

Data Protection (GDPR) Policy

1. Policy Statement

Accrington and Rossendale College is committed to protecting the rights and privacy of individuals, including learners, staff and others, in accordance with the General Data Protection Regulation (GDPR) May 2018.

The new regulatory environment demands higher transparency and accountability in how colleges manage and use personal data. It also accords new and stronger rights for individuals to understand and control that use. The GDPR contains provisions that the college will need to be aware of as a data controller, including provisions intended to enhance the protection of individual's personal data.

Accrington and Rossendale College need to process certain information about its staff, students, parents and guardians and other individuals with whom it has a relationship for various purposes such as, but not limited to:

- Student enrolment.
- The recruitment and payment of staff.
- The administration of programmes of study and courses.
- Examinations and external accreditation.
- Recording student progress, attendance and conduct.
- Collection of fees
- Providing support and guidance to learners through their programmes
- Complying with legal obligations to funding bodies and government including local authorities.

To comply with various legal obligations, including the obligations imposed on it by the General Data Protection Regulation (GDPR) Accrington and Rossendale College will ensure that all information about individuals is collected and used fairly, stored safely and securely, and not disclosed to any third party unlawfully.

Information about how the College collect, process and protect personal information can be obtained from its Privacy Notices at <http://www.accross.ac.uk/information-compliance/> and details of the College's Data Protection registration can be found on the Office of the Information Commissioner's website at www.ico.org.uk. Our data registration number is: Z9957243.

2. Legal Framework

The General Data Protection Regulation (GDPR) comes in to force on the 25 May 2018. The GDPR regulates the processing of personal data, and protects the rights and privacy of all living individuals (including children).

Personal data is information relating to an individual and may be in hard or soft copy (paper/manual files; electronic records; photographs; CCTV images), and may include facts or opinions about a person.

3. **Scope**

This policy applies to all staff and students at Accrington and Rossendale College. Any breach of this policy or of the Regulation itself will be considered an offence and the College's disciplinary Procedure will be invoked.

As a matter of best practice, other agencies and individuals working with the College and who have access to personal information, will be expected to read and comply with this policy. It is expected that college team responsible for dealing with external agencies and contractors will take the responsibility for ensuring that such bodies sign a contract which among other things will include an agreement to abide by this policy.

4. **Statement of Principles**

In order to comply with its obligations, the College will undertake to adhere to the following eight GDPR principles:

4.1. Process personal data fairly and lawfully.

Accrington and Rossendale College will make all reasonable efforts to ensure that individuals who are the focus of the personal data (data subjects) are informed of the identity of the data controller, the purposes of the processing, any disclosures to third parties that are envisaged; given an indication of the period for which the data will be kept, and any other information which may be relevant.

4.2. Process the data for the specific and lawful purpose for which it collected that data and not further process the data in a manner incompatible with this purpose.

Accrington and Rossendale College will ensure that the reason for which it collected the data originally is the only reason for which it processes those data, unless the individual is informed of any additional processing before it takes place.

4.3. Ensure that the data is adequate, relevant and not excessive in relation to the purpose for which it is processed.

Accrington and Rossendale College will not seek to collect any personal data which is not strictly necessary for the purpose for which it was obtained. Forms for collecting data will always be drafted with this mind. If any irrelevant data are given by individuals, they will be destroyed immediately.

4.4. Keep personal data accurate and, where necessary, up to date.

Accrington and Rossendale College will review and update all data on a regular basis. It is the responsibility of the individuals giving their personal data to ensure that this is accurate, and each individual should notify the College if, for example, a change in circumstances mean that the data needs to be updated. It is the responsibility of the College to ensure that any notification regarding the change is noted and acted on.

4.5. Only keep personal data for as long as is necessary.

Accrington and Rossendale College undertakes not to retain personal data for longer than is necessary

to ensure compliance with the legislation, and any other statutory requirements. This means

Accrington and Rossendale College will undertake a regular review of the information held ensuring that information held continue to comply with GDPR and the College Information Retention Policy. The College will dispose of any personal data in a way that protects the rights and privacy of the individual concerned (e.g. secure electronic deletion, shredding and disposal of hard copy files as confidential waste).

4.6. Process personal data in accordance with the rights of the data subject under the legislation.

Individuals have various rights under the legislation including a right to:

- be told the nature of the information the College holds and any parties to whom this may be disclosed;
- prevent processing likely to cause damage or distress;
- prevent processing for purposes of direct marketing;
- be informed about the mechanics of any automated decision making process that will significantly affect them;
- not have significant decisions that will affect them taken solely by automated process;
- sue for compensation if they suffer damage by any contravention of the legislation;
- take action to rectify, block, erase or destroy inaccurate data;
- request that the Office of the Information Commissioned (www.ico.org.uk);
- assess whether any provision of the Act has been contravened.

The College will only process personal data in accordance with individuals' rights.

4.7. Put appropriate technical and organisational measures in place against unauthorised or unlawful processing of personal data, and against accidental loss or destruction of data.

All members of staff are responsible for ensuring that any personal data which they hold is kept securely and not disclosed to any unauthorised third parties. Accrington and Rossendale College will ensure that all personal data is accessible only to those who have a valid reason for using it.

The College will have in place appropriate security measures e.g. ensuring that hard copy personal data is kept in lockable filing cabinets/cupboards or archive rooms with controlled access:

- keeping all personal data in a lockable cabinet with key-controlled access;
- password protecting personal data held electronically;
- archiving personal data which are then kept securely (lockable cabinet);
- placing any PCs or terminals, CCTV camera screens etc. that show personal data so that they are not visible except to authorised staff;
- ensuring that PC screens are not left unattended without a password protected screen-saver being used.

In addition, the College will put in place appropriate measures for the deletion of personal data - manual records which will be shredded or disposed of as 'confidential waste' and appropriate contract terms will be put in place with any third parties undertaking this work. Hard drives of redundant PCs will be wiped clean before disposal or if that is not possible, destroyed physically. A log will be kept of the records destroyed.

This policy also applies to staff and students who process personal data ‘off-site’, e.g. when working at home, and in circumstances additional care must be taken regarding the security of the data.

4.8. Ensure that no personal data is transferred to a country or a territory outside the European Economic Area (EEA) unless that country or territory ensures adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

The College will not transfer data to such territories without the explicit consent of the individual.

This also applies to publishing information on the Internet - because transfer of data can include placing data on a website that can be accessed from outside the EEA - so Accrington and Rossendale College will always seek the consent of individuals before placing any personal data (including photographs) on its website.

If the College collects personal data in any form via its website, it will provide a clear and detailed privacy statement prominently on the website, and wherever else personal data is collected.

5. Organisational responsibilities

Accrington and Rossendale College is the ‘data controller’ under the terms of the legislation – this means it is ultimately responsible for controlling the use and processing of the personal data.

The Board of Governors is responsible for approval of the Policy.

Executive Team

The Executive Team is responsible for strategic level implementation of the policy, oversight of compliance with the policy and reporting identified risks to the Board.

Data Owners

Data Owners have local responsibility for data protection compliance of personal data processed in their area of work.

Data Protection Officer

The College Data Protection Officer (DPO) is primarily responsible for

- advising on and assessing the College’s compliance with GDPR and for making recommendations to improve practice in this area.
- For providing advice, support and guidance in relation to day-to-day data protection matters.
- acting as the College’s primary point of contact for GDPR matters.

All staff

All staff, including permanent staff, fixed term contractors and temporary workers must comply with this Policy and the GDPR whenever processing personal data held by the College or on behalf of the College.

All Students

All Students must comply with this policy where collecting and processing personal data as part of their course or studies.

Contractors and Consultants

Third parties such as consultants, contractors or agents, undertaking work on behalf of the College involving personal data, must adhere to this Policy and comply with the GDPR.

6. Data Subjects Rights

All individuals have the right to be informed what information the College holds about them and to request copies of that information. This is known as a Subject Access Request.

Under the GDPR, individuals also have the following additional rights:

- to request their personal data is rectified if inaccurate;
- to request erasure of their personal data;
- to request that the processing of their personal data is restricted;
- of portability in relation to their personal data;
- to object to the processing of their personal data;
- to object to processing which involves automated decision making or profiling.

Individuals who wish to exercise the above rights should contact the College Data Protection Officer at **dpo@accross.ac.uk**. Individuals should submit their request in writing and specify exactly what personal data and/or processing they are referring to and which right they wish to exercise.

Any staff member who receives a Subject Access Request or a request from an individual to exercise the above rights under the GDPR must be forwarded to the Data Protection Officer immediately: **dpo@accross.ac.uk**. All staff are responsible for cooperating with the Data Protection officer to ensure that the College can comply with an individual's request under the GDPR within the statutory timescales.

7. Reviewing and monitoring of the policy

- This policy was developed and impact assessed in May 2018 by Sylvester During.
- The Executive Team will review this policy annually
- Next review date :- May 2019