

Policy Name	Data Protection Policy
Department	CEO
Created by (Job Title)	Director of Governance
Date Reviewed	February 2018
Date of Next Review	June 2020
Pathway	Information Systems/DP + FOIA
E & D Policy Disclaimer	<p>This policy has been reviewed in line with the Equality Act 2010 which recognises the following categories as Protected Characteristics: Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion and Belief, Sex (gender) and Sexual orientation. We will continue to monitor this policy to ensure that it provides equal access and does not discriminate against anyone, especially any person/s listed under any protected characteristic.</p> <p><i>09.03.18</i></p>

1. Policy Statement

“Bedford College” is the legal entity registered with the Information Commissioner for the purposes of Data Protection

The Bedford College Group (“BCG”) means all businesses part of/associated with the group including Bedford College, National College for Motorsport, Shuttleworth College, the Bedford Sixth Form, The Learning Partnership, Tresham College and wholly owned subsidiaries of Bedford College, Bedford College Services Limited and Bedford College Professional Services Limited.

We need to collect and use certain types of information about people with whom it deals in order to operate. These include current, past and prospective employees, volunteers, learners, parents. Alumni, suppliers, clients/customers, and others with whom it communicates.

In addition, we are required by law to collect and use certain types of information of this kind to comply with the requirements of government departments.

This Personal Data and Sensitive Personal Data (together referred to for the purposes of this Policy as “Data”) must be dealt with properly however it is collected, recorded and used – whether on paper, in a computer, or recorded on any other material.

We recognise and regard the lawful and correct treatment of Data as extremely important within our day to day functions and in treating those with whom we deal with respect and professionalism ensuring their confidence in our ability at all times.

2. Data Protection Officer

We have appointed **Ito Onojeghuo** of the DPO Centre Limited as the Data Protection Officer for BCG who will endeavour to ensure that all Data is processed in compliance with this Policy and the Principles of the Data Protection Act 1998, The Freedom of Information Act 2000 and the Protection of Freedoms Act 2012 are also relevant to parts of this policy.

The College recognises The General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679) adopted 27 April 2016, the two-year transition period and the application date of 25 May 2018 and is actively working towards compliance with that directive.

3. The Principles

We will fully endorse and adhere to the principles within the Data Protection Act 1998 and ensure that Data:

- a) shall be processed fairly and lawfully and transparently
- b) shall be processed for a lawful purpose
- c) shall be adequate, relevant and not excessive;
- d) shall be accurate and, where necessary, kept up to date;
- e) shall not be kept for longer than is necessary shall be processed in accordance with the rights of data subjects under the Act;
- f) shall be kept securely
- g) shall not be transferred to other countries outside the European Economic Area without adequate protection

4. Personal Data

Personal Data covers both facts and opinions about an individual where that data identifies an individual. For example, it includes information necessary for employment such as the member of staff's name and address and details for payment of salary or a pupil's attendance record and exam results. Personal data may also include sensitive personal data as defined in the Act.

5. Sensitive Personal Data

Sensitive Personal Data includes data relating to medical information, gender, religion, race, sexual orientation, trade union membership and criminal records and proceedings (together and for the purposes of this Policy referred to as "Data")

6. Processing of Data

Through appropriate management we will:

- fully observe our legal obligations regarding the fair collection and use of information;
- obtain appropriate consent for the processing of Data unless processing does not require consent
- meet our legal obligations to specify the purposes for which information is used and apply suitable privacy notices;
- collect and process appropriate information, and only to the extent that it is needed to fulfil operational needs or to comply with any legal requirements;
- ensure the quality of information used;

- ensure that Data processed by external processors, for example, service providers, Cloud services including storage, web sites etc. are compliant with this policy and relevant legislation.
- retain Data for different periods of time in accordance with legal requirements or best practice and apply checks to determine the length of time information is held and ensure compliance with the College's Data Retention Policy.
- ensure that the rights of people about whom information is held can be fully exercised under the Act. (These include: the right to be informed that processing is being undertaken: the right of access to one's Data; the right to prevent processing in certain circumstances; the right to correct rectify, block or erase information which is regarded as wrong information.);
- take appropriate technical and organizational security measures to safeguard Data;
- ensure that Data is not transferred abroad without suitable safeguards.
- Ensure when Data is destroyed , it is destroyed only where appropriate and securely in accordance with best practice at the time of destruction

In addition, we will ensure that:

- there is someone with specific responsibility for data protection in the organisation;
- everyone managing and handling Data understands that they are contractually responsible for following good data protection practice;
- everyone managing and handling Data is appropriately trained to do so;
- everyone managing and handling Data is appropriately supervised;
- anybody wanting to make enquiries about handling Data knows what to do;
- queries about handling Data are promptly and courteously dealt with;
- a regular review and audit is made of the way Data is managed;
- methods of handling Data are regularly assessed and evaluated.

7. Enforcement and breach management

If an individual believes that we have not complied with this Policy or acted otherwise than in accordance with Data Protection Principles the individual should notify the DPO immediately at dpo@bedford.ac.uk

We have a legal obligation to notify the Information Commissioner of any breach or suspected breach of Data Protection legislation within 72 hours of the breach or suspected breach.

If an individual therefore believes or suspects a breach may have occurred they should notify the DPO immediately at dpo@bedford.ac.uk and in conjunction with the Breach Notification Procedure at Annex 1 of the Data Management Policy.

8. Other relevant policies and procedures

The following Policies and procedures and others that are from time to time applicable shall be adhered to by all those processing Data at BCG;

- Data Management Policy (including Breach notification form and Subject Access Request form,
- ICT Systems Acceptable Use Policy
- Relevant Employee related policies
- Relevant Student related policies
- Network Security Policy
- Mobile Devices and Laptops Policy
- Privacy Policy
- Data Retention Policy / guidelines
- Freedom of Information Policy
- Raising Concerns Procedure

For further information and guidance concerning the Data Protection Act 1998 and GDPR please either refer to or contact the College's Data Protection Officer at dpo@bedford.ac.uk or the Director of Governance at mydata@bedford.ac.uk