

Data Protection Policy – (GDPR)

Rationale

Kingston Institute of Management & Technology (KIMT) is committed to a policy of protecting the rights and privacy of individuals, including learners, staff and others, in accordance with the General Data Protection Regulation (GDPR) May 2018. The new regulatory environment demands higher transparency and accountability in how colleges manage and use personal data. It also accords new and stronger rights for individuals to understand and control that use.

The GDPR contains provisions that the college will need to be aware of as data controllers, including provisions intended to enhance the protection of student's personal data. For example, the GDPR requires that:

We must ensure that our college privacy notices are written in a clear, plain way that staff and students will understand.

KIMT needs to process certain information about its staff, students, parents and guardians and other individuals with whom it has a relationship for various purposes such as, but not limited to:

1. The recruitment and payment of staff.
2. The administration of programmes of study and courses.
3. Student enrolment.
4. Examinations and external accreditation.
5. Recording student progress, attendance and conduct.
6. Collecting fees.
7. Complying with legal obligations to funding bodies and government including local government.

To comply with various legal obligations, including the obligations imposed on it by the General Data Protection Regulation (GDPR) KIMT must ensure that all this

information about individuals is collected and used fairly, stored safely and securely, and not disclosed to any third party unlawfully.

Compliance

This policy applies to all staff and students of KIMT. Any breach of this policy or of the Regulation itself will be considered an offence and the institution's disciplinary procedures will be invoked. As a matter of best practice, other agencies and individuals working with KIMT and who have access to personal information, will be expected to read and comply with this policy. It is expected that departments who are responsible for dealing with external bodies will take the responsibility for ensuring that such bodies sign a contract which among other things will include an agreement to abide by this policy.

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

The Code of Practice on GDPR for KIMT gives further detailed guidance and KIMT undertakes to adopt and comply with this Code of Practice.

General Data Protection Regulation (GDPR)

This piece of legislation comes in to force on the 25 th May 2018. The GDPR regulates the processing of personal data, and protects the rights and privacy of all living individuals (including children), for example by giving all individuals who are the subject of personal data a general right of access to the personal data which relates to them. Individuals can exercise the right to gain access to their information by means of a 'subject access request'. Personal data is information relating to an individual and may be in hard or soft copy (paper/manual files; electronic records; photographs; CCTV images), and may include facts or opinions about a person.

Responsibilities under the GDPR

KIMT will be the 'data controller' under the terms of the legislation – this means it is ultimately responsible for controlling the use and processing of the personal

data. The college appoints a Data Protection Officer (DPO), currently the Principal who is available to address any concerns regarding the data held by college and how it is processed, held and used. KIMT also has a nominated governor who oversees this policy. The Senior Leadership Team is responsible for all day-to-day data protection matters, and will be responsible for ensuring that all members of staff and relevant individuals abide by this policy, and for developing and encouraging good information handling within the college.

Data Protection Principles

The legislation places a responsibility on every data controller to process any personal data in accordance with the eight principles. More detailed guidance on how to comply with these principles can be found in the DPCoP. Please follow this link to the ICO's website (www.ico.gov.uk) In order to comply with its obligations; CTC undertakes to adhere to the eight principles:

- 1) Process personal data fairly and lawfully.
- 2) Process the data for the specific and lawful purpose for which it collected that data and not further process the data in a manner incompatible with this purpose.
- 3) Ensure that the data is adequate, relevant and not excessive in relation to the purpose for which it is processed.
- 4) Keep personal data accurate and, where necessary, up to date.
- 5) Only keep personal data for as long as is necessary.
- 6) Process personal data in accordance with the rights of the data subject under the legislation.
- 7) Put appropriate technical and organisational measures in place against unauthorised or unlawful processing of personal data, and against accidental loss or destruction of data.

KIMT will abide by all these data protecting principles.

Disclosure of Data

Only disclosures which have been notified under the College's DP notification must be made and therefore staff and students should exercise caution when asked to disclose personal data held on another individual or third party. KIMT undertakes not to disclose personal data to unauthorised third parties, including family members, friends, and government bodies and in some circumstances, the police. Legitimate disclosures may occur in the following instances:

- The individual has given their consent to the disclosure.
- The disclosure has been notified to the OIC and is in the legitimate interests of the College.
- The disclosure is required for the performance of a contract.

There are other instances when the legislation permits disclosure without the consent of the individual.

Publication of College Information KIMT publishes various items which will include some personal data, e.g.

- internal telephone directory.
- event information.
- photos and information in marketing materials.

It may be that in some circumstances an individual wishes their data processed for such reasons to be kept confidential or restricted College access only. Therefore it is KIMT policy to offer an opportunity to opt-out of the publication of such when collecting the information.

Email

It is the policy of KIMT to ensure that senders and recipients of email are made aware that under the DPA, and Freedom of Information Legislation, the contents of email may have to be disclosed in response to a request for information. One

means by which this will be communicated will be by a disclaimer on the institution's email.

CCTV

There are some CCTV systems operating within KIMT for the purpose of protecting College members and property. BCA will only process personal data obtained by the CCTV system in a manner which ensures compliance with the legislation.