal obligations and communication with pedagogical-psychological counselling centers. The profile data includes, for example, basic physical characteristics (e.g. age, height, weight), socio-demographic characteristics (e.g. marital status, number of children), as well as behavioral, knowledge, skill, and psychosocial characteristics of the child.

Data on health status - the data on health status includes data on vaccination, health restrictions, acute and chronic diseases, allergies, injuries, and psychological diagnoses.

3. FROM WHICH SOURCES DOES THE PRESCHOOL OBTAIN PERSONAL DATA?

The personal data processed by the preschool is mainly obtained from the legal representatives of the child, especially during the admission procedure of the child to the preschool and subsequently during his / her education. An important source is the child's observation by the kindergarten employees. Last but not least, the preschool can obtain data from medical facilities and pedagogical-psychological counselling centers.

4. ARE YOU OBLIGED TO PROVIDE THE PRESCHOOL WITH YOUR PERSONAL DATA?

The legal guardian is already obliged to provide most of the pupil's personal data during the admission procedure, as the organisation would not be able to ensure fulfillment of legal obligations, such as ensuring the health of children, keeping a statutory obligation to keep

records of pupils, or meeting the preschool goals imposed by Act No. 561/2004 Sb., the Education Act. The preschool does not process personal data that it does not directly or indirectly need in order to fulfill its statutory obligations.

5. WHAT AUTHORISES THE PRESCHOOL TO PROCESS PERSONAL DATA?

In addition to the obligation to process purposeful information, the GDPR Regulation also imposes an obligation to process information on the basis of a legal title either with consent or performance of a contract, fulfillment of a legal obligation, performance of a task in the public's interest or in the exercise of public authority, or for the protection of the organisation's legitimate interests.

Personal data can only be processed at the preschool on the basis of a legal regulation, or on the basis of consent from pupils and the legal representatives of pupils.

The personal data processed under the Education Act is as follows:

- data in the school register
- documents on the admission of children, pupils, students and applicants to preschool education, documents of progress during preschool education, and certification upon academic completion
- class registration
- records from teachers' meetings
- injury book and records of any injuries of children, pupils and students, as well as their medical assessments

Personal data processed under special laws are as follows:

- incentives for the OSPOD (Authority for Social and Legal Protection of Children), misdemeanor commissions
- pupils' evidence for PPP (pedagogical-psychological counseling center) examinations
- reporting offenses and unexcused absences
- data on the health of the child or pupil at recovery events

Personal data processed under informed consent are as follows:

- confirmation of noninfectious health conditions

- lists of legal representatives of the Preschool Friends Club
- the names of the persons who can collect the child from the preschool – the so-called Child Pick-up Authorisation
- legal representatives' contact details (not the child's address)
- photos to promote or increase pupils' interest in learning at the preschool
- publication of art and similar works by pupils at exhibitions and shows
- records from CCTV made for the purpose of pupil safety and protection of their property.

There is a CCTV system in the preschool, which monitors the entrance area to the preschool premises and the changing rooms. The pupils, employees and legal guardians are informed in advance via an appropriate form (i.e. informative signs in the building) about the presence of cameras in the preschool. The cameras will only be used for the purpose of protecting property and increasing security with justified interest of the preschool. The employees and legal guardians give prior written consent for the use of the CCTV system.

6. ON THE BASIS OF WHICH LEGAL TITLE DOES THE PRESCHOOL PROCESS PERSONAL DATA?

The purposes of personal data processing and legal titles for personal data processing in the preschool are as follows:

Ensuring the proper conduct of the admission procedure - as part of the admission procedure, legal representatives provide plenty of information about the child and themselves, so that it is possible to decide on the application for preschool education and to keep mandatory records for admitted children and use it to fulfill the goals of preschool education. The collection and registration of data is required by Act No. 561/2004 Sb., The Education Act, and the proceedings are conducted according to Act No. 500/2004 Sb., The Code of Administrative Procedure. When deciding on the admission of a child, the communicated information is assessed on the basis of criteria known in advance, as legally obligated.

Ensuring pre-school education for children with special educational needs - The preschool provides preschool education for their pupils based on Act No. 561/2004 Sb., The Education Act. For this purpose, it processes specific profile data and data on health status and obtains

additional information from both legal representatives and healthcare facilities in order to fulfill its legal obligations.

Provision of meals - on the basis of Act No. 561/2004 Sb., The Education Act and the Decree on School Catering, the preschool is obliged to provide meals in the preschool. To this end, it collects and processes information on health restrictions relevant to the preparation and serving of meals, for legitimate interest.

Fulfillment of the registration duties of the preschool - under the Education Act, the preschool is obliged to keep extensive records including personal data of children and their legal representatives. Due to legal obligations, it is obliged to keep the following: a register, documents on admission of children to the education program, the course of education and its completion, specified educational programs, class register, records of teachers' meetings, book of injuries and records of child injuries, and their medical assessments.

Fulfilling Preschool Education Goals - The Education Act sets out a number of educational goals that the preschool is obliged to fulfill. For this purpose, it is necessary to process both the data obtained from the child's legal representatives and the medical facilities during the admission procedure, and especially the information from observing the child during his / her course of education. The organisation does so due to its legal obligations.

Communication with legal representatives - The preschool communicates with legal representatives about all matters concerning the child's education, health status, the course of education, educational programs and preschool events. Without this communication, the goal of preschool education could not be fulfilled. It is not marketing communication or communication for any purpose other than meeting the preschool's educational goals. This is done on the basis of a legal title, and of legitimate interest.

Provision of information to state institutions - The preschool is obliged by law to provide information to state institutions on request or, if necessary, on its own initiative. It does so on the basis of fulfilling its legal obligations.

Publication of names and nicknames of children for each class on the cloakroom notice board - Based on the legal title of the legitimate

interest of the preschool and the parents of the preschool's registered children, the class notice board lists the names of children assigned to a particular class. The information is accessible only to persons authorised to enter the preschool. At the time of the admission procedure, when the public can access the preschool, the data is temporarily removed.

Organisation and provision of educational programs and preschool events - The preschool organises various educational programs and events, which are directly supported by the preschool or another subject, by virtue of the fulfillment of legitimate interest or by consent. Some of these events cannot be done without processing the personal data of children or their legal representatives. For some events where the preschool is not directly in charge of the event, the data administrator is the operator of the service responsible for informing legal representatives, or obtaining their consent.

Publication of photographs of the child on the website or notice board of the preschool for the purpose of presenting the preschool and its activities to the public - the preschool, on the basis of consent from the child's legal representatives, places photographs of selected events and activities of the preschool on its website in order to present activities of the preschool to the public. The photographs are mostly group photos and do not identify the photographed persons.

7. HOW LONG DOES THE PRESCHOOL STORE PERSONAL DATA? The preschool stores the child's personal data on the basis of legal obligation stipulated in Section 28 of the Education Act and the Act on Archiving – not only during the child's education, but also after the legal deadline of their education. For CCTV, the record is kept for 7 calendar days.

8. TO WHOM CAN THE PRESCHOOL TRANSFER PERSONAL DATA? Personal data is transferred when required by law. The recipients of the data may also be companies responsible for preschool activities, for which processing personal data is necessary (e.g. organisers of individual educational activities for the pupils). The recipient of data on the preschool's website is the public. The Preschool Director strictly forbids the transfer of personal data of pupils to third parties of private law, including offers of aids, books, and activities for pupils. The same applies to the personal data of preschool employees.

9. HOW IS MY PERSONAL DATA PROTECTED? The preschool has implemented an internal directive, VP – 01/2019 for data protection. In the case of activities that include the processing of personal data (such as human resources, accounting, etc.) which are provided by external companies, the processing of this data, as well as their protection, is ensured by a contract, which includes special amendments to the processing of personal data pursuant to Article 28/3 GDPR.

10. WHICH RIGHTS CAN I EXERCISE IN CONNECTION WITH MY PERSONAL DATA PROTECTION? In accordance with Article 12–22 of the GDPR Regulation, data subjects may exercise their rights. Individual rights of employees are claimed by a written request addressed to the organisation, to which the organisation is obliged to respond without undue delay, but no later than within one month after receiving the request. In exceptional cases, the organisation is entitled to extend the time limit for processing the application by a maximum of two months. In accordance with these provisions, you have the right to exercise the following rights:

Right to Access Personal Data (Article 15 of the GDPR Regulation): Employees and legal representatives may request information about the organisation's data on them.

Right to Rectify Personal Data (Article 16 of the GDPR Regulation): Employees and legal representatives have the right to request the correction of incomplete or incorrect personal data concerning them. This is without prejudice to the obligation of employees to report changes of their personal data to the employer, and to provide the employer with correct and complete personal data necessary to implement the employment contract's rights and obligations.

Right to Delete Personal Data (Article 17 of the GDPR Regulation): If an employee or his / her legal representative considers that the processing of personal data related to his / her person is not justified, he / she may request the deletion of personal data that he / she considers to be processed contrary to GDPR.

Right to Restrict Processing of Personal Data (Art. 18 and 19 of the GDPR Regulation): A pupil or his / her legal representative may consider restricting the processing of his / her personal data, especially if the organisation violates the law by processing such data.

Right to Transfer Personal Data (Article 20 of the GDPR Regulation): The personal data of pupils and their legal representatives processed on the basis of their consent, or under the legal title of performance of the contract, may be transferred to another administrator at the request of the employee. There has been no such situation at the preschool school yet.

Right to Object to the Processing of Personal Data (Article 21 of the GDPR Regulation): In cases of processing the personal data of pupils and their legal representatives based on a legal title of legitimate interest, pupils and their legal representatives have the right to object to such processing. In this case, the organisation performs a balancing test in which it compares the conflicting interests and evaluates the objection raised. With legitimate interest, the organisation publishes the name and nickname of children for each class on the cloakroom notice board.

To exercise all your rights, you can address the organisation directly, either in writing to the registered office of the organisation, or via af@jazykovaskolka.cz.

If you believe that personal data is being processed in violation of the GDPR, you may file a complaint with the supervisory authority, and your right to judicial protection is not limited. The Supervisory Authority is the Office for Personal Data Protection, IČO: 70837627, with its registered office at Pplk. Sochora 27, 170 00 Prague 7.

These terms are effective as of April 1, 2019.

Bc. Kristýna Sovinská, Preschool Director