

Data Protection Policy

Introduction

Debut Training Academy is committed to a policy of protecting the rights and privacy of individuals (includes learners, students, consortium members, sub-contractors, staff) in accordance with the Data Protection Act of Parliament 1998.

Debut Academy needs to process certain information about its learners, employers, sub-contractors and staff for administrative purposes (e.g. to recruit and pay staff, to record progress, to agree awards, to collect fees, and to comply with legal obligations of funding bodies and government). To comply with the law, information about individuals must be collected and used fairly, stored safely and securely and not disclosed to any third party unlawfully.

This policy applies to all staff, learners, employers, visitors and sub-contractors. Any breach of the Data Protection Act 1998 or the Debut Academy's Data Protection Policy is considered to be an offence and the Debut's disciplinary procedures will apply. As a matter of good practice, other agencies and individuals working with Debut, and who have access to personal information, will be expected to have read and comply with this policy.

Data Protection Act 1998

The purpose of the Data Protection Act 1998 is to protect the rights and privacy of living individuals and to ensure that personal data is not processed without their knowledge, and wherever possible, is processed with their consent. The terms of this Act relate to data held in any form, including written notes and records, not just electronic data. It also controls how your personal information is used by organisations, businesses or the Government.

Everyone responsible for using data has to follow strict rules called 'data protection principles'. They must make sure the information is:

- used fairly and lawfully
- used for limited, specifically stated purposes
- used in a way that is adequate, relevant and not excessive
- accurate
- kept for no longer than is absolutely necessary
- handled according to people's data protection rights
- kept safe and secure
- not transferred outside the European Economic Area without adequate protection

There is stronger legal protection for more sensitive information, such as:

- ethnic background
- political opinions
- religious beliefs
- health
- sexual health
- criminal records

Definitions

Personal Data:

“Data relating to a living individual who can be identified from that information or from that data and other information in possession of the data controller” This includes name, address, telephone number, id number. Also includes expression of opinion about the individual, and of the intentions of the data controller in respect of that individual.

Sensitive Data:

Different from ordinary personal data (such as name, address, telephone number) and relates to racial or ethnic origin, political opinions, religious beliefs, trade union membership, health, sex life, criminal convictions. Sensitive data are subject to much stricter conditions of processing.

Data Controller:

Any person (or organisation) that makes decisions with regard to particular personal data, including decisions regarding the purposes for which personal data are processed and the way in which the personal data are processed.

Processing:

Any operation related to organisation, retrieval, disclosure and deletion of data and includes: obtaining and recording data, accessing, altering, adding to, merging, deleting data retrieval, consultation or use of data disclosure or otherwise making available of data.

Third Party:

“Any individual/organisation other than the data subject, the data controller (Debut Academy) or its agents”.

Relevant Filing System:

“Any paper filing system or other manual filing system which is structured so that information about an individual is readily accessible”. Please note that this is the definition of ‘relevant filing system’ in the Act. Personal data as defined, and covered by the Act can be held in any format, electronic (including web sites and e mails), paper-based, photographic etc from which the individual’s information can be readily extracted.

Responsibility and Authority

Debut Training Academy has ultimate responsibility for staff, learner and employees and will ensure that the arrangements for overseeing data protection is effective, robust and reviewed on a regular basis.

Compliance with data protection legislation is the responsibility of all employees and associated personnel of Debut who process personal information. Employees and associated personnel of Debut are responsible for ensuring that any personal data supplied to/by Debut are accurate and up to date. As such two senior members of staff have been designated as Data Protection Personnel.

The designated data protection personnel are:

1. Carla Hales
 - Director
 - 01268 560552
 - Carla@debutacademy.com
2. Linda Edwards
 - Center Manager

- 01268 560552
- linda@debutacademy.com

Data Protection Principles

All processing of personal data must be done in accordance with the eight data protection principles.

1. Personal data shall be processed fairly and lawfully.
2. Personal data shall be obtained for specific and lawful purposes and not processed in a manner incompatible with those purposes.
3. Personal data shall be adequate, relevant and not excessive in relation to the purpose for which it is held.
4. Personal data shall be accurate and, where necessary, kept up to date.
5. Personal data shall only be kept for as long as necessary.
6. Personal data shall be processed in accordance with the rights of data subjects under the Data Protection Act.
7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of data.
8. Personal data shall not be transferred to a country or a territory outside the European Economic Area (EEA) unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

Security of Data

All staff are responsible for ensuring that any personal data (on others) which they hold is kept securely and that it is not disclosed to any unauthorised third party.

All personal data should be accessible only to those who need to use it. Those dealing with information should form a judgment based upon the sensitivity and value of the information in question, but always consider keeping personal data:

- In a lockable room with controlled access or
- In a locked drawer or filing cabinet or
- If computerised, password protected or
- Kept on other storage devices which are themselves kept securely

Care should be taken to ensure that PCs and terminals are not visible except to authorised staff and that computer passwords remain confidential. PC screens should not be left unattended without password protected screen savers and manual records should not be left where they can be accessed by unauthorised personnel.

Appropriate security measures must be in place for the deletion and disposal of personal data. Manual records will be shredded and hard drives of redundant PCs will be wiped clean before disposal.

This policy also applies to staff that process personal data away from Debut Training Academy's premises. These staff must take particular care to ensure the safe and confidential storage of personal data and immediately report any potential risk or breach of company standards e.g. theft.

Rights of Access to Data

Employees of Debut Academy have the right to access any personal data which is held by Debut in electronic format and manual records which form part of a relevant filing system.

Any individual who wishes to exercise this right should apply in writing to the Data Protection Officer. The Debut Academy reserves the right to charge a fee for data subject access requests (currently £10). Any such request will be complied with within 3 working weeks and, where appropriate, payment of the fee.

Disclosure of Data

Employees must ensure that personal data are not disclosed to unauthorised third parties. Caution must be exercised when asked to disclose personal data held on another individual to a third party. It is important to consider whether or not disclosure of the information is relevant to, and necessary for, the conduct of the Debut Academy's business. Best practice suggests that where in doubt, the contact details of the person making the enquiry should be taken and passed to the person concerned.

In general personal data may be legitimately disclosed where:

- The individual has given their consent and/or
- Disclosure is in the legitimate interests of Debut and/or
- Debut Academy is legally obliged to disclose the data and/or
- Disclosure of data is required for the performance of a contract

The Act permits certain disclosures without consent so long as the information is requested for one or more of the following purposes:

- To safeguard national security
- Prevention or detection of crime including the apprehension or prosecution of offenders
- Assessment or collection of tax duty
- Discharge of regulatory functions
- To prevent serious harm to a third party
- To protect the vital interests of the individual, this refers to life and death situations

Retention and Disposal of Data

Debut Academy will not retain personal data for longer than they are required. In certain situations retention periods are specified and Debut will observe these.

Debut Academy will regularly review the personal data that they hold and will delete and dispose of any information that is deemed unnecessary or out of date.

Training of Staff

The Center Manager has undertaken and completed training in Data Protection and the principles around the Data Protection Act 1998. Staff meetings are used as a regular tool to ensure that all other staff are aware of their responsibility to ensuring the Data Protection Policy is adhered to and followed.

Linked Policies

Please refer to Debut's linked policies below for additional information regarding Data Protection Standards:

- Admissions & Application Policy
- Archiving Policy
- Assessor Off-Site Tutoring Policy
- Code of Conduct – Staff Policy
- Code of Conduct – Learners Policy

- Complaints Policy
- Confidentiality & Disclosure Policy
- Counselling Policy
- Communications Policy
- Freedom of Information Policy
- Guidance Policy
- IAG Policy
- Induction Procedure – Staff Policy
- Induction Procedure – Learner Policy
- Learner Support & Super Group Policy
- Meetings Policy
- Mentoring – Staff Policy
- Mentoring – Learner Policy
- Prevent Policy
- Questionnaire & Feedback Policy
- Quality Assurance Policy
- Staff Confidentiality Policy
- Staff CPD/Personal Development Training Policy
- Whistle Blowing Policy

Policy Revision

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