

# Data Protection Policy

Date approved: 08.07.2022  
 Approved by: SMT  
 Responsible Manager (s): Data Protection Officer  
 Executive Lead: Vice Principal - Finance and Planning

Applicable to staff:	Yes
Applicable to students:	Yes
Accessible to students:	Yes
Accessible to general public: (including clients)	Yes

## Consultation

Consultation undertaken with:		Date:
• SMT	Yes	08.07.2022
• AMT	Yes	07.06.2022
• CCMT	Yes	04.05.2022
• Students	Yes	25.04.2022
• Employee representatives ( <i>HR policies only</i> )	NA*	
• Other	NA*	

*\* please delete as appropriate*

Policy review frequency, normally: every 3 years  
*(Please delete as appropriate)*

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## **1. Scope and purpose of policy**

This Data Protection Policy sets out Blackpool and The Fylde College's (B&FC's) commitment to protecting personal data. It also outlines how we implement that commitment in respect of the collection and use of personal data.

This policy applies to all curriculum areas, service areas, students, former students, employees, former employees and partner organisations.

## **2. Policy statement**

At B&FC, we recognise and accept our responsibilities in respect of data protection and data security. So far as is reasonably practicable, we will comply with the requirements of the UK Data Protection Act 2018 (UKDPA) and the UK General Data Protection Regulation (UKGDPR) and any amendments or conditions linked to that legislation.

We are committed to:

- meeting our legal obligations as laid down by the UK GDPR and any associated pieces of legislation
- ensuring that we comply with the six (6) data protection principles (listed below)
- ensuring that data are collected and used fairly and lawfully
- processing personal data to meet our operational needs or fulfil legal requirements
- taking reasonable steps to ensure that personal data is accurate and up to date
- establishing appropriate retention periods for personal data
- ensuring that data subjects' rights can be appropriately exercised
- providing adequate security measures to protect personal data
- sharing personal data only with organisations which commit to GDPR compliance
- ensuring that a nominated officer is responsible for data protection compliance
- providing a point of contact for all data protection issues
- ensuring that all staff are made aware of good practice in data protection
- providing adequate training for all staff responsible for personal data
- ensuring that everyone who handles personal data knows where to find guidance
- ensuring that queries about data protection are dealt with effectively and promptly
- investigating data breaches and using those to inform organisational development
- regularly reviewing our data protection procedures and guidelines

To that end we will

- make available appropriate training
- develop and publish processes and procedures
- make available resources as agreed with the Data Protection Officer and the Strategic Management Team (SMT)

## **Data Protection Principles**

Under the GDPR, data must be

1. processed lawfully, fairly and in a transparent manner
2. collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes
3. adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
4. accurate and, where necessary, kept up to date
5. kept for no longer than is necessary for the purposes for which they are processed
6. processed in a manner that ensures appropriate security including protection against unauthorised processing, accidental loss, destruction or damage

### **3. Accountability**

B&FC is an incorporated further education institution. In data protection terms, B&FC operates as both a named data controller and as a data processor (i.e. an organisation which processes personal data on behalf of other data controllers). B&FC is registered with the Information Commissioner's Office (Registration Number: Z4700416) and B&FC's Corporation is ultimately responsible for implementation of data protection legislation. However, the designated Data Protection Officer and his or her nominees will oversee and deal with operational data protection matters.

The Data Protection Officer is accountable for compliance with data protection legislation and is ultimately accountable to the Information Commissioner on behalf of B&FC.

The Head of Management Information & Funding is responsible for supporting the Data Protection Officer in all matters relating to data protection and for coordinating routine operational data protection matters.

### **4. Student Involvement**

Students were consulted in the updating of this policy through the elected representatives of the Student Union.

## **5. Linked policies**

- Clean Desk and Clear Screen Policy
- Data Privacy Impact Assessment Policy
- IT Systems and Information Security Policy

## **6. Linked procedures**

- Clean Desk and Clear Screen Procedure
- Data Protection Code of Practice
- Freedom of Information Code of Practice
- Sharing Information Code of Practice
- Procedure for Assessing and Reporting Data Breaches
- Procedure for Assessing the Need for and Performing Data Privacy Impact Assessment
- Withdrawal of Consent Form/Guidance

## 7. Equality Impact Assessment

<b>Impact Assessment for the 4 strands of Equality, Safeguarding and Inclusion, Health and Safety and Sustainability</b>	
<b>Initial Form to be completed with Risk Assessments or as part of a proposal or change to a policy, plan or new way of working</b>	
<p>Title of Activity: Data Protection Policy</p> <p>Author and Date: Head MI&amp;F 01 Jun 18</p>	<p><input type="checkbox"/> New or <input checked="" type="checkbox"/> Revision Please tick as appropriate</p> <p>Expected Implementation Date: 1 Sept 2021</p> <p>What is the review date? 12 Aug 2024</p>
<p><b>Equality and Diversity.</b></p> <p>Which of the characteristics maybe impacted upon?</p> <p>And, if yes, how has this been considered?</p> <p>What are the risks? What are the benefits?</p>	<p>All characteristics could be affected if we do not implement this policy</p> <p>Benefit is that individuals will be protected</p>
<p><b>Safeguarding:</b></p> <p>Are there any aspects of this proposal which could cause a learner/member of staff/visitor to feel unsafe?</p> <p>If yes, how has this been considered?</p> <p>What are the risks? What are the benefits?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p><b>Health and Safety:</b></p> <p>Have any risks been identified?</p> <p>If yes, how has this been considered?</p> <p>What are the risks? What are the benefits?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p><b>Sustainability:</b></p> <p>Are there expected benefits or impacts on sustainability issues?</p> <p>If yes, how have these been considered?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p><b>Evidence:</b></p> <p>What evidence do you have for your conclusions and expectations for these conclusions?</p> <p>How will this impact be monitored for all these considerations?</p>	<p>Policy is part of extensive review of data management prior to GDPR legislation changes. Expectation is that it will improve security and safeguard against misuse of personal data</p>
<p>Is this policy of a high/medium or low risk? :</p>	<p><input type="checkbox"/> High <input type="checkbox"/> Medium <input checked="" type="checkbox"/> Low</p>