Happy Kids International Kindergarten and Nursery
Data Controller: Hetedhét Ország Foundation

DATA MANAGEMENT POLICY

The purpose of this data management policy (hereinafter: **Policy**) is to inform the owner of the personal data prior to the establishment of a binding legal relationship (e.g. contractual relationship) with **Hetedhét Ország Foundation** (hereinafter: the **Data Controller**) regarding the data management carried out by the Data Controller and provide information about the data protection and data management principles, rules and regulations.

The Policy applies to data management in relation to the Data Controller's clients as natural persons.

1. **The Data Controller**

   The entity of the Data Controller: Hetedhét Ország Foundation

   Contact details: 1124 Budapest, Fodor str. 36.
   +36-1-356-2440; info@happykids.hu

   Representative of the Data Controller: Peter Frank Jones

   As per Article 37 of GDPR Data Controller is not obliged to appoint a data protection officer, therefore no designated data protection officer is employed at site.

The Data Controller draws the attention of the owner of the personal data to the fact that **if a binding legal relationship** (such as a contract) **is established between the Data Controller and the customer, the customer, as the owner of the personal data, acknowledges the knowledge and management of their personal data by the Data Controller**, because in case no personal data is provided, the Data Controller cannot establish a legal relationship with the data subject.

The Data Controller publishes its effective Data Management Policy on its **website** in electronic form, and makes it available on paper at the Data Controller's headquarters. If the owner of the personal data submits a relevant electronic or paper-based request, the Data Controller will send the Data Management Policy as an attachment to an electronic mail to the electronic mail address provided by the owner of the personal data.

2. **The purpose and legal basis of the data management carried out by the Data Controller in relation to the customer:**
   a. Creation and maintenance of a student / kindergarten legal relationship between the Data Controller and the owner of the personal data, the exercise of the rights arising from this legal relationship and the fulfillment of obligations;
   b. Fulfillment of the legal obligation imposed on the Data Controller in relation to the legal relationship.

The personal data of the children may be processed for the purpose of keeping the records specified in the Act on Public Education, for pedagogical purposes, for child and youth protection purposes, for health purposes, for social insurance, social benefits, to the extent appropriate to the purpose, subject to purpose.

Scope:

When applying for admission:

If the institution announces an admission procedure for kindergarten care, the condition for participation in the admission procedure is that the person requesting admission provides the institution with some personal data. The Data Controller is entitled to use the personal data obtained in this way only for administrative and statistical purposes related to the recruitment process and evaluation. The legal basis for data management is based on the provisions of paragraphs 41-44 of the Public Education Act, the performance of the Data Controller's obligations arising from the activities of managing the institution, ensuring the safe and appropriate care of children in the institution. The personal data absolutely necessary to participate in the admission procedure are as follows:

a. name of the child participating in the admission procedure
b. gender of the child participating in the admission procedure

c.   place and time of birth of the child participating in the admission procedure,
d.   address or place of residence of the child participating in the admission procedure,
e.   nationality of the child participating in the admission procedure,
f.   passport number, identity card number, social security number, educational ID number, residence permit number of the child participating in the admission procedure
g.   mother tongue, level of English language skills, other language skills of the child participating in the admission procedure
h.   selected kindergarten/nursery class,
i.   the name and telephone number of the parent, legal representative / representatives of the child participating in the admission procedure
j.   address and place of residence of the legal representative / representatives of the child participating in the admission procedure,
k.   contact details and workplace contact details of the legal representative / representatives of the child participating in the admission procedure (2 telephone numbers, e-mail addresses)

If the person participating in the admission procedure has previously been in a student relationship with another public education institution, he/she must also provide the following information:

l.   name of public education institution,
m.   seat of public education institution, ID number of the institution,
n.   the date of last school day at a public educational institution,
o.   data related to admission.

The Data Controller shall immediately delete the personal data from its records of the Data Subjects after the evaluation of those who have not been admitted.

<u>In case of successful admissions (in addition to the above):</u>

In accordance with paragraphs 43-44 of the Public Education Act, the Data Controller manages the following data of the natural persons who have a legal relationship with the institution:

a.   the child's name,
b.   gender,
c.   nationality,
d.   place and date of birth,
e.   address of residence,
f.   temporary address, phone number, legal title of residence in the territory of the Republic of Hungary in case of non-Hungarian citizenship, title and number of the residence permit document,
g.   name, place of residence, temporary residence, telephone number of the parent, guardian, legal representative,
h.   data related to the child's development in the institution,
i.   data related to the child's kindergarten/nursery status and the student's student status,
j.   data related to entry exam,
k.   the basic task of public education to which the legal relationship is directed,
l.   data related to the suspension or termination of a legal relationship,
m.   data related to the absence of the child, student,
n.   data of child, student who requires special attention,
o.   data of accidents of child, student,
p.   educational ID number of the child, student,
q.   measurement identifier,
r.   educational ID number,
s.   social security number,
t.   data related to student status:
     data related to individual work schedule,
     assessment and qualification of the student's behavior, diligence and knowledge, exam data, in case of adult education, data related to the education schedule,
     data related to student disciplinary and compensation cases, the serial number of the student's student ID,
     data related to textbook supply,
     data on grade repetition,
     the date and reason for the termination of the student relationship,
     the data of the national measurement and evaluation,
u.   data on special educational needs,
v.   data related to the child's health problems (diseases, allergies, sensitivities, special nutrition, vaccinations received or not yet received),

w.   data on the disorder of a child with integration, learning and behavioral difficulties,
x.   data on accidents of the child.

Scope and categories of processed data (Customers)	Legal basis for data management	Purpose of data management	Source of data
name and gender of the child participating in the admission procedure, place and time of birth of the child participating in the admission procedure, address or place of residence of the child participating in the admission procedure, nationality, passport number, identity card number, social security number, educational ID number, residence permit number of the child participating in the admission procedure, the name and telephone number of the parent, legal representative / representatives of the child participating in the admission procedure, address and place of residence of the legal representative / representatives of the child participating in the admission procedure, contact details and workplace contact details of the legal representative / representatives of the child participating in the admission procedure (2 telephone numbers, e-mail addresses), name of previous public education institution, seat and ID number of previous public education institution, the date of last school day at a public educational institution, data related to admission.	Contract conclusion and fulfillment of contract GDPR Article 6 (1), point b) Fulfillment of legal obligation (Public Education Act 41.§, section (4)). GDPR Article 6 (1), point c)	Personal data absolutely necessary in order to participate in the admission procedure, which is necessary to establish the student legal relationship of the student. Fulfillment of the registration obligation upon admission to the institution.	Data subject or legal representative of data subject
the child's name, gender, nationality, place and date of birth, address of residence, temporary address, phone number, in case of non-Hungarian citizenship, title and number of the residence permit document, name, place of residence, temporary residence, telephone number of the parent, guardian, legal representative, data related to the child's development in kindergarten/nursery,	Fulfillment of legal obligation (Public Education Act 41.§, section (4)). GDPR Article 6 (1), point c)	Fulfillment of registration obligation	Data subject or legal representative of data subject

data related to the child's kindergarten/nursery status and the student's student status, data related to admissions, the basic task of public education to which the legal relationship is directed, data related to the suspension or termination of a legal relationship, data related to the absence of the child, student, data on child, student who requires special attention, data on accidents of child, student, educational ID number of the child, student, measurement identifier, educational ID number, social security number, data related to student status: data related to individual work schedule, assessment and qualification of the student's behavior, diligence and knowledge, exam data, in case of adult education, data related to the education schedule, data related to student disciplinary and compensation cases, the serial number of the student's student ID, data related to textbook supply, data on grade repetition, the date and reason for the termination of the student relationship, data of the national measurement and evaluation.			
data on special educational needs, data related to the child's health problems (diseases, allergies, sensitivities, special nutrition, vaccinations received or not yet received), data on the disorder of a child with integration, learning and behavioral difficulties, data on accidents of the child, child's language skills.	Fulfillment of legal obligation (Public Education Act 25.§, section (5)). GDPR Article 6 (1), point c) GDPR Article 9 (2), point b)	The legal obligation to ensure and maintain healthy and safe conditions for education and training during the existence of the student relationship.	Data subject or legal representative of data subject

3. Data transfer and range of recipients

The Data Controller is not entitled to forward the personal data managed and stored by it to another person or to make it accessible in any other form, except for the following recipients:

a. all data for the maintainer, court, police, prosecutor's office, municipality, public administrative body, national security service,

b. data relating to special educational needs, integration disorders, learning difficulties, behavioral disorders, from the institutions of the pedagogical service to the educational institutions, and back,

c. data relating to the evaluation of behavior and knowledge within the educational board and for the parent,

d. in connection with the child's kindergarten/nursery/school admission and acceptance to the concerned kindergarten/nursery or school,

e. for the purpose of establishing the health status of the child or student to the institution performing health care, kindergarten/nursery care tasks,

f. to the institution or organisation dealing with family protection, the organisation or institution dealing with child and youth protection, for the purpose of revealing and eliminating the vulnerability of the child,

g. data related to kindergarten/nursery development and the development required for entering school to the parent, the institutions of the pedagogical service, the school,

h. if the data transfer is required by law (e.g. statistical data collection; employer's obligation to provide data) and if an official request is sent by a court, authority or other body to the Data Controller, as the addressee of the data transfer;

The Data Controller does not forward personal data to third countries or international organisations.

The Data Controller stores personal data for 5 years from the termination of the legal relationship, unless the law imposes a different requirement.

The Data Controller is obliged to delete the personal data from all records where the legal relationship with the data subject was terminated for any reason, and the deadline for data management has expired, unless the Data Controller is required by law to retain the personal data.

4. Rights of the owner of personal data:

Natural persons whose personal data is managed by the Data Controller have the following rights regarding the data management of the Data Controller:

a. right to information;
b. right to rectification;
c. right to access;
d. right to erasure;
e. right to restrict data processing;
f. right to data portability;
g. right to object.

If the Data Controller inaccurately or incompletely handles any of the personal data of the owner of the personal data, the data subject may request the Data Controller to immediately correct the inaccurately handled personal data or to supplement the incompletely handled personal data without delay based on the data provided and verified by the data subject (right to rectification).

The data subject has the right to request information and confirmation that their personal data has been processed. The Data Controller is obliged to provide such information, including confirmation (right of access).

The owner of the personal data is entitled to request the Data Controller to delete their personal data from all records of the Data Controller. Upon receipt of this request, the Data Controller shall immediately delete the personal data requested to be deleted if one of the following reasons exists (right to erasure):

    a.   the personal data is not needed for the purpose that formed the basis of the data management;
    b.   there is no legal basis for data processing;
    c.   it is proven that the personal data was handled illegally by the Data Controller;
    d.   by legal obligation, the Data Controller is obliged to delete personal data.

The owner of the personal data has the right to request the Data Controller to limit the processing of their personal data if (right to restrict data processing):

    a.   the owner of the personal data contests the accuracy of the personal data collected and stored by the Data Controller, for the period of time relevant to the examination of the accuracy of this data; or
    b.   data processing by the Data Controller is illegal, and the owner of the personal data opposes the deletion of the collected and stored personal data; or
    c.   the purpose of the data management has ceased and the Data Controller does not need the collected and stored personal data, but the owner of the personal data requests further (limited) data management in order to present, enforce or protect their legal claim; or
    d.   the owner of the personal data exercises his right to object, for the duration of the investigation of the legality of the right to object

The data subject has the right to receive the personal data concerning him/her provided to a data controller in a segmented, widely used, machine-readable format (right to data portability), if
    a)   data processing is based on consent pursuant to GDPR Article 6 (1) point a) or GDPR Article 9 (2) point a) or on a contract pursuant to GDPR Article 6 (1) point b); and
    b)   data management is performed in an automated manner.

The data subject has the right to object to specific data processing even if the data processing is necessary for the performance of a task carried out in the public interest or in the exercise of a public authority and is entrusted to the Data Controller, or if the data processing is for the legitimate interests of the Data Controller or a third party, or necessary to enforce their rights (right to object).

The owner of personal data may exercise the right specified in this chapter by submitting a request to the Data Controller. The owner of the personal data can submit his or her request electronically, on a paper basis by using the universal postal service, or on a paper basis by handing it over to a senior official or employee entitled to represent the Data Controller at the Data Controller's headquarters, or to another person in a legal employment relationship with the Data Controller or the Institution.

The Data Controller does not handle personal data through automated decision-making and profiling, and does not use such methods.

5. Remedies:

If the owner of personal data finds that the Company violates the provisions of the data protection legislation in relation to the management of their personal data, they may, in order to protect their rights, apply for a remedy to the territorially competent **court** or to the **Hungarian National Authority for Data Protection and Freedom of Information.**

Contact details of the **Hungarian National Authority for Data Protection and Freedom of Information**:

Headquarters: 1055 Budapest, Falk Miksa str. 9-11.
Phone number: +36 (1) 391-1400
Fax: +36 (1) 391-1410
E-mail: ugyfelszolgalat@naih.hu
Website: https://www.naih.hu

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