

DATA PROTECTION POLICY

Introduction

The Limm skills academy needs to keep certain information about its employees, students and other users to allow it to monitor performance, achievements, and health and safety, for example. It also needs to process information so that staff can be recruited and paid, courses organised and legal obligations to funding bodies and government complied with. To comply with the law, information must be collected and used fairly, stored safely and not disclosed to any other person unlawfully. To do this, the college must comply with the Data Protection Principles, which are set out in the Data Protection Act 2018.

In summary these state that personal data shall:

- Be obtained and processed fairly and lawfully and shall not be processed unless certain conditions are met.
- Be obtained for a specified and lawful purpose and shall not be processed in any manner incompatible
- With that purpose. Be adequate, relevant and not excessive for those purposes.
- Be accurate and kept up to date.
- Not be kept for longer than is necessary for that purpose
- Be processed in accordance with the data subject's rights.
- Be kept safe from unauthorised access, accidental loss or destruction.
- Not be transferred to a country outside the European Economic Area, unless that country has
- Equivalent levels of protection for personal data.

The college and all staff or others who process or use any personal information must ensure that they follow these principles at all times. In order to ensure that this happens, the college has developed the Data Protection Policy.

1.0 Policy

1.1 This policy applies to all members of Limm Skills Academy ("the College"). For the purposes of this policy, the term "Staff" means all members of Limm Skills Academy staff including permanent, fixed term, and temporary staff, secondees, Internal verifiers and any third party representatives, agency workers, volunteers and engaged with the College in the UK. This policy also applies to all members of staff employed by any of the Colleges subsidiary companies.



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1.2 All contractors and agents acting for or on behalf of the College should be made aware of this policy.

1.3 This policy applies to all personal and sensitive personal data processed on computers and stored in manual (paper based) files. It aims to protect and promote the rights of individuals and the College.

(i) **Personal Data:** Any information which relates to a living individual who can be identified from the information. It also extends to any information which may identify the individual. Examples of personal data:

- A person's name and address (postal and email)
- Date of birth
- Statement of fact
- Any expression or opinion communicated about an individual
- Minutes of meetings, reports
- Emails, file notes, handwritten notes, sticky notes
- Employment and student applications
- Spreadsheets and/or databases with any list of people set up by code or \student/staff number
- Employment or education history

(ii) **Sensitive Personal Data:** Any information relating to an individual's:

- Ethnicity
- Gender
- Religious or other beliefs
- Political opinions



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- Membership of a trade union
- Sexual orientation
- Medical history
- Offences committed or alleged to have been committed by that individual

3.0 Definition

3.1 The Data Protection Act 2018 is designed to protect individuals and personal data, which is held and processed on their behalf. The Act defines the individual as the 'data subject' and their personal information as 'data'. These are further defined as:

(i) **Data Subject:** Any living individual who is the subject of personal data whether in a personal or business capacity

(ii) **Data:** Any personal information which relates to a living individual who can be identified. This includes any expression of opinion about the individual.

(iii) Data is information stored electronically i.e. on computer, including word processing documents, emails, computer records, microfilmed documents, backed up files or databases, faxes and information recorded on telephone logging systems

(iv) Manual records which are structured, accessible and form part of a 'relevant filing systems' (filed by subject, reference, dividers or content), where individuals can be identified and personal data easily accessed without the need to trawl through a file.

4.0 General Principles

4.1 The Data Protection Act 2018 sets legislative requirements for organisations processing personal data (referred to under the Act as 'Data Controllers'). The College will be open and transparent when processing and using private and confidential information by ensuring we follow the 8 Data Protection Principles of good data handling:



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- (i) **Principle 1:** Personal data shall be obtained and processed fairly and lawfully.
- (ii) **Principle 2:** Personal data shall be obtained only for the specified and lawful purposes and shall be processed for limited purposes.
- (iii) **Principle 3:** Personal data shall be adequate, relevant and not excessive in relation to the purpose for which it is obtained.
- (iv) **Principle 4:** Personal data shall be accurate and kept up to date.
- (v) **Principle 5:** Personal data shall not be kept for longer than necessary.
- (vi) **Principle 6:** Personal data shall be processed in accordance with the rights of the data subject under the Data Protection Act 2018.
- (vii) **Principle 7:** Personal data (manual and electronic) must be kept secure.
- (viii) **Principle 8:** Personal data shall not be transferred outside the European Union unless that country provides adequate levels of protection for the rights of the data subject.

4.2 The College recognises and understands the consequences of failure to comply with the requirements of the Data Protection Act 2018 may result in:

- Criminal and civil action;
- Fines and damages;
- Personal accountability and liability;
- Suspension/withdrawal of the right to process personal data by the Information
- Loss of confidence in the integrity of the College's systems and procedures;
- Irreparable damage to the College's reputation.



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4.3 The College may also consider taking action, in accordance with the College's Disciplinary Procedure, where staff do not comply with the Data Protection Act.

5.0 Roles and Responsibilities

5.1 Staff will not attempt to gain access to information that is not necessary to hold, know or process. All information which is held will be relevant and accurate for the purpose for which it is required. The information will not be kept for longer than is necessary and will be kept secure at all times.

5.2 The College will ensure that all personal or sensitive personal information is anonymised as part of any evaluation of assets and liability assessments except as required by law.

5.3 Staff who manage and process personal or sensitive personal information will ensure that it is kept secure and where necessary confidential. Sensitive personal information will only be processed fairly and lawfully and in line with the provisions set out in the Data Protection Act 2018 and only processed in accordance with instructions set out by the respective Data Controllers.

5.4 The College will ensure that all staff are made aware of the reasons why personal and sensitive personal data is being processed:

- How it will be processed
- Who will process it
- How it will be stored and
- How it will be disposed of when no longer required.

6.0 Data Subjects Rights

6.1 The College acknowledges individuals (data subjects) rights under the Data Protection Act 2018 to access any personal data held on our systems



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and in our files upon their request, or to delete and/or correct this information if it is proven to be inaccurate, excessive or out of date.

6.2 The College recognises that individuals have the right to make a request in writing and upon payment of a fee, obtain a copy of their personal information, if held on our systems and files.

6.3 The College recognises that individuals have the right to prevent data processing where it is causing them damage or distress, or to opt out of automated decision making and stop direct marketing.

7.0 College (Data Controllers) Obligations

7.1 The College will ensure that Data Processing Agreements are applied to all contracts and management agreements where the College is the data controller contracting out services and processing of personal data to third parties (data processors). The College will ensure this agreement clearly outlines the roles and responsibilities of both the data controller and the data processor.

7.2 The College will adhere to and follow the 8 principles of data protection when conducting surveys, marketing activities etc, where the College collects, processes and stores and records all types of personal data.

7.3 The College will not transfer or share personal information with countries outside of the European Economic Area (EEA) unless that country has a recognised adequate level of protection in place in line with the recommendations outlined in the Data Protection Act.

7.4 The College will ensure all staff are provided with data protection training and promote the awareness of the College's data protection and information security policies, procedures and processes.

8.0 Complaints

8.1 Complaints relating to breaches of the Data Protection Act 2018 and/or complaints that an individual's personal information is not being processed in line with the 8 principles of data protection will be managed and processed by The Registrar.

8.2 All complaints of dissatisfaction will also be processed in accordance with the College's Complaints Process and should be sent to:



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Name: Noorjahan Begum

Position: Office Administrator

Contact: noorjahan@limmskills-academy.com, 020 8556 2738

9.0 Confidentiality and Information Sharing

9.1 The College will only share information in accordance with the provisions set out in the Data Protection Act 2018.

9.2 Where applicable the College will inform individuals of the identity of third parties to whom we may share, disclose or be required to pass on information to, whilst accounting for any exemptions which may apply under the Data Protection Act 2018.

10.0 Retention of Data

10.1 Limm Skills Academy has a duty to retain personal staff and student data for a period of time following their departure, mainly for legal reasons, but also for other purposes such as being able to provide references or for financial reasons, for example relating to taxation. Different categories of data will be retained for different periods of time.

11.0 Conclusion

11.1 Compliance with Act is the responsibility of all members of Limm Skills Academy. Any deliberate breach of the data Protection Policy will lead to disciplinary action being taken or access to facilities being withdrawn, or even to a criminal prosecution.

11.2 Any questions or concerns about the interpretation or operation of this policy should be taken up in the first instance with the data protection officer and the Managing Director.

I have read and understood the Data Protection Policy.

Signature: _____

Print name: _____.

Date: _____