

ATHE Sample Data Protection Policy

ATHE has created this document which centres can use if they do not have a fully developed data protection policy which complies with ATHE requirements. Centres must ensure that, where necessary, they amend the policy to fully reflect their own internal policies and procedures and data protection legislation in the jurisdiction where they are based.

ABC College Data Protection Policy

Introduction

ABC College is committed to a policy of protecting the rights and freedoms of individuals with respect to the processing of their personal information. The centre needs to collect and use certain types of information about applicants, learners, employees and other individuals (data subjects) who work and study at the college or come into contact with it. This information will be obtained for a relevant purpose and will be collected and retained to meet that purpose. It will be dealt with appropriately however it is collected, recorded and used; whether on paper, electronic or recorded on other material and it will be safeguarded to ensure the college complies with relevant legislation. The information will not be held longer than is necessary.

ABC College regards the lawful and correct treatment of personal information as a priority and therefore it will ensure that this information is treated correctly. The college will process and control such information primarily for recruitment, attendance, assessment, certification, personnel, administrative and payroll purposes.

Scope

This policy applies to all stakeholders of ABC College.

This policy does not form part of the formal employee contract nor of the learner contract with the college, but it is a condition of both that the rules and policies made by the college will be complied with. Any failure to comply with this policy will be dealt with in a formal manner.

All employees, learners and other data subjects are entitled to:

- Know what information the centre holds and processes about them and why
- Know how to gain access to it
- Know how to keep it up-to-date
- Know what the centre is doing to comply with its legal obligations

Implementation of the Policy

Data Security

All employees are responsible for ensuring that:

- Any personal data which they hold is kept and disposed of securely
- Personal information is not disclosed either orally, in writing or accidentally or otherwise to any unauthorised third party

Employees should note that unauthorised disclosure will usually be dealt with formally. Personal information must be:

- Kept in a locked office, filing cabinet or drawer

- Password protected when stored on a computer
- Secure if it is held on a portable device

Unauthorised Access

- Any employee or learner who deliberately gains or attempts to gain unauthorised access to personal data on any data subject or discloses such data to any third party will be dealt with formally in accordance with college's procedures.

Learner Obligations

Learners must ensure that all personal data provided to the college is accurate and up-to-date.

Rights of Access to Information

Employees, learners and other data subjects have the right of access to any personal data that is being kept about them either electronically or in other files.

Certain disclosures may be made without consent so long as the information is requested by an appropriate Government or regulatory authority for one or more of the following purposes (requests must be supported by appropriate paperwork):

- 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 (includes health, safety and welfare of persons at work)
- to prevent serious harm to a third party
- to protect the vital interests of the individual, this refers to life and death situations

Retention of data

ABC College will not hold data longer than is necessary. Information about learners will be retained for 4 years after the date when they leave the college. This will include the results of the qualifications studied and any references provided. Information about staff will be retained for at least six years after they leave the college. However, some information will be held for a longer period, for example data which relates to tax or pensions and any references provided.

Conclusion

Any stakeholders who wish to clarify the contents of this policy should speak to staff in the Personnel Department. Any employees or learners who consider that this policy has not been followed in respect of personal data about themselves or about other data subjects should raise the matter using the college's formal complaints procedure.