**COMPLETED DATA SHARING AGREEMENT FOR SCHOOLS**

Data Processing Agreement

**TURN IT ON LTD**

**Version:** 1.03 Release Date: August 2020 Review Date: August 2021

**Authorised:** [dpo@truniton.co.uk](mailto:dpo@truniton.co.uk)

**Location:** Shared policy please email [dpo@turniton.co.uk](mailto:dpo@turniton.co.uk)

[www.turniton.co.uk](http://www.turniton.co.uk) | [gdpr@turniton.co.uk](mailto:gdpr@turniton.co.uk) | 01865 597620

Unit 1F, Network Point, Range Road, Witney, OX29 0YN

**PRE-FILLED FOR ALL SERVICES**

**SCHOOL > SUPPLIER TEMPLATE**

**TEMPLATE GDPR-136**

**(V1.03)**

**DATA SHARING CONTRACT – TURN IT ON > SCHOOL/TRUST**

This contract sets out the rules that all companies working for or with the school/trust must follow when using and sharing personal or sensitive information as outlined under the GDPR and general data protection regulations (EU) 2016/679.

This contract is between the two parties named below, the processor is **Turn IT on** Ltd and the controller is [School Name here]

**DATA SHARING CONTRACT DETAILS - CONTROLLER**

|  |  |
| --- | --- |
| Contract Agreement Details - Controller |  |
| Controller name | [School / Academy / Trust Name] |
| Controller address |  |
| Address 2 |  |
| Address 3 |  |
| Post code |  |
|  |  |
| Controller contact name | [GDPR Lead at the Data Controller] |
| Controller contact email address |  |
| Controller contact phone number |  |
| Controller DPO contact name | [Internal or external Data Protection Officer] |
| Controller DPO email address |  |
| Controller DPO phone number |  |
| ICO reference number |  |

**DATA SHARING CONTRACT DETAILS - PROCESSOR**

|  |  |
| --- | --- |
| Contract Agreement Details - Processor |  |
| Processor name | Turn IT on |
| Processor address | Unit 1F, |
| Address 2 | Network Point, Range Road, |
| Address 3 | Station lane, Witney |
| Post code | OX29 0YN |
| Processor contact name | Darrell Smith / Martin Long |
| Processor contact email address | dpo@turniton.co.uk |
| Processor contact phone number | 01865 597620 (option 3) |
| Processor DPO contact name | Darrell Smith / Martin Long |
| Processor DPO email address | dpo@turniton.co.uk |
| Processor DPO phone number | 01865 597620 (option 3) |
| ICO reference number | Z1244119 |

**PLEASE COMPLETE THE FOLLOWING AND INCLUDE AS MUCH DETAIL AS POSSIBLE.**

**INFORMATION ON PROCESSING AND DURATION OF CONTACT.**

|  |  |
| --- | --- |
| Contract Agreement Processing Information |  |
| Duration of contract | [Please enter duration of contract here] |
| Contract start date | [Please enter contract start date here] |
| Contract finish date | [Please enter contract finish date here] |
| PURPOSE AND NATURE OF PROCESSING:  The processing of school data may be required to undertake the following duties provided by turn IT on.   1. Remote technical support services for ICT 2. Onsite technical support services for ICT 3. MIS Support services 4. Finance and Bursar support services 5. GDPR support services including DPO services 6. Curriculum support services | |
| DESCRIPTION OF PROCESSING ACTIVITY:  The processing of data may be required to under take support services as below:   1. Remote technical support services – During technical support routines we may need to access customer systems via remote access platforms. Consultants may see information on customer screens and systems. During remote installation work consultants may see information as part of their work, for example email platform migration work. Consultant may also have usernames and passwords for various areas of customer systems. 2. Onsite technical support services – During onsite technical support visits consultants will have access to school systems and data to undertake support requests. Consultants may also see information on desks an in areas they are working. During installation work consultants may need to move data using removable or cloud storage. Consultant may also have usernames and passwords for various areas of customer systems. 3. MIS remote support services - During technical support routines we may need to access customer systems via remote access platforms. Consultants may see information on customer screens and systems. Consultant may also have usernames and passwords for various areas of customer systems. At times turn IT on may test database files for customers to check integrity, these files may be tested at our premises and will be transferred via secure methods. 4. Finance and Bursar support services - During technical support routines we may need to access customer systems via remote access platforms. Consultants may see information on customer screens and systems. Customers using the onsite Bursar service will share information with consultants, information may include sensitive documentation and verbal information. Consultant may also have usernames and passwords for various areas of customer systems. 5. GDPR support services including DPO services – Schools using the TIO IAR toolkit may share information with GDPR consultants as part of the compliance process. Information may be shared with the TIO DPO for issues and incidents relating to GDPR, for example subject access requests and data breaches. 6. Curriculum support services – During curriculum support visits consultants may see information relating to staff and pupils, for example class lists, registers and verbal information including safeguarding and child protection information. Consultant may also have usernames and passwords for various areas of customer systems.   THIS IS A NON-EXHAUSTIVE LIST AND GIVES AN OVERVIEW OF POSSIBLE PROCESSING ACTIVITIES DEPENDANT ON PURCHASED SERVICES. THE LISTED SERVICES MAY NOT BE RELEVANT TO ALL SCHOOLS. | |
| PERSONAL DATA TYPE AND CATEGORIES OF DATA SUBJECT: POSSIBLE DATA CATEGORIES WHICH MAY BE SHARED DURING TURN IT ON SUPPORT SERVICES AND ROUTINES.   * Name: * DOB: * Age: * Gender: * Address: * Phone number: * Email address: * Location data: * Online identifier: * Other unique number: (UPN etc.) * UPN: * SEN:   OTHER DATA (PLEASE STATE)  All data contained in MIS databases and stored on school networks and systems  SPECIAL CATEGORY DATA:   * Racial or ethnic origin * Sexual life * Medial and health information * Finance and payee information * Political opinion * Religious belief * Trade union membership * Physical or mental health or condition * Biometric or genetic data   OTHER SENSITIVE DATA (PLEASE STATE)  All data contained in MIS databases and stored on school networks and systems | |

**CONTRACT AGREEMENT DATA RETENTION INFORMATION (END OF CONTRACT)**

|  |
| --- |
| Contract Data Retention Information |
| Please state data retention information for duration of the contract if relevant and when the contact expires. Please also include any retention periods and data destruction\transfer methods at the end of the contract. |
| Turn IT on does not generally download data from school networks, all support routines are performed via remote access solutions. Please see protecting school’s data policy, information governance policy and our privacy notice on the company website. For more information - <https://www.turniton.co.uk/privacy/>  Data stored in support tickets may contain the name and contact details of the individual who submitted the request but generally the information is anonymised as much as possible.  Support ticket information may be kept on our system for extended period of time for analytical and statistical purposes and to help us improve support requirements.  We do not keep school’s data on our systems, any data used for support routines is removed once the support call has been resolved. |

**PROCESSOR RESPONSIBILITIES AS PART OF THIS AGREEMENT\CONTRACT**

Please complete the following information and agree to the statements listed. Failure to complete all the information may result in the agreement\contract being rejected or terminated. For more information on processor requirements please contact the GDPR help desk.

|  |  |
| --- | --- |
| Description of Responsibility | Yes / No / N/A |
| Processor will only act on the written instructions of the controller. | Yes |
| Processor will not use a sub-processor without the written authorisation of the controller and under a written contract. | Yes |
| Processor will co-operate with supervisory authorities (such as the ICO) in accordance with Article 31. | Yes |
| Processor will ensure the security or its processing in accordance with Article 32. | Yes |
| Processor will keep records of its processing activities in accordance with Article 30.2. | Yes |
| Processor will notify of any data breaches to the controller in accordance with Article 33. | Yes |
| Processor will employ a Data Protection Officer if required in accordance with Article 37 and; and | Yes |
| Processor will appoint in writing a representative within the European Union if required in accordance with Article 27. | Yes |
| Processor will delete or return all personal data to the controller as requested at the end of the contract. | Yes |
| Processor will submit to audits and inspections, provide the controller with whatever information it needs to ensure that they are both meeting their Article 28 obligations, and tell the controller immediately if it is asked to do something infringing the GDPR or other data protection law of the EU or a member state. | Yes |
| Processor will assist the controller in obligations in relation to the security of processing, the notification of personal data breaches and data protection impact assessments. | Yes |
| Processor must obtain a commitment of confidentiality from anyone it allows to process the data, unless they are already under such a duty of law. | Yes |
| Processor must inform the controller immediately if it thinks it has been given an instruction which does not comply with the GDPR, or related data protection law. | Yes |

**A PROCESSOR SHOULD ALSO BE AWARE THAT:**

|  |  |
| --- | --- |
| Description of Responsibility | Please Tick (✓) |
| It may be subject to investigation and corrective powers of supervisory authorities such as the ICO) under Article 58 of the GDPR. | ✓ |
| If the Processor fails to meet its obligations, it may be subject to an administrative fine under Article 83 of the GDPR. | ✓ |
| If the processor fails to meet its GDPR obligations it may be subject to a penalty under Article 84 of the GDPR; and | ✓ |
| If the processor fails to meet its GDPR obligations it may have to pay compensations under Article 82 of the GDPR. | ✓ |
| Nothing within the contract relieves the processor of its own direct responsibilities and liabilities under the GDPR. | ✓ |

**PROCESSOR AGREEMENT\CONTRACT SIGN OFF:**

I\We the Processor agree to the above processor agreement\contract details and responsibilities and adhere to data protection regulations and principles under the GDPR and general data protection regulations.

|  |  |
| --- | --- |
| Sign Off – Processor | |
| Name | Darrell Smith |
| Job title | Head of Data Protection |
| Signature |  |
| Date | 01/09/2020 |

|  |  |
| --- | --- |
| Sign Off – Controller | |
| Name |  |
| Job title |  |
| Signature |  |
| Date |  |

**PLEASE COUNTER SIGN AND RETURN TO:** [gdpr@turniton.co.uk](mailto:gdpr@turniton.co.uk)

**FURTHER INFORMATION**

**CONTACT**

If you would like to discuss anything in this data sharing agreement\contract, In the first instance please contact the School lead below: [Update table below as per your school’s details, if you do not have your DPO service with **turn IT on** please remove and add your DPO’s contact details]

|  |  |  |  |
| --- | --- | --- | --- |
| Position | Name | Email | Phone |
| School Lead | [Name] | [Email] | [Phone] |
| Data Protection Officer | Turn IT on | [dpo@turniton.co.uk](mailto:dpo@turniton.co.uk) | 01865 597620 (option 3) |

**POLICY UPDATE INFORMATION (POLICY NUMBER GDPR-136)**

This contract template is reviewed annually and updated in line with data protection legislation.

**CONTRACT TEMPLATE REVIEW INFORMATION**

|  |  |
| --- | --- |
| Review Date | Reviewed By |
| 02-05-2018 | turn IT on |
| 20-08-2018 | turn IT on |
| 01-07-2019 | turn IT on |
| 01-08-2020 | turn IT on |
|  |  |
|  |  |

**CONTRACT TEMPLATE UPDATE INFORMATION**

|  |  |  |  |
| --- | --- | --- | --- |
| Review Date | Revision | Description on Change | By |
| 02-10-2018 | 1.00 | Draft release | turn IT on |
| 20-11-2018 | 1.01 | Full release | turn IT on |
| 01-07-2019 | 1.02 | Revised full release | turn IT on |
| 01-08-2020 | 1.03 | Revised full release | turn IT on |
|  |  |  |  |
|  |  |  |  |