Oshwal College Data Privacy Policy Notice

Introduction

In the course of the services we provide to you, Oshwal College, PO Box 44691-00100, Nairobi, Kenya (hereinafter “The college” or “we”), will process personal data relating to you and/or your children. With regard to such processing, the Oshwal Education & Relief Board (OERB) will qualify as the data controller.

In this capacity, The College strives to comply with applicable data protection regulations and laws on the protection of privacy in relation to the processing of personal data, as may be amended from time to time. This Oshwal College Privacy Notice (hereinafter “Notice”) explains how we collect and use personal data, who we share it with, and the ways in which we protect your privacy while doing so. This notice applies to all personal data collected for and on behalf of the college. This pertains to both information collected in analogue form (forms, documents, and in writing) and through technological or digital means, such as information systems, the college website, and email.

From time to time, we may make you aware when we require additional personal data for processing activities through a separate, specific privacy notice.

The College reserves the right to make changes to this notice from time to time. It is recommended that you consult this notice regularly.

How do we collect your personal data

We may collect your personal data in a variety of ways, including:

Personal data relating to you or your children can be obtained directly from you or your children, through, but not limited to, completing the Application, Health or Consent forms, via information provided via the College website portals, via meetings with teachers and staff, etc.

Personal data relating to you or your children can also be obtained via other information channels, such as previous schools, examining bodies, health professionals, social media channels, etc.

Personal data relating to you or your children may also be obtained by actions of The College itself or its data processors, e.g. through evaluations, camera surveillance, etc.

Why we use your personal data

Oshwal College collects personal data, including special categories of personal data of students and parents to provide a safe and caring international environment for teaching, learning, and general educational purposes.

More specifically, we process your or your children’s personal data for the following, but not limited to, purposes, and other purposes that are compatible with the purposes described below:

to undertake and manage the College admissions and enrolment

to provide a safe and secure learning environment

to comply with child protection requirements

to support and enable the academic, pastoral and personal objectives of students, including the monitoring and reporting of progress

to provide educational services

to provide support and care for emotional and psychological wellbeing (pastoral and counselling)

to protect the health of the students and staff we serve

to provide a tailored learning environment and make evidence-based education decisions for the students we serve

to enable the children/student we serve to continue or progress their education at other educational organisations

to support and develop our employees in the performance of their duties

for financial planning to help in the future planning and resource investment purposes

to meet our statutory reporting requirements to the government and other authorities

to help investigate any concerns or complaints you may have affecting the College in general

to build and maintain the Oshwal College community

to make you aware and inform you about our services, news, events and activities that are undertaken at or in association with The College

to communicate with you within the framework of your relationship with the College

to ensure the safety and security of children, students, and staff

for forecasting and planning for education service provision

to respond to requests of our staff and (former) children or students regarding historical information pertaining to their time at the College.

On which basis does The College process your personal data

We collect and use personal data to carry out the education services as prescribed above. We do so under the lawful basis that the processing is necessary for the performance of a contract in which you are entering or have entered into. In some circumstances, we may have to process data for other purposes that are not necessary for the performance of the contract. In such cases, the processing may be based upon (i) our legitimate interests, such as providing a safe learning environment, maintaining the Oshwal College community and fundraising, etc.,

(ii) on the protection of you or your children’s vital interests,

(iii) on the compliance with our legal obligations and/or

(iv) on the consent, you or your children may have provided to us.

The categories of personal data being processed

The categories of personal data that The College collects and processes include:

personal information (such as name, unique number, and address)

special categories of data (such as health information, ethnicity etc.)

educational and evaluation data (such as assessments, relevant medical information, special educational needs information, exclusions / behavioural information and psychological reports and assessments)

attendance information (such as sessions attended, number of absences and absence reasons)

logging and audit in the use of IT systems and education technology apps, applications and cloud-based systems

communication and correspondence data (such as emails, letters and other types of correspondence)

photographs and videos (see also section 8 and 9 of this Notice).

Special categories of data

The education services we provide require us to collect and process special categories of data, such as health information, for the purposes of safeguarding the protection of the children/student and the wellbeing of those within our care. We do not disclose or share special categories of data without explicit and unambiguous consent unless we have to do so where we are required to by law, or where we have good reason in protecting the vital interests of an individual, or where not doing so would place someone else at risk.

Storing personal data

We keep personal data for the period prescribed by the various examining bodies and universities with regard to the purposes described in Article 2 of this Notice or for any other purposes that may be communicated to you.

In general, your personal data are stored on our own servers and on the secure servers of our data service providers. The College does not guarantee the availability of the servers to third parties.

Sharing and transfers of personal data

Your personal data will be shared internally within The College for the purposes of delivering the services required.

For the purposes described in Article 2 of this Notice, The College may need to share your personal data externally with certain recipients, as well as with third parties processing your data on behalf of The College. More specifically, this includes the following categories of recipients:

Schools, colleges, universities and corporates; (amongst others for the purposes of trips, sports, placements, studies and activities);

Family nurses, doctors or social service organisations (amongst others where sharing is in the vital interests, or where not sharing could have a negative impact on the individual);

Providers of information systems that are necessary for Oshwal College to deliver the admissions, administration, teaching and learning, pastoral development, and child protection services;

Government organisations, police, health and social care (where we are required to do so by law, or where we have obtained your consent to do so).

Personal data may also be transferred to other data processors. For such transfers of personal data, The College has implemented suitable safeguards.

Cookies

When you view this website, some information may be stored on your computer. This information will be in the form of a “cookie” or similar file and will allow the website to tailor the experience to your interests and preferences. With most Internet browsers, cookies can be blocked or erased after visiting a website. Some aspects of this website may not function properly if your browser is set to block cookies.

Camera surveillance

We collect information in the form of camera footage via our CCTV-systems to ensure the safety and security of children/student and staff. We retain these CCTV images for 33 days after which they are deleted, unless we need to retain the images for further investigation or law enforcement purposes.

Photographs and videos

Photographs and videos of your children/students may be taken by staff and children/student throughout the academic year to record and share everyday life at Oshwal College. The child/student may be identifiable in these photographs or videos. Identifiable photographs of the child/student may be used for:

educational and informational purposes (such as keeping records of lessons, field trips, sports, events, staff training), as we have a legitimate interest to do so;

the identification of the child/student for health-related purposes, such as allergies, as it is in the vital interest of your child to do so; and

marketing and publication purposes, if and to the extent, we have obtained your and/or student’s consent where required under applicable data protection legislation to do so.

If such photographs and videos reveal any sensitive personal data of you or your child, we will only process and use such photographs and videos if and to the extent we have obtained your and/or your child’s consent where required under applicable data protection legislation to do so.

The College holds the copyright to such photographs and videos and infringement of the same may result in legal action being taken by Oshwal College.

Your rights

Parents and students may exercise a number of rights with regard to the processing of their personal data.

The first point of contact in connection with the processing of personal data and the exercise of the rights described below is The College’s Communications Office (info @ OshwalCollege.ac.ke). Oshwal College shall respond to such requests and may or may not act upon them, in principle within a period of one month, all in accordance with applicable data protection legislation.

The rights which you may have under applicable data protection legislation are:

Right to object – the right to object on grounds relating to your particular situation to the processing of personal data based on the legitimate interests of Oshwal College, and the right to object to the processing for direct marketing purposes.

Right to information and access to it– to request access to and a copy of the personal records Oshwal College holds on you within our Student Information System or Operational Systems. This Notice serves to inform you thereon, but please email if you have any questions.

Right to rectification – to correct inaccurate personal data or to complete incomplete personal data.

Right to erasure – to request the deletion or removal of personal data in specific circumstances, for example, if your personal data is no longer necessary for the purposes pursued by The College or if there no longer is a legal ground for the data processing.

Right to the restriction of processing – to limit the processing, e.g. where you have informed us the data is inaccurate and we are in the process of checking this. In such circumstances, we will continue to store your data but will not process it further until we have checked and confirmed whether the data is inaccurate.

Right to data portability – to receive your personal data in a structured, commonly used format and to transmit it or have it transmitted to another institution.

Right not to be subject to automated individual decision-making – the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning you or similarly significantly affects you.

Where the processing of your personal data is based upon consent, you and/or the student have the right to withdraw consent at any time. Such withdrawal of consent shall not affect the lawfulness of the processing based on consent before the withdrawal.

There may be instances where you may not want us to process or share your personal information. In these cases, we may not be able to fulfil the service you need, or do so in a limited way, or be able to comply with a statutory obligation. In those instances, we will not be able to comply with your request and we will inform you if this is the case.

For any questions or concerns relating to this Notice or the processing of your personal data by or on behalf of Oshwal College, as well as for the exercise of any of the rights described in Article 10 of this Notice, please contact the Oshwal College Communications Office (info@oshwalCollege.ac.ke).