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GENERAL DATA PROTECTION REGULATION POLICY

Approved by: Dr Ahmed Zaki
Date: May 2018
Proposed review date: 1st June 2019
Owner: Data Protection Officer

Contents

Notting Hill College

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1.0 STATEMENT OF INTENT

1.1 Notting Hill College is committed to protecting the rights and privacy of individuals in accordance with its legal obligations under the General Data Protection Regulation (GDPR).

1.2 Notting Hill College is required to keep and process certain information about its students and staff for various purposes such as:

- To support pupil learning;
- To monitor and report on student progress;
- To assess the quality of our services;
- To ensure we operate efficiently and effectively;
- To recruit and pay staff;
- To collect fees;
- To comply with legal obligations regulating bodies (TQUK, ATHE);
- To comply with legal obligations accrediting bodies (BAC, ASIC);

1.3 Notting Hill College may be required to share personal data about its students or staff with other organisations such as regulating bodies (TQUK, ATHE), accrediting bodies (BAC, ASIC) and HMRC.

1.4 This policy applies to computerised systems and manual records, where personal data is accessible by specific criteria, chronologically or as pseudonymised data. It also applies to photographs and video records.

2.0 LEGAL FRAMEWORK

2.1 This policy has due regard to legislation, including, but not limited to the following:

General Data Protection Regulation (GDPR) 2018
Freedom of Information Act 2000

2.2 This policy also has regard to the following guidance:

Information Commissioner's Office (2017) 'Overview of the General Data Protection Regulation (GDPR)'

3.0 ASSOCIATED POLICIES

3.1 This policy should be read in conjunction with the following policies and procedures:

Staff Handbook and contract.
Student Handbook.
Freedom of Information statement.
Academic conduct guide.

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4.0 DEFINITIONS

4.1 'Personal data' refers to any information that relates to an identifiable, living individual ('data subject'). This could include information such as names, addresses, telephone numbers, photographs, expressions of opinion about an individual, or an online identifier (for example an IP address or roll number).

4.2 ‘Special categories of personal data’ refers to information which is broadly the same as 'sensitive personal data' previously referred to in the Data Protection Act (DPA) 1998. This includes biometric data, ethnicity, religious beliefs, political opinions, data concerning health matters and actual or alleged criminal activities.

4.3 'Processing' refers to any operation which is performed on personal data such as: collection, recording, organisation, storage, alteration, retrieval, use, disclosure, dissemination or otherwise making available, combination, restriction, erasure or destruction.

4.4 ‘Data Controller’ refers to any individual or organisation who controls personal data, in this instance Notting Hill College LTD is the data controller

4.5 ‘Data Subject’ refers to an individual who is the subject of the personal data, for example:

Employees (current and former)
Students (including former students)
Recruitment applicants (successful and unsuccessful)
Casual workers (current and former)
Contract workers (current and former)

5.0 COMPLIANCE

5.1 Compliance with this policy is the responsibility of all the members of Notting Hill College who process personal data including directors, assessors, tutors and administration staff.

5.2 Any breach of this policy will result in disciplinary procedures being invoked. A serious, deliberate or repeated breach could lead to dismissal.

5.3 This policy will be updated, as necessary, to reflect best practice in data management, security and control and to ensure compliance with any change or amendment to the GDPR and any other relevant legislation.

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6.0 DATA PROTECTION PRINCIPLES

6.1 In accordance with article 5 of the GDPR, personal data will be:

a) Processed lawfully, fairly and in a transparent manner.
b) Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.
c) Adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed.
d) Accurate and, where necessary, kept up-to-date; ensuring that inaccurate personal data is erased or rectified without delay.
e) Kept in a form which permits identification of individuals for no longer than is necessary for the purposes for which the personal data is processed;
f) Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing, accidental loss, destruction or damage.

6.2 Notting Hill College will only process personal data in accordance with individuals' rights and will comply with article 5 of the GDPR in the following ways:

a) By making all reasonable efforts to ensure that individuals who are the focus of the personal data (data subjects) are informed of the identity of the data controller; the purpose of the processing; any disclosures to third parties that are envisaged and why; an indication of the period for which the data will be kept, and any other information which may be relevant.

b) By ensuring that the reason for which the personal data was originally collected is the only reason for which it is processed, unless the individual is informed of any additional processing before it takes place and there is a lawful basis for carrying out such processing.

c) By not seeking to collect any personal data which is not strictly necessary for the purpose for which it was obtained. Forms for collecting data will always be drafted with this in mind. If any irrelevant data is given by individuals, it will be destroyed immediately.

d) By reviewing and updating personal data on a regular basis. It is the responsibility of the individuals giving their personal data to ensure that this is accurate. Individuals must notify Notting Hill College if a change in circumstances means that their data needs to be updated. It is the responsibility of the college to ensure that any notification regarding a change is acted on swiftly. The college may also contact individuals to verify certain items of data.

e) By undertaking not to retain personal data for longer than is necessary to ensure compliance with the legislation, any other statutory requirements and the Records Management Guidance. This means the college will undertake a regular review of the information held.

f) By disposing of any personal data in a way that protects the rights and privacy of the individual concerned.

g) By ensuring appropriate technical and organisational measures are in place against unauthorised or unlawful processing of personal data, and against accidental loss or destruction of data.

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6.3 Appropriately anonymized, pseudonymised or other adequately safeguarded personal data may be stored for longer periods and may be processed solely for archiving in the public interest, scientific or historical research, or statistical purposes.

7.0 ACCOUNTABILITY

7.1 Notting Hill College will implement technical and organisational measures to demonstrate that data is being processed in line with the principles set out in this policy. This will include:

- Providing comprehensive, clear and transparent privacy notices (Appendix 1 and 2).
- Using data protection impact assessments (DPIA), where appropriate (Appendix 3).
- Recording activities relating to higher risk processing, such as the processing of special categories of personal data.

7.2 The privacy notices (Appendix 1 and 2) explain how Notting Hill College will share personal data with third parties. The sharing of personal data is generally limited to enabling the college to perform its legal duties of teaching, assessing or as an employer. No personal data will be shared for other reasons unless consent has first been obtained from the DPO.

7.3 Internal records of processing activities will include the following:

- Name and details of the organisation
- Purpose(s) of the processing
- Description of the categories of individuals and personal data
- Retention schedules
- Categories of recipients of personal data
- Description of technical and organisational security measures
- Details of transfers to third countries, including documentation of the transfer mechanism safeguards in place

7.4 Individuals who provide personal data to Notting Hill College are responsible for ensuring that the information is accurate and up-to-date.

8.0 DATA PROTECTION OFFICER (DPO)

8.1 The DPO for Notting Hill College will be the COO. They will:

- Inform and advise Notting Hill College personnel about their obligations under this policy (including recognising a subject access request, data security and off site use).
- Ensure everyone is aware of, and understands, what constitutes a data breach.
- Provide annual training on the contents of this policy and develop and encourage best practice.
- Liaise with any external data controllers engaged with Notting Hill College.

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- Monitor internal compliance, including identifying processing activities, maintaining records as appropriate and checking the recording of activities related to higher risk processing, advising and checking DPIAs (including need, methodology and any safeguards) and conducting internal audits.
- Take responsibility for continuity and recovery measures to ensure the security of personal data.
- Ensure obsolete personal data is properly erased and retain a Destruction Log. This will include the document description, classification, date of destruction, method and authorisation.
- Be the point of contact with the ICO, co-operate with any requests and ensure that Notting Hill College's notification is kept accurate.
- Maintain an up-to-date knowledge of data protection law in relation to the main functions of Notting Hill College.

8.2 The DPO will report to the CEO and provide an annual report with recommendations.

9.0 LAWFUL PROCESSING

9.1 Personal data can be lawfully processed under the following conditions:

a) Consent of the individual has been obtained
b) Compliance with a legal obligation to which Notting Hill College is subject
c) Performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.
d) Performance of a contract with the individual or to take steps at the request of the Data Subject prior to entry into a contract
e) Protecting the vital interests of an individual or another person.

9.2 Special categories of personal data can be lawfully processed under the following conditions:

a) Explicit consent of the individual has been obtained to process the personal data for one or more specified purposes, unless reliance on consent is prohibited by EU or Member State law.
b) Processing carried out by a not-for-profit body with a political, philosophical, religious or trade union aim (provided the processing relates only to members or former members or those who have regular contact with it in connection with those purposes) and provided there is no disclosure to a third party without consent.
c) Processing relates to personal data manifestly made public by the individual.
d) Carrying out obligations under employment, social security or social protection law, or a collective agreement.
e) Protecting the vital interests of an individual or another person where the individual is physically or legally incapable of giving consent.
f) The establishment, exercise or defence of legal claims or where courts are acting in their judicial capacity.
g) Reasons of substantial public interest on the basis of Union or Member State law which is proportionate to the aim pursued and which contains appropriate safeguards.
h) The purposes of preventative or occupational medicine, for assessing the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or management of health or social care systems and services on the basis of Union or Member State law or a contract with a health professional.
i) Reasons of public interest in the area of public health.
j) Archiving purposes in the public interest, or scientific and historical research purposes or statistical purposes in accordance with Article 89(1).

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9.3 We collect and use workforce information for general purposes under paragraphs 9.1c and 9.2g of this policy which complies with Articles 6 and 9 of the GDPR. Under any other circumstances the legal basis for processing data will be identified and documented prior to data being processed.

10.0 CONSENT

10.1 It is not always necessary to gain consent before processing personal data (see paragraphs 9.1 and 9.2) but when it is, consent must be a positive indication.

10.2 Consent will only be accepted where it is freely given, specific, informed and an unambiguous indication of the individual's wishes (it cannot be inferred from silence, inactivity or pre-ticked boxes). Consent obtained on the basis of misleading information will not be a valid basis for processing.

10.3 Any forms used to gather personal data will be provided with a privacy notice (Appendix 1 and 2) and will indicate whether the individual needs to give consent for the processing or whether one of the other conditions applies under 9.1 and 9.2.

10.4 A record will be kept documenting how and when consent was given.

10.5 If an individual does not give their consent for the processing and there is no other lawful basis on which to process the data, then Notting Hill College will ensure that the processing of that data does not take place and that the data will be appropriately destroyed.

10.6 Consent accepted under the DPA will be reviewed to ensure it meets the standards of the GDPR; however, acceptable consent obtained under the DPA will not be reobtained.

10.7 Consent can be withdrawn by the individual at any time. To withdraw your consent, you should contact the academy/the data controller.

11.0 THE RIGHT TO BE INFORMED

11.1 Privacy notices regarding the processing of personal data (obtained either directly or indirectly) will be concise, written in clear, accessible language and free of charge (Appendices 1 and 2).

11.2 Notting Hill College will include the following information in its privacy notices following the ICO code of practice:

- The identity and contact details of the data controller and DPO.
- The intended purpose of, and the legal basis for, processing the data.
- The legitimate interests of the data controller or third party.
- Any recipient or categories of recipients to whom the personal data will be disclosed.

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- Details of transfers to third countries and the safeguards in place and the reason for disclosure.
- The retention period or criteria used to determine the retention period.
- The existence of the right to access, rectification, object, erasure and withdraw consent.
- The right to complain internally and to a supervisory authority.

11.4 Where data is obtained directly from an individual, information regarding whether the provision of personal data is part of a statutory or contractual requirement and the details of the categories of personal data, as well as any possible consequences of failing to provide the personal data, will be provided at the time of collection.

12.0 THE RIGHT TO ACCESS

12.1 Individuals have the right to obtain confirmation that their personal data is being processed fairly or to submit a subject access request (SAR) to gain access to their personal data. In order to ensure individuals receive the correct information SARs must be made in writing and submitted to the Headteacher at the school (Appendix 4).

12.2 The Centre Manager will verify the identity of the person making the request before any information is supplied.

12.3 All requests will be responded to within 30 calendar days of receipt.

12.4 In the event of numerous or complex requests, the period of compliance will be extended by a further two months. The individual will be informed of this extension and will receive an explanation of why the extension is necessary, within one month of the receipt of the request.

12.5 Where a fair processing request is made the information contained within the relevant privacy notice will be provided.

12.6 Where a SAR is made copies of personal data will generally be encrypted and supplied to the individual in a commonly used electronic format.

12.7 In the event that a large quantity of information is being processed the individual may be requested to specify the information the request is in relation to.

12.8 Where a request is excessive or repetitive, a 'reasonable fee' will be charged. All fees will be based on the administrative cost of providing the information.

12.9 Where a request is manifestly unfounded Notting Hill College holds the right to refuse to respond to the request. The individual will be informed of this decision and the reason behind it, as well as their right to complain to the supervisory authority and to a judicial remedy, within one month of the refusal.

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13.0 THE RIGHT TO RECTIFICATION

13.1 Personal data held by Notting Hill College will be as accurate as is reasonably possible.

13.2 Individuals are entitled to have any inaccurate or incomplete personal data rectified. Where an individual informs the college of inaccurate or incomplete personal data their data record will be updated as soon as is practicable.

13.3 Where the personal data has been disclosed to a third party and the processing of the data is still necessary, the school will inform them of any rectification where possible. The individual will also be informed about the third parties that the data has been disclosed to where appropriate. If the processing of the data is no longer necessary the third party should delete this data.

13.4 Requests for rectification will be responded to within one month; this will be extended by two months where the request for rectification is complex.

13.5 Where no action is being taken in response to a request for rectification, Notting Hill College will explain the reason for this to the individual and will inform them of their right to complain to the supervisory authority and to a judicial remedy.

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14.0 THE RIGHT TO ERASURE

14.1 Individuals have the right to request erasure of personal data. This applies where:

a) Personal data is no longer necessary for the purpose for which it was collected/processed.
b) Withdrawal of consent and no other legal ground applies.
c) The individual objects to the processing and there is no overriding legitimate interest.
d) Personal data is unlawfully processed.
e) Personal data has to be erased in order to comply with a law.

14.2 Notting Hill College has the right to refuse a request for erasure where personal data is being processed for:

a) Exercising the right of freedom of expression and information.
b) Compliance with legal obligations or for performing tasks carried out in the public interest or in exercising the data controller's official authority.
c) Reasons of public interest in the area of public health.
d) Archiving purposes in the public interest, scientific or historical research, or statistical purposes.
e) The establishment, exercise or defence of legal claims.

14.4 Where personal data has been disclosed to third parties they will be informed about the request for erasure, unless it is impossible or involves a disproportionate effort to do so.

14.5 Where personal data or images have been made public and then is requested to be erased, taking into account the available technology and the cost of implementation, all reasonable steps will be taken to inform other data controllers about the request for erasure.

15.0 THE RIGHT TO RESTRICT PROCESSING

15.1 Individuals have the right to restrict the college's processing of personal data.

15.2 In the event that processing is restricted, the college will either continue to store or delete the personal data guaranteeing that just enough information about the individual has been retained to ensure that the restriction is respected in future.

15.3 The college will restrict the processing of personal data in the following circumstances:

a) Where an individual contests the accuracy of the personal data, processing will be restricted until the college has verified the accuracy of the data.
b) Where an individual has objected to the processing and the college is considering whether their legitimate grounds override those of the individual.
c) Where processing is unlawful and the individual opposes erasure and requests restriction instead.
d) Where the college no longer needs the personal data but the individual requires the data to establish, exercise or defend a legal claim.

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15.4 If the personal data in question has been disclosed to third parties, the college will inform them about the restriction on the processing of the personal data, unless it is impossible or involves disproportionate effort to do so.

15.5 The school will inform individuals when a restriction on processing has been lifted.

16.0 THE RIGHT TO DATA PORTABILITY

16.1 Individuals have the right to obtain and reuse their personal data for their own purposes across different services.

16.2 Personal data can be moved, copied or transferred from one IT system to another in a safe and secure manner, without hindrance to usability.

16.3 The right to data portability only applies in the following cases:

a) Where personal data has been provided by an individual to Notting Hill College.
b) Where the processing is based on the individual's consent or for the performance of a contract.
c) When processing is carried out by automated means.

16.4 Notting Hill College will respond to any requests for portability within one month and will provide the personal data free of charge and in a structured and commonly used form.

16.5 Where feasible, data will be transmitted directly to another organisation at the request of the individual. Notting Hill College is not required to adopt or maintain processing systems which are technically compatible with other organisations.

16.6 In the event that the personal data concerns more than one individual, Notting Hill College will consider whether providing the information would prejudice the rights of any other individual.

16.7 Where the request is complex, or a number of requests have been received, the timeframe can be extended by two months, ensuring that the individual is informed of the extension and the reasoning behind it within one month of receipt of the request.

16.8 Where no action is being taken in response to a request Notting Hill College, without delay and at the latest within one month, explain the reason for this. The individual will also be informed of their right to complain to the supervisory authority and to a judicial remedy.

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17.0 THE RIGHT TO OBJECT

17.1 Notting Hill College will inform individuals of their right to object at the first point of communication. This will be outlined in a privacy notice (Appendix 1).

17.2 Individuals have the right to object to the following:

a) Processing based on legitimate interests or the performance of a task in the public interest.
b) Direct marketing.
c) Processing for purposes of scientific or historical research and statistics.

17.3 Where personal data is processed for the performance of a legal task or legitimate interests:

a) An individual's grounds for objecting must relate to his or her particular situation.

b) Notting Hill College will stop processing the individual's personal data unless the processing is for the establishment, exercise or defence of legal claims, or, where compelling legitimate grounds for the processing can be demonstrated, which override the interests, rights and freedoms of the individual.

17.4 Where personal data is processed for research purposes:

a) The individual must have grounds relating to their particular situation in order to exercise their right to object.

b) Where the processing of personal data is necessary for the performance of a public interest task, NOTTING HILL COLLEGE is not required to comply with an objection to the processing of the data.

18.0 PRIVACY BY DESIGN

18.1 Notting Hill College will act in accordance with the GDPR by adopting a 'privacy by design' approach and implementing technical and organisational measures which demonstrate how the college has considered and integrated data protection into processing activities.

18.2 Data protection impact assessments (DPIAs) will be used to identify the most effective method of complying with data protection obligations and meeting individuals' expectations of privacy (Appendix 3).

18.3 DPIAs will allow Notting Hill College to identify and resolve problems at an early stage, thus preventing reputational damage which might otherwise occur.

18.4 All DPIAs will include the following information:

- A description of the processing operations and the purposes.
- An assessment of the necessity and proportionality of the processing in relation to the purpose.
- An outline of the risks to individuals.
- The measures implemented in order to address risk.

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18.5 A DPIA will be used for new technologies or when the processing is likely to result in a high risk to the rights and freedoms of individuals.

18.6 A DPIA will be used for more than one project, where necessary.

18.8 Where a DPIA indicates high risk data processing, NOTTING HILL COLLEGE will consult ICO guidance or, in the absence of any relevant guidance, consult the ICO to seek its opinion as to whether the processing operation complies with the GDPR.

19.0 DATA BREACH NOTIFICATION

19.1 The term 'data breach' refers to a breach of security which has led to the destruction, loss, alteration, unauthorised disclosure of, or access to, personal data.

19.2 Where a breach is likely to result in a risk to the rights and freedoms of individuals, the relevant supervisory authority will be informed.

19.3 Notting Hill College will take all reasonable steps to ensure that all notifiable breaches will be reported to the relevant supervisory authority within 72 hours of the college becoming aware of it.

19.4 The risk of the breach having a detrimental effect on the individual, and the need to notify the relevant supervisory authority, will be assessed on a case-by-case basis.

19.5 In the event that a breach is likely to result in a high risk to the rights and freedoms of an individual, Notting Hill College will notify those concerned directly. A 'high risk' breach means that the threshold for notifying the individual is higher than that for notifying the relevant supervisory authority.

19.6 In the event that a breach is sufficiently serious, the public will be notified without undue delay.

19.7 Effective and robust breach detection, investigation and internal reporting procedures are in place, which will guide decision-making in relation to whether the relevant supervisory authority or the public need to be notified.

19.8 Within a breach notification, the following information will be outlined:

The nature of the personal data breach, including categories, approximate number of individuals and records concerned.

- The name and contact details of the DPO.
- An explanation of the likely consequences of the personal data breach.
- A description of the proposed measures to be taken to deal with the personal data breach.
- Where appropriate, a description of the measures taken to mitigate any possible adverse effects.

19.9 Failure to report a breach when required to do so will result in a fine for the college, as well as a fine for the breach itself.

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20.0 DATA SECURITY

20.1 Notting Hill College undertakes to ensure the security of the personal data it has collected. Personal data will only be accessible to those who have a valid reason for using it.

20.2 All the members of Notting Hill College (including Directors and staff) are responsible for ensuring that any personal data they hold is kept secure and not disclosed to any unauthorised third party. CEO has authorised access to financial data; The COO, Centre Manager and Assistant Manager have authorised access to personal data of Students and Staff.

20.3 Physical measures

a) Premises security measures include lockable filing cabinets and lockable offices.

b) Only authorised persons are allowed in the office.

c) Laptops and printouts are locked away securely when not in use.

d) Visitors to the college are required to sign in and out through REGUS reception, and are accompanied at all times.

20.4 Technical measures

a) Security software is installed on The College networks and electronic devices. This includes: - Internet filtering and firewall - Anti-virus - Email ransom ware detection

b) Data on the college network drives is password protected and is held on the cloud. There are procedures in place to access and restore all the data held on the college network drives should this be necessary.

c) Notting Hill College electronic devices are password protected and, where possible, have been enabled to allow remote blocking or deletion of personal data in the case of theft.

d) Notting Hill College users are given a secure user name and password to access the school networks, and any other learning platform they require access to.

e) Password rules have been implemented.

f) Notting Hill College users will be assigned a clearance that will determine which files are accessible to them. Protected files are not accessible to unauthorised users.

g) Removable storage devices (such as USB sticks) can be used to hold personal data under the following conditions: - The device must be checked by an IT Technician before use; - It must be password protected; - It must be stored in a secure and safe place when not in use; - It must not be accessed by other users (e.g. family members) when out of a school. Personal data must be securely deleted when no longer required.

20.5 Organisational measures

a) Paper records containing personal data must not be left unattended or in clear view anywhere with general access.

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b) Paper records and removable storage devices must be stored in a secure and safe place that avoids physical risk, loss or electronic degradation (grade files, feedback forms, registration sheets, attendance sheets can be stored in the Admin Office).

c) Paper records containing personal data must be kept secure if they are taken off the Notting Hill College premises.

d) Notting Hill College users must sign an acceptable use agreement (AUA) prior to being given access to the college network. This will be up-dated periodically (Online Safety Policy).

e) Passwords must be alphanumeric, including one capital and one special character, and be a minimum of 8 characters long to access the school network in reference to the Online Safety Policy.

f) Notting Hill College user names and passwords must not be shared unless specifically created for group work.

g) Notting Hill College electronic devices (such as staff computers) that are used to access personal data must be locked even if left unattended for short periods.

h) Emails must be encrypted if they contain personal data and are being sent outside the EU.

i) Circular emails must be sent blind carbon copy (bcc) to prevent email addresses being disclosed to other recipients.

j) Visitors must not be allowed access to personal data unless they have a legal right to do so or consent has previously been given.

k) Personal data must not be given over the telephone unless you are sure of the identity of the person you are speaking to and they have the legal right to request it.

l) Personal data must not be disclosed to any unauthorised third parties.

m) Personal electronic devices must not be used to hold personal data belonging to Notting Hill College.

n) Personal electronic devices must be password protected and have up-to-date, active anti- virus and anti-malware checking software before being used to access personal data belonging to Notting Hill College via: - A password protected removable storage device; - The remote desktop protocol (i.e. remote access to the college network).

o) Personal electronic devices that have been set to automatically log into the college network and college email accounts that are lost or stolen must be reported to the DPO so that access to these systems can be reset.

p) If personal data is taken off Notting Hill College premises, in electronic or paper format, extra care must be taken to follow the same procedures for security. The person taking the personal data off the school premises must accept full responsibility for data security.

q) Before sharing personal data, Notting Hill College Directors / staff must ensure: - They are allowed to share it; - That adequate security is in place to protect it; - Who will receive the personal data has been outlined in a privacy notice.

r) Any personal data archived on disks must be kept securely in a lockable cabinet.

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s) Notting Hill College staff are trained in the application of this policy, their responsibilities and the importance of ensuring data security in order to comply with the GDPR.

23.0 THE SECURE TRANSFER OF DATA

23.1 Notting Hill College is required to share personal information with HMRC, TQUK, ATHE, BAC, ASIC. These are outlined in the privacy notices (Appendix 1 and 2).

23.2 Notting Hill College users must not remove, copy or share any personal data with a third party without permission from the DPO.

23.3 Where personal data is required to be lawfully shared with a third party it must be securely transferred either through a portal or be sent following encryption, using approved encryption software, and be password protected.

23.4 No personal data of an EU Citizen will be transferred to a country outside the European Economic Area (EEA) without the explicit consent from the individual. Advice must be taken from the DPO.

24.0 PUBLICATION OF INFORMATION

24.1 A publication scheme can be found on the college website. This specifies the classes of information that will be made available on request, including:

Policies and procedures
Financial information
Accreditation reports

24.2 Notting Hill College will not publish any personal data or images on the college website without consent from the affected individual(s).

25.0 DATA RETENTION

25.1 Personal data will not be kept for longer than is necessary. Graduate data will be retained for 5 years. Assignments will be kept for 2 years.

25.2 The DPO will ensure that obsolete personal data is properly erased.

25.3 Personal data that is not required will be securely deleted as soon as practicable.

25.4 Some educational records relating to former students or employees may be kept for an extended period for legal reasons, the provision of references or for historical archives.

Notting Hill College

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26.0 DATA DISPOSAL

26.1 Notting Hill College will comply with the requirements for the safe destruction and deletion of personal data when it is no longer required.

26.2 Paper documents containing personal data will be shredded or disposed of as 'confidential waste', and appropriate contract terms will be put in place with any third parties undertaking this work.

26.3 Hard drives of redundant PCs and storage devices containing personal data will be securely wiped clean before or as part of the disposal process, or if that is not possible, physically destroyed.

26.4 The DPO will retain a Destruction Log of personal data that is disposed of. This will include the document description, classification, date of destruction, method and authorisation.

27.0 TRAINING AND AWARENESS

27.1 Notting Hill College data users receive GDPR training on an annual basis led by the DPO. They are made aware of their responsibilities, as described in this policy, through:

- Induction training for new staff;
- Staff meetings/briefings/training;
- Day to day support and guidance.

28.0 ENQUIRIES

28.1 Any further information, questions or concerns about this policy or the security of data held by Notting Hill College should be directed to the DPO: Amira Mohsen, Data Protection Officer 0161 637 5960

28.2 General information about the GDPR can be obtained from the Information Commissioner's Office http://www.ico.gov.uk/.

28.3 This policy will be reviewed annually and may be supplemented by additional procedures.

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Appendix 1

Privacy Notice:

Notting Hill College Limited is committed to protecting and respecting your privacy, being transparent in processing personal data and to complying with the new General Data Protection Regulation and privacy laws.

You can visit our website without disclosing any personally identifiable information about yourself. If you do submit personal information by ordering products or services, for example, you can be assured that we will use your personal information only to support your continuing relationship with Notting Hill College. We have provided this Privacy Policy Statement to help you understand how we collect, use and protect your information when you visit our website and when you generally use our courses and services. We wish to help you make informed decisions, so please take a few moments to read the sections below and learn how we may use your personal information.

We at Notting Hill College, are a data controller for the purposes of GDPR. We collect information from you and may receive information about you from our website, social media and direct contact. Consent will be sought from you to process information when you register with the college.

Our lawful basis for data processing is enrolment, registration and graduation of students and consent for all other services. We collect and use student information for general purposes under paragraphs 9.1c and 9.2g of the General Data Protection Regulations policy which complies with Articles 6 and 9 of the GDPR.

Data Protection Act 1998

In order to register and receive or use the services on our website, you will be required to submit some personal information, such as your name, your postcode and email address. We have a legal duty to ensure that we keep your personal data safe and secure, in accordance with the Data Protection Act 1998. We will not share your personal information with anybody else without your knowledge, unless we are required by law to do so.

Personal Information Collection

We may collect and process the following data about you:
• Information that you provide by submitting your application when enrolling on a course or applying for a job. We may also ask you for identifying information when you contact us for assistance.
• If you email, we may keep a record of that correspondence.
• Upon enrolment of the course, we may require an ID check webinar, during which we will need you to send us a proof of identification. We keep your documents in a secure lockable cabinet
• On completion of the course, we will ask you to send us your certificate shipping address.
• We may ask you to fill a feedback form which we will use for quality assurance or research purposes. These are optional forms, you do not have to respond to them.
• Details of transaction you carry out through our site and of the fulfilment of your orders.
• Details of your visits to our site including, but not limited to, number of visits to the site, time spent on the site, traffic data, location data, and other communication data,
• Personal information such as name, address, e-mail, DOB, and Student ID number.

When do we collect information?

Notting Hill College

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We endeavour to collect and use your personal information only with your knowledge and consent and typically when you

- Order and subsequently use services
- Make customer enquiries
- Register for information or other services
- Request product information
- Submit a job application
- Send CV
- Graduate from our college
- Work with us
- Respond to communications from us (such as questionnaires or surveys).

Why do we use your information?

We collect information about you for 2 reasons: firstly, to process your order, and secondly, to provide you with the best possible service. The type of personal information we may collect could include, for example, your name and postal address, date of birth, gender, telephone, email address. We do not keep record of your credit/debit card information, as well as other information collected on registration or through surveys. If you choose to provide us with personal information, it will be used in support of the intended purposes stated at the time at which it was collected, and subject to any preferences indicated by you.

How will we use your information?

We may use your information for a number of purposes which include: processing your enrolment; managing, administering and delivering our qualifications or information requested by you, for example, responding to complaints or enquiries.

Storing personal data

The length of time we hold student for is five years following graduation, or two years for students not completing a course.

Who we share personal information with: the students themselves and our regulators.

Why we share personal information

We do not share information about our students with anyone without consent unless the law and our policies allow us to do so. We share student information with accreditors for quality assurance and with the regulators for quality assurance and issuing of certificates.

Data collection requirements for our accreditors and regulators are eligibility proof and assessment outcomes.

To be granted access to student information, third party organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data. Notting Hill College reserves the right not to share data with any third party who cannot provide such systems.

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Requesting access to your personal data:

Under data protection legislation, natural persons have the right to request access to their personal data. To make a request for your personal data contact The Centre Manager on 0161 637 5960.

You also have the right to:

object to processing of personal data that is likely to cause, or is causing, damage or distress;

prevent processing for the purpose of direct marketing;

object to decisions being taken by automated means;

in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed and claim compensation for damages caused by a breach of the Data Protection regulations.

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at: https://ico.org.uk/concerns/

Contact The Data Protection Officer for Notting Hill College is Amira Mohsen 0161 637 5960.