

General Data Protection Policy

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Putting Students First

Chronology of updates

December 2014	Peter Thompson instructed no changes to the policy
February 2015	Revised following Internal Audit (SIA)
March 2015	Revision to section 12, examination marks
May 2016	Revision to Appendix 2, H&S document retention
January 2017	Reviewed, no changes to the policy
October 2017	Paragraph 7.4 revised to reflect new GDPR Data protection breach notification form added as Appendix 4
September 2020	Revision to section 11, change to named data controller
June 2021	Work Placement Documentation added to H&S documents in Appendix 3
Feb 2025	Adoption of the AoC/Irwin Mitchel Recommended Policy, Data Retention Policy separated.

Note: The Association of Colleges has been working with Irwin Mitchell to create a set of model documents for colleges to tailor to their own needs to meet GDPR requirements. This policy is based on that model.

Policy Statement

This Policy aims to define the College's obligations and responsibilities in the handling and storage of data in relation to the Data Protection Act 2018.

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1. OVERVIEW

The College's reputation and future growth are dependent on the way the College manages and protects Personal Data. Protecting the confidentiality and integrity of Personal Data is a key responsibility of everyone within the College.

As an organisation that collects, uses and stores Personal Data about its employees, suppliers (sole traders, partnerships or individuals within companies), students, governors, parents and visitors, the College recognises that having controls around the collection, use, retention and destruction of Personal Data is important in order to comply with the College's obligations under Data Protection Laws and in particular its obligations under Article 5 of GDPR.

The College has implemented this Data Protection Policy to ensure all College Personnel are aware of what they must do to ensure the correct and lawful treatment of Personal Data. This will maintain confidence in the College and will provide for a successful working and learning environment for all.

College Personnel will receive a copy of this Policy when they start and may receive periodic revisions of this Policy. This Policy does not form part of any member of the College Personnel's contract of employment and the College reserves the right to change this Policy at any time. All members of College Personnel are obliged to comply with this Policy at all times.

If you have any queries concerning this Policy, please contact our Data Protection Officer, who is responsible for ensuring the College's compliance with this Policy.

2. ABOUT THIS POLICY

This Policy (and the other policies and documents referred to in it) sets out the basis on which the College will collect and use Personal Data either where the College collects it from individuals itself, or where it is provided to the College by third parties. It also sets out rules on how the College handles uses, transfers and stores Personal Data.

It applies to all Personal Data stored electronically, in paper form, or otherwise.

3. DEFINITIONS

3.1. **College** – The Isle Of Wight College

3.2. **College Personnel** – Any College employee, worker or contractor who accesses any of the College's Personal Data and will include employees, consultants, contractors, and temporary personnel hired to work on behalf of the College.

3.3. **Controller** – Any entity (e.g. company, organisation or person) that makes its own decisions about how it is going to collect and use Personal Data.

A Controller is responsible for compliance with Data Protection Laws. Examples of Personal Data the College is the Controller of include employee details or information the College collects relating to students. The College will be viewed as a Controller of Personal Data if it decides what Personal Data the College is going to collect and how it will use it.

A common misconception is that individuals within organisations are the Controllers. This is not the case it is the organisation itself which is the Controller.

- 3.4. **Data Protection Laws** – The General Data Protection Regulation (Regulation (EU) 2016/679) and all applicable laws relating to the collection and use of Personal Data and privacy and any applicable codes of practice issued by a regulator including in the UK, the Data Protection Act 2018.
- 3.5. **Data Protection Officer** – Our Data Protection Officer is Steve Violaris and can be contacted at: DataProtection@iwcollege.ac.uk.
- 3.6. **EEA** – Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the UK.
- 3.7. **ICO** – the Information Commissioner’s Office, the UK’s data protection regulator.
- 3.8. **Individuals** – Living individuals who can be identified, *directly or indirectly*, from information that the College has. For example, an individual could be identified directly by name, or indirectly by gender, job role and office location if you can use this information to work out who they are. Individuals include employees, students, parents, visitors and potential students. Individuals also include partnerships and sole traders.
- 3.9. **Personal Data** – Any information about an Individual (see definition above) which identifies them or allows them to be identified in conjunction with other information that is held. It includes information of this type, even if used in a business context.

Personal data is defined broadly and covers things such as name, address, email address (including in a business context, email addresses of Individuals in companies such as firstname.surname@organisation.com), IP address and also more sensitive types of data such as trade union membership, genetic data and religious beliefs. These more sensitive types of data are called “Special Categories of Personal Data” and are defined below. Special Categories of Personal Data are given extra protection by Data Protection Laws.

- 3.10. **Processor** – Any entity (e.g. company, organisation or person) which accesses or uses Personal Data on the instruction of a Controller.

A Processor is a third party that processes Personal Data on behalf of a Controller. This is usually as a result of the outsourcing of a service by the Controller or the provision of services by the Processor which involve access to or use of Personal Data. Examples include: where software support for a system, which contains Personal Data, is provided by someone outside the business; cloud arrangements; and mail fulfilment services.

- 3.11. **Special Categories of Personal Data** – Personal Data that reveals a person's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data (i.e. information about their inherited or acquired genetic characteristics), biometric data (i.e. information about their physical, physiological or behavioural characteristics such as facial images and fingerprints), physical or mental health, sexual life or sexual orientation and criminal record. Special Categories of Personal Data are subject to additional controls in comparison to ordinary Personal Data.

4. COLLEGE PERSONNEL'S GENERAL OBLIGATIONS

- 4.1. All College Personnel must comply with this policy.
- 4.2. College Personnel must ensure that they keep confidential all Personal Data that they collect, store, use and come into contact with during the performance of their duties.
- 4.3. College Personnel must not release or disclose any Personal Data:
- 4.3.1. outside the College; or
 - 4.3.2. inside the College to College Personnel not authorised to access the Personal Data,
- without specific authorisation from their manager or the Data Protection Officer; this includes by phone calls or in emails.
- 4.4. College Personnel must take all steps to ensure there is no unauthorised access to Personal Data whether by other College Personnel who are not authorised to see such Personal Data or by people outside the College.

5. DATA PROTECTION PRINCIPLES

- 5.1. When using Personal Data, Data Protection Laws require that the College complies with the following principles. These principles require Personal Data to be:

- 5.1.1. processed lawfully, fairly and in a transparent manner;
 - 5.1.2. collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
 - 5.1.3. adequate, relevant and limited to what is necessary for the purposes for which it is being processed;
 - 5.1.4. accurate and kept up to date, meaning that every reasonable step must be taken to ensure that Personal Data that is inaccurate is erased or rectified as soon as possible;
 - 5.1.5. kept for no longer than is necessary for the purposes for which it is being processed; and
 - 5.1.6. processed in a manner that ensures appropriate security of the Personal Data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.
- 5.2. These principles are considered in more detail in the remainder of this Policy.
- 5.3. In addition to complying with the above requirements the College also has to demonstrate in writing that it complies with them. The College has a number of policies and procedures in place, including this Policy and the documentation referred to in it, to ensure that the College can demonstrate its compliance.

6. LAWFUL USE OF PERSONAL DATA

In order to collect and/or use Personal Data lawfully the College needs to be able to show that its use meets one of a number of legal grounds. Please click here to see the detailed grounds [Lawful basis | ICO](#)

In addition when the College collects and/or uses Special Categories of Personal Data, the College has to show that one of a number of additional conditions is met. Please click here to see the detailed additional conditions [Special category data | ICO](#)

- 6.1. The College has carefully assessed how it uses Personal Data and how it complies with the obligations set out in paragraphs 0 and 0. If the College changes how it uses Personal Data, the College needs to update this record and may also need to notify Individuals about the change. If College Personnel therefore intend to change how they use Personal Data at any point they must notify the Data Protection Officer who will decide whether their intended use requires amendments to be made and any other controls which need to apply.

7. TRANSPARENT PROCESSING – PRIVACY NOTICES

- 7.1. Where the College collects Personal Data directly from Individuals, the College will inform them about how the College uses their Personal Data. This is in a privacy notice. The College has adopted the following privacy notices: ***Privacy Notice -College*** and ***Privacy Notice - Website***.
- 7.2. If the College receives Personal Data about an Individual from other sources, the College will provide the Individual with a privacy notice about how the College will use their Personal Data. This will be provided as soon as reasonably possible and in any event within one month.
- 7.3. If the College changes how it uses Personal Data, the College may need to notify Individuals about the change. If College Personnel therefore intend to change how they use Personal Data please notify the Data Protection Officer who will decide whether the College Personnel's intended use requires amendments to be made to the privacy notices and any other controls which need to apply.

8. DATA QUALITY – ENSURING THE USE OF ACCURATE, UP TO DATE AND RELEVANT PERSONAL DATA

- 8.1. Data Protection Laws require that the College only collects and processes Personal Data to the extent that it is required for the specific purpose(s) notified to the Individual in a privacy notice (see paragraph 7 above) and as set out in the College's record of how it uses Personal Data. The College is also required to ensure that the Personal Data the College holds is accurate and kept up to date.
- 8.2. All College Personnel that collect and record Personal Data shall ensure that the Personal Data is recorded accurately, is kept up to date and shall also ensure that they limit the collection and recording of Personal Data to that which is adequate, relevant and limited to what is necessary in relation to the purpose for which it is collected and used.
- 8.3. All College Personnel that obtain Personal Data from sources outside the College shall take reasonable steps to ensure that the Personal Data is recorded accurately, is up to date and limited to that which is adequate, relevant and limited to what is necessary in relation to the purpose for which it is collected and used. This does not require College Personnel to independently check the Personal Data obtained.
- 8.4. In order to maintain the quality of Personal Data, all College Personnel that access Personal Data shall ensure that they review, maintain and update it to ensure that it remains accurate, up to date, adequate, relevant and limited to what is necessary in relation to the purpose for which it is collected and used.

Please note that this does not apply to Personal Data which the College must keep in its original form (e.g. for legal reasons or that which is relevant to an investigation).

- 8.5. The College recognises the importance of ensuring that Personal Data is amended, rectified, erased or its use restricted where this is appropriate under Data Protection Laws. The College has a Rights of Individuals Policy and a Rights of Individuals Procedure which set out how the College responds to requests relating to these issues. Any request from an individual for the amendment, rectification, erasure or restriction of the use of their Personal Data should be dealt with in accordance with those documents.

9. PERSONAL DATA MUST NOT BE KEPT FOR LONGER THAN NEEDED

- 9.1. Data Protection Laws require that the College does not keep Personal Data longer than is necessary for the purpose or purposes for which the College collected it.
- 9.2. The College has assessed the types of Personal Data that it holds and the purposes it uses it for and has set retention periods for the different types of Personal Data processed by the College, the reasons for those retention periods and how the College securely deletes Personal Data at the end of those periods. These are set out in the Data Retention Policy.
- 9.3. If College Personnel feel that a particular item of Personal Data needs to be kept for more or less time than the retention period set out in the Data Retention Policy, for example because there is a requirement of law, or if College Personnel have any questions about this Policy or the College's Personal Data retention practices, they should contact the Data Protection Officer for guidance.

10. DATA SECURITY

The College takes information security very seriously and the College has security measures against unlawful or unauthorised processing of Personal Data and against the accidental loss of, or damage to, Personal Data. The College has in place procedures and technologies to maintain the security of all Personal Data from the point of collection to the point of destruction.

11. DATA BREACH

- 11.1. Whilst the College takes information security very seriously, unfortunately, in today's environment, it is possible that a security breach could happen which may result in the unauthorised loss of, access to, deletion of or alteration of Personal Data. If this happens there will be a Personal Data breach and College Personnel must comply with the College's Data Breach Notification Policy. Please see paragraphs 11.2 and 11.3 for examples of what can be a Personal Data breach. Please familiarise yourself with it as it contains important obligations which College Personnel need to comply with in the event of Personal Data breaches.
- 11.2. Personal Data breach is defined very broadly and is effectively any failure to keep Personal Data secure, which leads to the accidental or unlawful loss (including loss of access to), destruction, alteration or unauthorised disclosure of Personal Data. Whilst most Personal Data breaches happen as a result of action taken by a third party, they can also occur as a result of something someone internal does.
- 11.3. There are three main types of Personal Data breach which are as follows:
- 11.3.1. **Confidentiality breach** - where there is an unauthorised or accidental disclosure of, or access to, Personal Data e.g. hacking, accessing internal systems that a College Personnel is not authorised to access, accessing Personal Data stored on a lost laptop, phone or other device, people "blagging" access to Personal Data they have no right to access, putting the wrong letter in the wrong envelope, sending an email to the wrong student, or disclosing information over the phone to the wrong person;
 - 11.3.2. **Availability breach** - where there is an accidental or unauthorised loss of access to, or destruction of, Personal Data e.g. loss of a memory stick, laptop or device, denial of service attack, infection of systems by ransom ware, deleting Personal Data in error, loss of access to Personal Data stored on systems, inability to restore access to Personal Data from back up, or loss of an encryption key; and
 - 11.3.3. **Integrity breach** - where there is an unauthorised or accidental alteration of Personal Data.

12. APPOINTING CONTRACTORS WHO ACCESS THE COLLEGE'S PERSONAL DATA

- 12.1. If the College appoints a contractor who is a Processor of the College's Personal Data, Data Protection Laws require that the College only appoints them where the College has carried out sufficient due diligence and only where the College has appropriate contracts in place.

- 12.2. One requirement of GDPR is that a Controller must only use Processors who meet the requirements of the GDPR and protect the rights of individuals. This means that data protection due diligence should be undertaken on both new and existing suppliers. Once a Processor is appointed they should be audited periodically to ensure that they are meeting the requirements of their contract in relation to Data Protection.
- 12.3. Any contract where an organisation appoints a Processor must be in writing.
- 12.4. You are considered as having appointed a Processor where you engage someone to perform a service for you and as part of it they may get access to your Personal Data. Where you appoint a Processor you, as Controller remain responsible for what happens to the Personal Data.
- 12.5. GDPR requires the contract with a Processor to contain the following obligations as a minimum:
 - 12.5.1. to only act on the written instructions of the Controller;
 - 12.5.2. to not export Personal Data without the Controller's instruction;
 - 12.5.3. to ensure staff are subject to confidentiality obligations;
 - 12.5.4. to take appropriate security measures;
 - 12.5.5. to only engage sub-processors with the prior consent (specific or general) of the Controller and under a written contract;
 - 12.5.6. to keep the Personal Data secure and assist the Controller to do so;
 - 12.5.7. to assist with the notification of Data Breaches and Data Protection Impact Assessments;
 - 12.5.8. to assist with subject access/individuals rights;
 - 12.5.9. to delete/return all Personal Data as requested at the end of the contract;
 - 12.5.10. to submit to audits and provide information about the processing; and
 - 12.5.11. to tell the Controller if any instruction is in breach of the GDPR or other EU or member state data protection law.
- 12.6. In addition the contract should set out:
 - 12.6.1. The subject-matter and duration of the processing;
 - 12.6.2. the nature and purpose of the processing;
 - 12.6.3. the type of Personal Data and categories of individuals; and

12.6.4. the obligations and rights of the Controller.

13. INDIVIDUALS' RIGHTS

For further information see the Data Protection: Rights of Individuals Policy

13.1. Subject Access Requests

Individuals have the right under the GDPR to ask the College to confirm what Personal Data they hold in relation to them and provide them with the data. This will be provided within one month (with a possible extension if it is a complex request).

13.2. Right of Erasure (Right to be Forgotten)

13.2.1. This is a limited right for individuals to request the erasure of Personal Data concerning them where:

- 13.2.1.1. the use of the Personal Data is no longer necessary;
- 13.2.1.2. their consent is withdrawn and there is no other legal ground for the processing;
- 13.2.1.3. the individual objects to the processing and there are no overriding legitimate grounds for the processing;
- 13.2.1.4. the Personal Data has been unlawfully processed; and
- 13.2.1.5. the Personal Data has to be erased for compliance with a legal obligation.

13.2.2. In a marketing context, where Personal Data is collected and processed for direct marketing purposes, the individual has a right to object to processing at any time. Where the individual objects, the Personal Data must not be processed for such purposes.

13.3. Right of Data Portability

13.3.1. An individual has the right to request that data concerning them is provided to them in a structured, commonly used and machine readable format where:

- 13.3.1.1. the processing is based on consent or on a contract;
- and
- 13.3.1.2. the processing is carried out by automated means

13.3.2. This right isn't the same as subject access and is intended to give individuals a subset of their data.

13.4. The Right of Rectification and Restriction

13.4.1. Finally, individuals are also given the right to request that any Personal Data is rectified if inaccurate and to have use of their Personal Data restricted to particular purposes in certain circumstances.

13.5. The College will use all Personal Data in accordance with the rights given to Individuals' under Data Protection Laws, and will ensure that it allows Individuals to exercise their rights in accordance with the College's Rights of Individuals Policy and Rights of Individuals Procedure. Please familiarise yourself with these documents as they contain important obligations which College Personnel need to comply with in relation to the rights of Individuals over their Personal Data.

14. MARKETING AND CONSENT

14.1. The College will sometimes contact Individuals to send them marketing or to promote the College. Where the College carries out any marketing, Data Protection Laws require that this is only done in a legally compliant manner.

14.2. Marketing consists of any advertising or marketing communication that is directed to particular individuals. GDPR will bring about a number of important changes for organisations that market to individuals, including:

14.2.1. providing more detail in their privacy notices, including for example whether profiling takes place; and

14.2.2. rules on obtaining consent will be stricter and will require an individual's "clear affirmative action". The ICO like consent to be used in a marketing context.

14.3. Colleges also need to be aware of the Privacy and Electronic Communications Regulations (PECR) that sit alongside data protection. PECR apply to direct marketing i.e. a communication directed to particular individuals and covers any advertising/marketing material. It applies to electronic communication i.e. calls, emails, texts, faxes. PECR rules apply even if you are not processing any personal data

14.4. Consent is central to electronic marketing. We would recommend that best practice is to provide an un-ticked opt-in box.

14.5. Alternatively, the College may be able to market using a "soft opt in" if the following conditions were met:

14.5.1. contact details have been obtained in the course of a sale (or negotiations for a sale);

14.5.2. the College are marketing its own similar services; and

14.5.3. the College gives the individual a simple opportunity to refuse to opt out of the marketing, both when first collecting the details and in every message after that.

15. AUTOMATED DECISION MAKING AND PROFILING

15.1. Under Data Protection Laws there are controls around profiling and automated decision making in relation to Individuals.

Automated Decision Making happens where the College makes a decision about an Individual solely by automated means without any human involvement and the decision has legal or other significant effects; and

Profiling happens where the College automatically uses Personal Data to evaluate certain things about an Individual.

15.2. Any Automated Decision Making or Profiling which the College carries out can only be done once the College is confident that it is complying with Data Protection Laws. If College Personnel therefore wish to carry out any Automated Decision Making or Profiling College Personnel must inform the Data Protection Officer.

15.3. College Personnel must not carry out Automated Decision Making or Profiling without the approval of the Data Protection Officer.

15.4. The College does not carry out Automated Decision Making or Profiling in relation to its employees.

16. DATA PROTECTION IMPACT ASSESSMENTS (DPIA)

16.1. The GDPR introduce a new requirement to carry out a risk assessment in relation to the use of Personal Data for a new service, product or process. This must be done prior to the processing via a Data Protection Impact Assessment ("DPIA"). A DPIA should be started as early as practical in the design of processing operations. A DPIA is not a prohibition on using Personal Data but is an assessment of issues affecting Personal Data which need to be considered before a new product/service/process is rolled out. The process is designed to:

16.1.1. describe the collection and use of Personal Data;

16.1.2. assess its necessity and its proportionality in relation to the purposes;

- 16.1.3. assess the risks to the rights and freedoms of individuals; and
 - 16.1.4. the measures to address the risks.
- 16.2. A DPIA must be completed where the use of Personal Data is likely to result in a high risk to the rights and freedoms of individuals. The ICO's standard DPIA template is available from www.ico.org.uk.
- 16.3. Where a DPIA reveals risks which are not appropriately mitigated the ICO must be consulted.
- 16.4. Where the College is launching or proposing to adopt a new process, product or service which involves Personal Data, the College needs to consider whether it needs to carry out a DPIA as part of the project initiation process. The College needs to carry out a DPIA at an early stage in the process so that the College can identify and fix problems with its proposed new process, product or service at an early stage, reducing the associated costs and damage to reputation, which might otherwise occur.
- 16.5. Situations where the College may have to carry out a Data Protection Impact Assessment include the following (please note that this list is not exhaustive):
- 16.5.1. large scale and systematic use of Personal Data for the purposes of Automated Decision Making or Profiling (see definitions above) where legal or similarly significant decisions are made;
 - 16.5.2. large scale use of Special Categories of Personal Data, or Personal Data relating to criminal convictions and offences e.g. the use of high volumes of health data; or
 - 16.5.3. systematic monitoring of public areas on a large scale e.g. CCTV cameras.
- 16.6. All DPIAs must be reviewed and approved by the Data Protection Officer.

17. TRANSFERRING PERSONAL DATA TO A COUNTRY OUTSIDE THE EEA

- 17.1. Data Protection Laws impose strict controls on Personal Data being transferred outside the EEA. Transfer includes sending Personal Data outside the EEA but also includes storage of Personal Data or access to it outside the EEA. It needs to be thought about whenever the College appoints a supplier outside the EEA or the College appoints a supplier with group companies outside the EEA which may give access to the Personal Data to staff outside the EEA.
- 17.2. So that the College can ensure it is compliant with Data Protection Laws College Personnel must not export Personal Data unless it has been approved by the Data Protection Officer.

17.3. College Personnel must not export any Personal Data outside the EEA without the approval of the Data Protection Officer.

Appendix 1 – Staff guidelines for data protection

- 1** All staff will process data about students on a regular basis, when marking registers, or College work, writing reports or references, or as part of a pastoral or academic supervisory role. The College will ensure through registration procedures, that all students give their consent to this sort of processing, and are notified of the categories of processing, as required by the 2018 Act. The information that staff deal with on a day-to-day basis will be standard and will cover categories such as:

 - general personal details such as name and address.
 - details about class attendance, course work marks and grades and associated comments.
 - notes of personal supervision, including matters about behaviour and discipline.
- 2** Information about a student's physical or mental health; sexual life; political or religious views; trade union membership or ethnicity or race is sensitive and can only be collected and processed with the students consent. If staff need to record this information, they should use the College standard form.

e.g: recording information about dietary needs, for religious or health reasons prior to taking students on a field trip; recording information that a student is pregnant, as part of pastoral duties.
- 3** All staff have a duty to make sure that they comply with the data protection principles, which are set out in the College Data Protection Policy. In particular staff must ensure that records are:

 - accurate
 - up-to-date
 - fair
 - kept and disposed of safely, and in accordance with the College policy.
- 4** The College will designate staff who will be the only staff authorised to hold or process data that is:

 - i) not standard data; or
 - ii) sensitive data.

The only exception to this will be if a non-authorised staff member is satisfied that the processing of the data is necessary:

- i) in the best interests of the student or staff member, or a third person, or the College; AND
- ii) he or she has either informed the authorised person of this, or has been unable to do so and processing is urgent and necessary in all the circumstances.

This should only happen in very limited circumstances. e.g. A student is injured and unconscious, but in need of medical attention, and a staff tutor tells the hospital that the student is pregnant or a Jehovah's witness.

- 5 Authorised staff will be responsible for ensuring that all data is kept securely.
- 6 Staff must not disclose personal data to any student, unless for normal academic or pastoral purposes, without authorisation or agreement from the person involved, or in line with the College policy.
- 7 Staff shall not disclose personal data to any other staff member except with the authorisation or agreement of the designated data controller, or in line with College policy.
- 8 Before processing any personal data, all staff should consider the checklist.
- 9 Staff checklist for recording data:
 - do you really need to record the information?
 - is the information 'standard' or is it 'sensitive'?
 - if it is sensitive, do you have the data subject's express content?
 - has the student been told that this type of data will be processed?
 - are you authorised to collect/store/process the data?
 - if yes, have you checked with the data subject that the data is accurate?
 - are you sure that the data is secure?

- if you do not have the data subject's consent to process, are you satisfied that it is in the best interests of the student or the staff member to collect and retain the data?
- have you reported the fact of data collection to the authorised person within the required time?

Appendix 2 – Sensitive Information

Key principles

The following key principles underpin the college's policy on the storage, transmission and use of personal data and sensitive business information outside the college. All staff must comply with these principles when using mobile devices and portable storage media, or otherwise removing information outside the college.

- Avoid using personal data wherever possible.
- If the use of personal data is unavoidable, consider partially or fully anonymising the information to obscure the identity of the individuals concerned.
- Use the college's secure shared drives to store and access personal data and sensitive business information, ensuring that only those who need to use this information have access to it.
- Use remote access facilities to access personal data and sensitive business information on authorised central storage, rather than transporting it on mobile devices or using third party hosting services.
- If there is no option but to use mobile devices or email for high and medium risk personal data or sensitive business information, buy encrypted memory sticks, use encryption software, or encrypt the whole hard disk.
- Do not use personal equipment (such as home PCs or personal USB sticks) or third party hosting services (such as Google Mail) for high or medium risk personal data or sensitive business information.
- Avoid sending high or medium risk personal data or sensitive business information by email. If you must use email to send this sort of data outside of the college, encrypt it.
- Do not use high or medium risk personal data or sensitive business information in public places. When accessing your email remotely, exercise caution to ensure that you do not download unencrypted high or medium

risk personal data or sensitive business information sensitive data to an insecure device.

- Consider the physical security of high or medium risk personal data or sensitive business information (e.g. use locked filing cabinets/cupboards for storage).
- Implement the college's retention and disposal policies so that you do not keep personal data and sensitive business information that you do not need. If there are no suitable retention and disposal policies in place for your area, arrange to put some in place.

High risk personal data or sensitive business information

The following are examples of high risk personal data or sensitive business information:

- Any set of data relating to 1000 or more identifiable individuals, including, but not limited to students, staff, employers
- Any set of data relating to more than 50 identifiable individuals that could be used for fraud or identity theft, including, but not limited to, bank account or credit card details, national insurance number, personal contact details, date of birth, salary.
- Information relating to more than 50 individuals' performance, grading, promotion or personal and family lives.
- Information relating to more than 50 students' programmes of study, grades, progression, or personal and family lives.
- Any set of data relating to 10 or more identifiable individual's health, disability, ethnicity, sex life, trade union membership, political or religious affiliations, or the commission or alleged commission of an offence.
- Health records of any identifiable individual.
- Substantial reorganisation or restructuring proposals that will have a significant impact on more than 50 individuals before the decision is announced.
- Discussion papers and options relating to proposed changes to high profile college strategies, policies and procedures, such as the college's admissions policy, before the changes are announced.
- Security arrangements for high profile or vulnerable visitors, students, events or buildings while the arrangements are still relevant. This includes door access codes and passwords for access to the college's network or other key systems.
- Exam questions before the exam takes place.

- Information obtained under a confidentiality agreement where disclosure of the information is likely to seriously affect the college's reputation or lead to an action against the college for breach of confidence.
- Information that, if compromised, would substantially disadvantage the college in commercial or policy negotiations.

Medium risk personal data or sensitive business information

The following are examples of medium risk personal data or sensitive business information:

- Any set of data relating to more than 50 but less than 1000 identifiable individuals, including but not limited to students, staff, employers
- Any set of data relating to 10-50 identifiable individuals that could be used for fraud or identity theft, including, but not limited to, bank account or credit card details, national insurance number, personal contact details, date of birth, salary.
- Information relating to 10-50 staff's performance, grading, promotion or personal and family lives.
- Information relating to 10-50 students' programmes of study, grades, progression, or personal and family lives.
- Any set of data relating to five to nine identifiable individual's health, disability, ethnicity, sex life, trade union membership, political or religious affiliations, or the commission or alleged commission of an offence.
- Substantial reorganisation or restructuring proposals that will have a significant impact on 10-49 individuals before the decision is announced.
- Information that, if compromised, would disadvantage the college in commercial or policy negotiations.
- Non-public data that has the potential to affect any organisation's commercial interests or the college's corporate reputation, such as tender submissions prior to an award.
- Information obtained under a confidentiality agreement even if disclosure of the information is unlikely to affect the college's reputation or lead to an action against the college for breach of confidence.

18 Approval

Corporation