

Data Protection Policy

INTRODUCTION

Open College Network North West Region (OCNNWR) trading as Open Awards needs to collect and use certain types of information about people with whom it conducts business, in order to operate. These people include: current, past and prospective employees; suppliers; learners; representatives of Member organisations; Board and Committee members; and others with whom it communicates. In addition, Open Awards may be required by law to collect and use certain types of information to comply with the requirements of government departments. All such information must be handled properly, however it is collected, recorded and used – whether on paper, in a computer, or recorded on other material – and there are safeguards to ensure this is carried out within the Data Protection Act 1998.

Open Awards regards the lawful and correct treatment of personal information as very important to its successful operations, and to maintaining confidence between Open Awards and those with whom it carries out business. To this end, Open Awards fully endorses and adheres to the Principles of data protection as set out in the Act, which requires that personal data shall:

1. *be obtained and processed fairly and lawfully, and shall not be processed unless certain conditions are met;*
2. *be obtained for a specified and lawful purpose and shall not be processed in any manner incompatible with that purpose;*
3. *be adequate, relevant and not excessive for those purposes;*
4. *be accurate and kept up to date;*
5. *not be kept for longer than is necessary for that purpose;*
6. *be processed in accordance with the data subject's rights;*
7. *be kept safe from unauthorised access, accidental loss or destruction;*
8. *not be transferred to a country outside the European Economic Area, unless that country has equivalent levels of protection for personal data.*

STATUS OF THE POLICY

This Policy does not form part of the formal Contract of Employment, but it is a condition of employment that employees will abide by the rules and policies made by Open Awards from time to time. Any failures to follow the Policy may therefore result in disciplinary proceedings.

Any member of staff who considers that the Policy has not been followed in respect of personal data about themselves, should raise the matter with the Data Controller.

DATA CONTROLLER

The designated Data Controller, under the terms of the Act, is Eve Burgess, Director of Corporate Services.

RESPONSIBILITIES OF STAFF

(a) *In regards to their own information, all staff are responsible for:*

- Checking that any information they provide to Open Awards in connection with their employment is accurate and up to date;
- Informing Open Awards of any changes to information which they have provided, eg changes of address;
- Informing Open Awards of any errors in their information. Open Awards cannot be held responsible for any such errors unless the staff member has informed Open Awards of them.

(b) *If, as part of their responsibilities, staff collect information about other people, they must comply with the following guidelines:*

- Observe fully the eight Principles regarding the fair collection, storage and use of personal information. In particular, ensure that records are accurate, up to date, and kept and disposed of safely;
- Ensure that all data they are holding is kept securely: either in locked filing cabinets or drawers, in password-protected computer systems, or on a securely stored disk;
- Members of staff must not disclose personal data without authorisation or agreement from the data subject themselves, the Data Controller, or in line with Open Awards policy.

Staff should note that unauthorised disclosure may result in disciplinary action.

GOOD HANDLING OF PERSONAL INFORMATION

Through appropriate management and application of criteria and controls, Open Awards will take the following practical steps to ensure compliance with the Principles of data protection:

- Collect and process appropriate information and only to the extent that it is needed to fulfil operational needs or to comply with any legal requirements;
- Meet its legal obligations to specify the purposes for which information is used, by displaying relevant statements on appropriate documentation, and complying with the requirement to notify the Data Protection Commissioner of the purposes of Open Awards processing;
- Ensure the quality of information used, ie accurate and up to date;
- Determine and regularly review the length of time information is held, and document this within the Retention Policy;
- Ensure that the rights of people about whom the information is held can be fully exercised under the Act. These include the right to be informed that processing is being undertaken, the right of access to one's personal information, the right to prevent processing in certain circumstances and the right to correct, rectify, block or erase information which is regarded as wrong information;
- Take appropriate technical and organisational security measures to prevent the unauthorised or unlawful processing, or disclosure, of data;
- Ensure that everyone managing and handling personal information understands that they are contractually responsible for following good data protection practice;
- Ensure that everyone managing and handling personal information is appropriately trained to do so and is appropriately supervised;
- Ensure that requests from data subjects about access to their personal data are promptly and courteously dealt with;
- The way personal information is managed will be regularly reviewed and assessed.

RIGHTS TO ACCESS INFORMATION

Anyone whose information is processed by Open Awards has the right to access the personal data that is being held on them. Any person who wishes to exercise this right should contact the Data Controller in the first instance. The request should be made in writing, and Open Awards will make a charge of £10 on each occasion that access is requested.

Open Awards aims to comply with requests for access to personal information as quickly as possible, but will ensure that it is provided within 40 days.

CONCLUSION

Compliance with the Data Protection Act 1998 is the responsibility of all members of Open Awards. Any deliberate breach of the Data Protection Policy may lead to disciplinary action being taken.

Any questions or concerns about the interpretation or operation of this Policy should be taken up with the Data Controller.

GLOSSARY OF TERMS

Personal Data	Any information about identifiable living individuals.
Data Subject	The person about whom the data is held.
Sensitive Data	Personal data which falls into the following categories: <ul style="list-style-type: none">• The racial or ethnic origin of the data subject• Their political opinions• Their religious, or other, beliefs• Their membership of a trade union• Their health• Their sexual life• Criminal proceedings or convictions
Data Controller	The person within the organisation who has responsibility for deciding how and why personal data is processed.
Processing	Covers what is to be done with the data, including: <ul style="list-style-type: none">• Obtaining data• Recording or entering data on files (either paper-based or computerised)• Holding data (keeping it on file without doing anything with it, or to it)• Organising, altering or adapting data in any way• Retrieving, consulting or otherwise using the data• Disclosing the data• Combining the data with other information• Erasing or destroying the data