

# TRANSFERS OF PERSONAL DATA TO THIRD COUNTRIES OR INTERNATIONAL ORGANISATIONS PROCEDURE

<b>POLICY NUMBER &amp; CATEGORY</b>	<b>QSC/12/APP3</b>	<b>Quality &amp; Standards</b>
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## **1 SCOPE**

**1.1** This procedure applies where, in accordance with the GDPR, Focus School Dunstable and Northampton Campus (hereafter the school) wishes to transfer personal data to third countries or international organisations outside of the EU for processing. This includes the onward transfer of personal data from a third country, or an international organisation to another third country, as well as to another international organisation within the scope of this procedure.

## **2 POLICY**

**2.1** It is the responsibility of the school to ensure that the appropriate level of protection of personal data of natural persons guaranteed by the GDPR to EU residents is not undermined.

## **3 PROCEDURE**

**3.1** When transferring personal data to third countries or international organisations outside of the EU, the school checks that there is an adequate level of protection established by one of the following:

- 3.1.1** the country, or industry sector within that country, of the recipient is on the EU approved list of countries as set out in the Official Journal of the European Union ;
- 3.1.2** the country of the recipient has adequate data protection controls established by legal or self-regulatory regime;
- 3.1.3** the school has a contract in place that uses existing or approved data protection clauses to ensure adequate protection;
- 3.1.4** the school is making the transfer under approved binding corporate rules;
- 3.1.5** the school is relying on approved codes of conduct or certification mechanisms, together with binding and enforceable commitments in the third country or international organisation to apply the appropriate safeguards in relation to data subject rights.
- 3.1.6** Provisions inserted into administrative arrangements between public authorities or bodies authorised by the competent supervisory authority.
- 3.1.7** Where there is no adequacy decision or appropriate safeguards in place, the school can rely on an exemption as set out in clause 2.41 of the Data Protection Policy on data transfers; in the absence of all of the above, if the processing is necessary for the purposes of the compelling legitimate interests of the organisation (provided such interests are not overridden by the interests of the individual, a one-off transfer is possible under restricted conditions if the data controller informs the relevant supervisory authority of the transfer and provides additional information to individuals.

