

Dear All,

I thought you might like to have an update on how ACE is managing your data in line with GDPR.

You may be aware that from 25 May 2018, the rules around data protection were changed. The “General Data Protection Regulation” (GDPR) defines how we can use your data and keep it safe as well as strengthening your rights over your own data. Compliance with the regulation is an ongoing process. We will be publishing policies and procedures that are compliant with the new regulation as they become available and we will keep you informed of developments. The school has appointed a lawyer from Claeys & Engels who specialises in Data Protection to advise and manage compliance with the regulation and to answer any questions that might arise.

You will find enclosed a privacy notice for employees, explaining why and how we collect your personal data, how we protect these and how long they are stored, as well as your rights in this respect.

If you have any questions about how GDPR affects you please feel free to contact me and I will try to answer your questions.

Yours sincerely

Jackie Daire

Principal

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ACE of BRUSSELS is a registered Cambridge International School



## PRIVACY NOTICE FOR EMPLOYEES

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Please read this Privacy Notice carefully. In this notice we explain why and how we collect your personal data, how we protect these and how long they are stored. We store your data as safely as reasonably possible and protect these against loss, unauthorised distribution or access and we treat your personal data in strict compliance to the applicable legislation related to data protection, more specific the General Data Protection Regulation 2016/679 of April 27, 2016 (“GDPR”).

This Privacy Notice is drafted as a Q&A (“Questions & Answers”) list.

### 1 Who will process my personal data?

The controller of your personal data is the following legal entity (hereinafter: “ACE”):

ACE of BRUSSELS (Academy for Collaborative Education of Brussels) ASBL  
19A Drève du Prieuré  
1160 Auderghem (Brussels)  
Email:- info@aceofbrussels.com

### 2 What are the legal grounds, the types of personal data and the purposes for which my personal data are processed?

#### 2.1 Possible legal grounds

ACE will lawfully process your personal data and this mainly for one of the following (relevant) legal grounds:

- because it is necessary for the performance of the employment contract or in order to take steps prior to entering into the employment contract (“**Contract**”);
- because it is necessary to comply with our legal obligations (“**Legal obligation**”);
- because it is necessary to safeguard our own legitimate interests or those of a third party, insofar as your interests or fundamental rights and freedoms don’t prevail. We will balance this case by case and will permanently monitor this (“**Legitimate interest**”).

Besides those mentioned above, there are also some less common legal grounds based on which ACE may occasionally process your personal data, such as:

- your consent (“**Consent**”) which we will use only if strictly necessary in the context of the employment relationship;
- the necessity to protect your vital interests or those of another person, for example in case of a medical emergency (“**Vital interests**”);
- the necessity in matters of public interest or public authority that has been handed to us, for example the reporting of an alleged crime to the investigating authorities (“**Public interest**”).

For each specific purpose for which we process your personal data we will only refer to one legal ground.

## 2.2 Legal grounds for the processing of sensitive data

Occasionally, ACE will also have to process sensitive data in the context of the employment relationship.<sup>1</sup>

The processing of these data is restricted and ACE will only do this in case it is:

- necessary for the purposes of carrying out the obligations and exercising specific rights of ACE or of yourself in the field of employment and social security and social protection law;
- related to personal data which are manifestly made public by yourself;
- necessary for the establishment, exercise or defence of legal claims;
- necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, for medical diagnoses or the provision of health or social care or treatment.

## 2.3 Processed personal data and the related purposes and legal grounds

Personal data include all information that is related to you or on which basis you can be identified. Anonymous data, without the possibility to identify you, are therefore not regarded as personal data.

ACE processes your personal data, whether or not in electronic or automated form, for legitimate purposes, and on the basis of one of the abovementioned legal grounds.

In the table below you find an overview of which type of data is processed by us, for which purpose, and which primary legal ground<sup>2</sup> is invoked. It speaks for itself that this list can't be exhaustive. We keep more details internally in the so-called record of processing activities.

Purpose	Examples of personal data	Primary legal ground
Compliance with all legal, regulatory and administrative obligations and the application of employment and tax laws (including work permits)	<ul style="list-style-type: none"><li>- Standard data related to your identity (surname, name(s), address, ...)</li><li>- Personal data (place and date of birth, civil status, language, nationality, gender, family composition, bank account number, ...)</li><li>- Data related to the performance of our employment contract (function, title, employment regime, presences and absences, performance appraisals, training, disciplinary procedures, ...)</li><li>- Financial data (salaries, benefits, ...)</li></ul>	Legal obligation (also related to possible sensitive data)

<sup>1</sup> This can be: data about your health, data that reveal your race or ethnic background, political views, religious or ideological beliefs or union membership, data related to your sexual orientation, biometrical data or data related to criminal convictions or criminal offences.

<sup>2</sup> As mentioned, we only invoke one legal basis for each purpose, but to keep this notice transparent, it is not possible to explain the purposes in detail. Therefore, multiple legal grounds can be applicable within one described summarised purpose.

<p>Personnel administration including the administration of salaries, wages, fringe benefits, the management and execution of occupational pension schemes, the medical scheme or any other benefit scheme and the reimbursement of expenses</p>	<ul style="list-style-type: none"> <li>- Standard data related to your identity (surname, name(s), address, ...)</li> <li>- Personal data (place and date of birth, civil status, language, nationality, gender, family composition, bank account number, ...)</li> <li>- Data related to your career (education, training, competency profile, professional experience, ...);</li> <li>- Data related to the performance of our employment contract (function, title, employment regime, presences and absences, performance appraisals, training, disciplinary procedures, ...);</li> <li>- Financial data (salaries, bonuses, benefits, ...);</li> <li>- Data related to your emergency contacts;</li> <li>- Data required for the management of the occupational pension scheme(s) and/or the medical scheme and/or any other benefit scheme, including data with regard to the identity of your family members or, if applicable, with regard to the identity of the potential beneficiaries of entitlements under such schemes.</li> </ul>	<p>Contract (or legal obligation related to possibly sensitive data)</p>
<p>Management of access control (more specifically to the building and offices)</p>	<ul style="list-style-type: none"> <li>- Standard data related to your identity (surname, name(s), address, ...);</li> <li>- Data related to the use of the access badge.</li> </ul>	<p>Legitimate interest</p>
<p>Personnel management and implementation of ACE's personnel policy, inclusive of the performance appraisal of the personnel, training and career planning, whether or not by means of software tools installed for these purposes</p>	<ul style="list-style-type: none"> <li>- Standard data related to your identity (surname, name(s), address, ...);</li> <li>- Personal data (place and date of birth, civil status, language, nationality, gender, family composition, bank account number, ...);</li> <li>- Data related to your career (education, training, competency profile, professional experience, ...);</li> <li>- Data related to the performance of our employment contract (function, title, employment regime, presences and absences, performance appraisals, training, disciplinary procedures, ...);</li> <li>- Financial data (salaries, bonuses, benefits, ...).</li> </ul>	<p>Legitimate interest</p>
<p>Work planning, both administratively and organisationally, planning, drafting and managing of working schedules or tasks, developing and distributing organisation charts and holiday planning</p>	<ul style="list-style-type: none"> <li>- Standard data related to your identity (surname, name(s), address, ...);</li> <li>- Data related to your career (education, training, competency profile, professional experience, ...);</li> <li>- Data related to the performance of our employment contract (function, title, employment regime, presences and absences, performance appraisals, training, disciplinary procedures, ...);</li> <li>- Financial data (salaries, bonuses, benefits, ...).</li> </ul>	<p>Contract</p>
<p>Managing employee communications and relations</p>	<ul style="list-style-type: none"> <li>- Standard data related to your identity (surname, name(s), address, ...);</li> <li>- Personal data (place and date of birth, civil status, language, nationality, gender, family composition, bank account number, ...).</li> </ul>	<p>Legitimate interest</p>

Management employee termination process	<ul style="list-style-type: none"> <li>- Standard data related to your identity (surname, name(s), address, ...);</li> <li>- Personal data (place and date of birth, civil status, language, nationality, gender, family composition, bank account number, telephone number, e-mail address, ...);</li> <li>- Data related to your career (education, training, competency profile, professional experience, ...);</li> <li>- Data related to the performance of our employment contract (function, title, employment regime, presences and absences, performance appraisals, training, disciplinary procedures, ...);</li> <li>- Financial data (salaries, bonuses, benefits, ...);</li> <li>- Data needed for the administration of pension plan(s) and/or health insurance and/or any other benefit, including the data related to the identity of your family members or, if applicable, related to the identity of potential beneficiaries of the benefits related to these systems.</li> </ul>	Legal obligation
Monitoring compliance with the applicable policies of ACE including but not limited to the Staff Handbook, the ICT policy and the Data Protection and Privacy Policy	<ul style="list-style-type: none"> <li>- Standard data related to your identity (surname, name(s), address, ...);</li> <li>- Personal data (place and date of birth, civil status, language, nationality, gender, family composition, bank account number, telephone number, e-mail address, hobbies and interests, ...);</li> <li>- Data related to your career (education, training, competency profile, professional experience, ...);</li> <li>- Data related to the performance of our employment contract (function, title, employment regime, presences and absences, performance appraisals, training, disciplinary procedures, ...);</li> <li>- Financial data (salaries, bonuses, benefits, ...);</li> <li>- Data related to the use of telephones and mobile phones and other electronic devices such as a computer (passwords, log data, electronic identification data, ...);</li> <li>- Personal data sent via e-mails and logs (electronic identification data).</li> </ul>	Legitimate interest
Management of (mobile) phones and the computer network	<ul style="list-style-type: none"> <li>- Standard data related to your identity (surname, name(s), address, ...);</li> <li>- Personal data (place and date of birth, civil status, language, nationality, gender, family composition, bank account number, telephone number, e-mail address, hobbies and interests, ...);</li> <li>- Data related to your career (education, training, competency profile, professional experience, ...);</li> <li>- Data related to the performance of our employment contract (function, title, employment regime, presences and absences, performance appraisals, training, disciplinary procedures, ...);</li> <li>- Financial data (salaries, bonuses, benefits, ...);</li> <li>- Data related to the use of telephones and mobile phones and other electronic devices such as a computer (passwords, log data, electronic identification data, ...);</li> <li>- Personal data sent via e-mails and logs (electronic identification data);</li> </ul>	Legitimate interest

With your consent, ACE can also process your picture, images or videos. These will be used within school for various purposes to support curriculum, health and welfare and safeguarding protocols. We will ask you to give your consent through a consent form. You can withdraw your consent at any moment, and in that case your picture will be immediately removed.

### **3 Where does your personal data come from?**

When you start your employment with ACE, the initial data comes from you. In the course of your employment, you will provide us with further information e.g. medical certificates or information that we need to manage and pay your salary and benefit schemes. If you do not provide us with information that you are required by law or contract to give us, you may lose benefits, or we may decide not to employ you, or end your contract.

In the course of your employment contract, we may also receive or generate personal data relating to you from others. These others can both be internal (e.g.: colleagues, IT systems) as well as external (e.g.: students and their parents, suppliers or those to whom you communicate by email or other systems) to ACE.

### **4 Who will have access to my personal data?**

#### ***Internal use***

Your personal data may be disclosed to the principal, the IT department and administrators for employment, administrative and management purposes as mentioned above.

#### ***External use***

For the above-mentioned purposes, personal data may be disclosed to and possibly even processed by third parties such as:

- ACE's students and their parents for education and communication purposes;
- the social security administration;
- the tax administration;
- the payroll provider (Attentia);
- the external service for prevention and protection at work;
- the third-party benefit providers, such as:
  - the telecom company for the management of the subscriptions for cell-phones;
  - the insurance companies ACE has entered into an insurance (and/or a reinsurance) contract with (including the insurance companies for work accidents, medical insurance, group insurance, income care and premium waiver);
- Foodcademy (catering provider, needing information about staff special dietary requirements in order to meet health and dietary requirements);
- the insurance broker(s);
- the external training agencies for the training of personnel;
- IT companies or service providers for software programs;
- cloud processors for data archived in the cloud;
- specialised service providers appointed by ACE for various business services;
- other professional advisors;
- law enforcement authorities in accordance with the relevant legislation.

Moreover, the service providers of the following tools can also need access to certain personal data:

<b>Tool</b>	<b>Description</b>
Google for Education	Management of staff information, and management of the school intranet and websites
Breathehr	This is an online HR tool used by the school to track safer employment procedures, collate documentation, track and plan CPD, etc.
Edupage	The school's timetabling system
YUKI	The school's accounting/budget monitoring tool

The employees, managers and/or representatives of the abovementioned service providers or institutes and the specialised service providers appointed by them should respect the confidential nature of these data and may only use these data in line with the instructions of ACE.

#### **5 Will my personal data be transferred outside the European Economic Area?**

We are sometimes required to transfer your personal data outside of the European Economic Area (EEA).

#### **6 Will ACE make use of automated decision-making?**

Automated decisions are defined as decisions about individuals that are based solely on the automated processing of data and that produce legal effects that significantly affect the individuals involved.

As a rule, ACE does not make use of automated decision-making as described above. ACE does not base its decision whether or not to employ you or promote you or for any other HR related reason solely on automated processing of your personal data.

#### **7 How long are my personal data stored?**

Your personal data will not be stored longer than necessary for the above mentioned purposes. As a general rule, your personal data are stored during your employment and for a period of five years after the end of your employment. Personal data that are relevant related to your entitlement to a supplementary pension will be stored until 5 years after the last payment in the framework of the supplementary pension. For more information, we refer to the Data Retention Policy.

#### **8 What are my rights with regard to the processing of my personal data by ACE and who can I contact?**

Furthermore, the rights which you may have under applicable data protection legislation are:

- **Right to object** – the right to object at any time to the processing for which ACE bases itself in point 2 on the legitimate interest. ACE will then cease the processing unless it has compelling legitimate grounds for the processing.
- **Right to information and access** – to request access to and a copy of the personal data ACE holds on you, as well as the right to information about relevant aspects of the data processing by ACE (to the extent that this would not adversely affect the rights and freedoms of others). This Notice serves to inform you thereon but contact us 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 ACE or if there is no longer a legal ground for the data processing.
- **Right to restriction of the processing** – if you were to object to the processing or to the accuracy of the processed data or if you wish to retain certain personal data in the context of a possible claim while ACE no longer needs the data in the light of the purposes mentioned under point 2.
- **Right to data portability** – to receive your personal data in a structured, commonly-used and machine readable format and to transmit it or have it transmitted to another international school, insofar we process them in an automated way related to your employment contract (“Contract”) and insofar this does not affect the rights and freedoms of others, such as for example your colleagues.

In addition, you also have the right - if you feel that ACE did not act in line with data protection legislation - to lodge a complaint with the supervisory authority of your habitual residence, of your place of work or of the place of the alleged infringement.

For any questions or concerns relating to this Notice or the processing of your personal data by or on behalf of ACE, as well as for the exercise of any of the rights described above, please contact the principal via [info@aceofbrussels.com](mailto:info@aceofbrussels.com).

## 9 Changes

We may edit this Privacy Notice from time to time, within the limitation set out by the relevant privacy and data protection laws.