

## DATA PROTECTION POLICY

The purpose of this policy is to explain our approach to ensuring that we comply with the Data Protection Act (1998) when we collect, process and store the personal data that we need in order to carry out our business.

### Introduction

To run our college, we need to collect, process and store a large amount of personal data (we refer to this as "handling data" throughout this policy). When we are handling data, we comply with the Data Protection Act (1998), not only because we believe it is the right thing to do, but also because the Information Commissioner has the power to fine organisations up to £500,000 for breaches of the Act.

### Objectives

When handling data, we:

- only collect personal data that is necessary,
- treat all personal data as confidential and store them securely,
- ensure that the data we hold are accurate and up to date,
- are open and transparent about how we use personal data,
- let individuals who ask, see the data that we hold about them (this is referred to as a "Subject Access Request"),
- only keep data for as long as we need them and then we securely destroy them.

### Scope

This policy covers all personal data including:

- handwritten information for example, tutorial notes, notes made during meetings or phone calls, application and enrolment forms,
- electronically stored data, either on college wide systems such as EBS or on locally held spreadsheets,
- data imported from other sources for example, Student Loan Company, UCAS,
- moving and still images.

### Procedures

We rely on the detail in the following procedures to ensure that our Data Protection Policy is properly implemented:

- Information Handling and Disclosure Procedures,
- Data Loss Procedures,
- Subject Access Request Procedures.

When we refer to "the Policy", it includes all the above procedures as well.

### Responsibilities

#### Data Controllers

The Executive Director of Human Resources is the overall Data Controller for the College and is responsible for:

- ensuring that we are registered with the Information Commissioner's Office,
- ensuring that the Policy and supporting procedures are up to date and comply with the law,
- ensuring that staff know about this policy and understand it,
- checking that the policy and procedures are being observed,
- ensuring that students know about the policy and understand it,
- handling Subject Access Requests,
- investigating breaches of the Policy.

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Managers are responsible for:

- the confidentiality of the data handled in their area,
- maintaining a document retention schedule in their area,
- ensuring that their staff receive training about the Policy.

Staff are responsible for:

- complying with the Policy and supporting procedures,
- informing the Executive Director of Human Resources if they want to change the way they handle the personal data of others,
- only accessing the personal data of others, that they need to use,
- making sure that their own personal data provided to us is accurate and up to date,
- telling us if any of their personal data change, for example their address,
- telling us if they become aware that any of the information that we hold about them is not accurate,
- informing us of any good reason why any information about them that we make publicly available, including their image, should be kept confidential.

Students and Other Users are responsible for:

- making sure that any personal data they provide to us is accurate and up to date,
- telling us if any of their personal data changes for example, mobile phone number,
- telling us if they become aware that any of the information that we hold about them is not accurate,
- informing us if they do not wish their image to be used in our promotional material.

### **Subject Consent, Access and Rights**

It is a condition of enrolment onto a course or acceptance of a job at the college, that students and staff give implicit agreement for us to process specified personal data and, in certain circumstances, to share that data with others. This includes moving and still images obtained during the day to day activities of the college.

Staff have a right to:

- know which of their personal data we handle and why,
- be asked for consent for us to process their data (this is included in the Contract of Employment),
- be able to access them,
- be able to keep them up to date and correct them if they are wrong,
- be given training and guidance about their responsibilities in relation to data handling.

Students and Other Users have a right to:

- know which of their personal data we handle and why,
- be asked for consent for us to process their data (this is included in the Enrolment Form and Student Regulations),
- be able to access them,
- be able to keep them up to date and correct them if they are wrong.

Our Subject Access Procedures set out how to deal with a request from an individual, to see the personal data that we hold about them.

### **External Data Processing, Data Sharing and Disclosing Data**

There are occasions, where the personal data that we hold is processed by an external party, such as Wess our shared service. Where this happens, the external party is acting as the college's agent and is bound by our Policy. An agreement in writing to this effect will always be in place.

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There are also occasions where we must share information with others, for example funding bodies, Local Authorities. Where this happens, the basis of the sharing is either covered in our contract with that organisation or is the subject of a Sharing Agreement. The Executive Director of Human Resources keeps a register of all Data Sharing Agreements.

Sometimes we will share information because we are obliged to do so by law, for example a request from the Police in the course of their enquiries into a crime. In these situations we will not seek the permission of the individual concerned, neither will we tell them that we have provided the information.

If a Student or member of staff wants us to share data with someone else, for example a solicitor or a parent/guardian living at a different address to the student, we only disclose information if we have the Student or member of staff's written consent. All such requests are dealt with under the Subject Access Request Procedures.

Sometimes we receive requests for information under the Freedom of Information Act. We recognise the need to balance the confidentiality of personal data against a desire to be open and transparent about our activities. However, when these two factors conflict, we always give greater weight to data confidentiality.

All instances and requests for Data Sharing, External Processing and Disclosure are dealt with by the Executive Director of Human Resources. The only exception to this is Safeguarding which is dealt with under the Safeguarding Procedures.

### Disposal of Data

We have document retention schedules that specify how long different categories of data are held. Sometimes retention periods are within our own control and sometimes they are specified by outside bodies, such as funding bodies or HMRC. Where retention is within our own control, we only keep data for as long as we feel that it is reasonable to do so.

Once data are no longer required, we dispose of them securely. In the case of electronic records, they are deleted permanently and in the case of paper records, they are treated as Confidential Waste and arrangements are made for them to be shredded.

### Training and Awareness

Who needs to know?	How much do they need to know?	How will they find out?
Managers	Good understanding to inform their staff and also manage on a day to day basis	Centrally delivered training session
Staff in areas that handle data intensively (eg MIS, HR)	Good understanding to inform their day to day activities and handle basic queries from others	Via Line Manager
Other staff	General understanding of what they should and shouldn't do	Via Line Manager