

**Data Management Policy**

**City College Limited**

69 Steward Street

Birmingham

B18 7AF

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| Title | Safe Recruitment Policy | Department | Quality |
| Location | Sharepoint | Author | PWA |
| Approved by SLT | Yes | Date | May 15th 2020 |
| Last Review | January 2021 | Next Review | January 2022 |
| Version | Author | Issue date | Summery |
| V.1 | SS | October 2015 | First draft |
| V.2 | SS | November 2016 | Review |
| V.3 | SS | October 2018 | Review |
| V.4 | PWA | February 2021 | Review |

**Key Person(s)**

**Managing Director**

**Director of Operations**

**Higher Education Manager**

**Chief of Staff**

**Data Management Policy**

**Policy Statement**

City College Limited is committed to meeting the requirements for the handling of personal data (any information relating to an identifiable person who can be directly or indirectly identified from the data), to support College operations and meet the legislative requirements in accordance with the UK's data protection legislation, including the General Data Protection Regulation (GDPR). This policy sets out the College processes for the adequate protection of personal data throughout its lifecycle, from collection to disposal.

The College needs to hold personal data about its staff, students and other users of its facilities for administrative purposes: for example, to administer courses; to record progress; to collect fees; to pay staff. Certain statistical returns are also required by government and funding bodies. The College will endeavour to ensure that all data collection and processing carried out by its staff is done so in accordance with the principles outlined below.

**The General Data Protection Regulation Principles**

Data is processed lawfully, fairly and in a transparent manner in relation to individuals (‘lawfulness, fairness and transparency’)

Data is collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes (‘purpose limitation’)

Data is adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed (‘data minimisation’)

Data is accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay (‘accuracy’)

Data is kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals (‘storage limitation’)

Data is 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 (‘integrity and confidentiality’).

**Accountability**

The Director of Operations will be the City College Data Controller, having the main decision-making authority to exercise overall control over the purposes and means of the processing of personal data. The controller shall be responsible for, and be able to demonstrate compliance with the General Data Protection Regulations. (accountability). All data processors will act on behalf of, and only on the instructions of the data controller. The Director of Operations will comply with, and demonstrate compliance with, all the data protection principles described above as well as the other UK GDPR requirements. As the Data controller, the Director of Operations is also responsible for the compliance of any and all City College data processors.

The general duties of the data processors are, but not limited to;

* Obtaining data
* Holding or keeping data on file without doing anything to or with it
* Organising, altering or adapting data in any way
* Retrieving, consulting or otherwise using the data
* Disclosing data in any way
* Combining data with other information
* Erasing or destroying data.

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**Consent to Process and Fair Processing**

The data subject must agree to the processing of their data. There must be an active agreement between the two parties, ie if the subject does not actively object the College will not assume that the subject agrees.

This means the data processor collecting the data must obtain the individual’s consent to processing or be satisfied that the processing is necessary for one of the purposes specified by the Act. The data processor must tell the individual why the data is being collected and give them any other information that might be appropriate.

Everyone is entitled to know what information the College holds about them, why it is kept, what it is used for, and who has access to that information and how they may gain access to the information held.

It is the responsibility of data processors to ensure that any data held by the College is accurate and up-to-date. Completion of an appropriate enrolment forms etc will be taken as an indication that the data contained therein is accurate. Similarly, it is the responsibility of individuals to notify the College of any relevant change of circumstance, eg address, emergency contacts, to enable the College to maintain accurate files. It is also the responsibility of the College to ensure that any notification received regarding changed circumstances is recorded and acted upon.

**Security**

All personal data held by the College will be kept securely, whether kept by an individual, an academic College or subject area or the College administration. Personal data will not normally be disclosed to any unauthorised third party without the consent of the data subject. Any unauthorised disclosure may result in disciplinary action.

**Consent**

Under the Data Protection Act and General Data Protection Regulations, specific consent from the individual is usually required before data can be processed by the College. City College’s contracts of employment and student enrolment/re-enrolment forms make it clear that acceptance of the contract/completion of the enrolment form signifies consent to processing.

The College will collect and process sensitive personal data only when required to do so by law or when needed in connection with operational requirements.

All members of staff and students have the right to examine the data that the College holds about them, subject to certain exemptions. Any individual wishing to access their data will normally be required to apply in writing to the data controller. Subject Access Request Forms are available from the data controller or College administration team. The College reserves the right to charge a fee for data subject requests. Any such request will be normally be complied with within 40 days of receipt of the written request and, where appropriate, the fee.

**Data Retention**

Some personal data needs to be kept longer than others. Basic information regarding students is held indefinitely and is usually released only to identifiable third parties with the consent of the subject eg for verification of awards. When personal data is no longer to be retained it will be disposed of in such as way that the rights and privacy of the individual concerned are protected, eg disposal by shredding, burning, secure electronic deletion.

**Related policies**

This policy needs to be read in conjunction with other policies including:

* Safeguarding Policy
* Prevent Strategy
* Governance Code
* E Safety Policy
* Whistleblowing Policy
* Health and Safety Policy
* Equality and Diversity Policy
* Fitness to Practice Policy
* Fitness to Study Policy
* Staff Development Policy