



RARE STUDIO

DATA PROTECTION POLICY

1ST SEPTEMBER 2019-

TO BE REVIEWED SEPTEMBER 2020

Data Protection / Documents Policy

Manual Filing Systems

It is RARE's policy to maintain safe, secure and up to date records of all personal files for students and individual staff members. All files thus being stored securely and their movements recorded with confidential files given extra caution with management. Confidential files in this respect and particularly sensitive files will be known to only those members of staff who need to use them. Confidential and normal data files will be clearly marked with access limited to Personnel and administrative staff only and made access to staff on a clearance basis. Files intermittently being overhauled periodically to ensure they are up to date and prepared for possible access.

Overhauling Records when needed would be implemented from time to time for the following reasons: -

- when activities have increased and expansion is required
- there are new changes adopted by the organisation or assigned to the college
- functions have been withdrawn or the college are integrating technological changes
- there is a re-organisation of the area where the records are being held
- when the present system becomes ineffective through either neglect or faulty design

Electronic Records

The use of computers to manage records is a more modernised approach to managing records and in most cases an improved manner in which to manage filing and storage and therefore it is within RARE's policy to utilise the adoption of an electronic record keeping system. All computerised files and data records therefore will adhere to legislation on the creation, maintenance and disposition of computerised records and ensure compliance in terms of modification and disposal. RARE's practice's are compliant by assuming the following conditions are met: -

- that the integrity of the records, how they are created and maintained are considered at all times
- that protection and disclosure are considered when the records are made retrievable
- that the records maintain full authorisation on their disposal according to established rules
- that the records that have long term value are transferred to the organisational archiving system and maintained securely

Access

Within our Policy it is one of our main considerations to ensure that data is handled with care and carefully guarded with no entitlement to immediate or on-site access. Filed documents will therefore be held under lock and key and only authorised access granted from RARE's administrator /designated Data Protection Officer. Here the Data Protection Officer may permit access based on the factors deemed reasonable to access specific files and documentation - but in compliance with the Data Protection Act RARE agrees to respond to access requests in good time.

All data subject access requests will be handled centrally by the College administrator who is the designated Data Protection Officer.

Security Precautions

As part of RARE's ability to ensure the necessary safe-guarding of data the following security precautions will be placed so as to exercise control of access within the work environment. It is within RARE's policy to agree to ensure that the entrance to any Record keeping areas (or any other place where files are stored) is strictly controlled. Cabinets containing data and confidential records will be securely locked away with access permitted only by the administrator - designated Data Protection Officer.

Measures will also be taken to prevent and control outbreaks of fire with an on-site fire extinguisher in close proximity to the storage areas. Adequate fire extinguishers will be provided and maintained regularly, electrical appliances switched off at the end of the day and regular fire drills held. Emergency protocols will be put in place as part of the practised drill.

Data Security

Within RARE's ability to sustain data security RARE will ensure all staff will agree to make reasonable efforts to store personal information securely and also agree to pay particular attention to the security of sensitive data. All personal data required or requested will therefore only be made accessible to those who need to use it having been given full consent by the designated Data Protection Officer.

Sensitive data will be kept secure through:-

- being placed in a locked filing cabinet or locked draw
- if held on a computerised system maintained under password protection
- kept only on disks or other storage devices which are themselves kept securely

Whilst RARE maintains the security of the network is their organisational responsibility RARE will further ensure that all staff take appropriate security precautions individually in respect to their own day-to day computer usage.

Office computers will be password protected and all computer screens and terminals not made visible except to authorised staff. Passwords will remain confidential to each separate user. Extra care will be prompted to staff using personal laptop computers and personal storage devices and asked to adopt safe guarding policy appropriately.

Manual records no longer needed will be shredded or bagged and disposed of securely and the hard drives of redundant computers wiped clean.

Good Housekeeping

Eating and Drinking will not be permitted when handling data so as not to damage records and the office cleaned regularly of waste with bins emptied on a daily basis.

Retention of data

It is not in RARE's best interest to retain any unnecessary documentation once a file becomes inactive or retains out dated student data records i.e. if a student is no longer studying at the centre, nor is it in RARE's best interest to store unnecessary duplicate information and so this will be sensitively handled in terms of file deletion and removal from any storage systems in operation. At times however some retention of data on former staff and students may be considered necessary to the operation of the organisation and therefore may be held within the archiving storage areas. This maybe partly to maintain an accurate and complete historical record of the College. It is however our policy to discourage the retention of personal data within files for no longer than it is needed.

Checklist for processing data

RARE's policy follows the following processing checklist to ensure retention of data is assessed in terms of validity and requirement - all staff are therefore promoted to consider the following:-

- Is it essential to record this information?
- Is the information 'ordinary' or 'sensitive'? How should this be logged, stored, recorded? etc
- Does RARE have the data subject's consent?
- Are you authorised to collect, store or process this information?
- If so have you checked with the data subject that this data is accurate?
- Can you ensure the data is secured and how?
- If you do not have the data subjects consent to process this information, can you be sure that this is in the best interests of the student or staff member to still collect and retain this data?

Use of Student Personal Data

RARE is registered as a data user under the Data Protection Act 1998. As part of our consideration to maintain compliance with the law, we strive to maintain student data under secure and strict conditions and agree to only process and disclose data under the following terms:-

- to enable us to administer student-related functions relative to admission enquiry through to graduation and if need be beyond into the wider landscape of progression and employment
- to produce information including statistics for Higher Educational purposes, programme review and national student survey's and any other agencies relating to Higher Education funding which allocates funds to RARE on the basis of student numbers
- to enable staff to identify and communicate with students during their time of study and after leaving
- to provide staff with case sensitive information that is essential to the safe-guarding of said student during their time of study
- to help monitor academic progress over a period of time to ascertain progress from induction through to qualification
- to carry out and undertake assessment and administer qualification (authorise awards and classification of grades)
- to produce feedback systems in-conjunction with assessment and module attempt as part of the student records system
- to monitor complaints and any disciplinary cases/academic appeals

Our student files will include the following data categories:-

Name, address, telephone numbers, areas of interest, age, details of health, special requirements or disability if any. Details from application forms will also include age, gender, nationality, country of residence, educational records to date, academic references, special requirements. Further data will also be collated at induction and updated throughout the during of their academic stay.

Further information collated may include - details of home address, next of kin, address while attending RARE, any previous qualifications (considered training and other related qualifications), demographic information, funding and fee related information, student photographs, academic reports and final results.

Safeguards

Students have the right to privacy of personal data. It is therefore within RARE's policy that the organisation offers access to all student data whether on paper, computer files or other storage media, but through a strictly controlled process. Our standard response to enquiries about individuals is that information cannot be disclosed without the student's authority, except to:

- RARE staff when deemed essential to administrative, teaching, assessment purposes or with regards to recruitment, audition, enrolment or quality assurance purposes
- If the information is essential to any HE collation, Annual Monitoring, or *Pearson Education Limited* related information used for statistical purpose
- If required for the purposes of validation or by any professional bodies linked to registration and award classification
- To Local Education Authorities and Government funding bodies required in relation to funding
- To Emergency callers where in RARE's judgement is in the students best interest to disclose information where it may not be possible to obtain the students authority - here RARE's senior staff members or suitable nominee would provide the minimum necessary details to assist the enquirer
- To Emergency services in the case of specific students requiring assistance - as above where in RARE's judgement is in the students best interest to disclose information where it may not be possible to obtain the students authority - here RARE's senior staff member or suitable nominee would provide the minimum necessary detail to assist the student to gain medical assistance. In cases involving the Police where they may be investigating a criminal offence in which a student may be involved- the matter would be taken into the hands of the designated Data Protection Officer to decide on the release of the information requested.
- Where data may be considered necessary to support the creation of student reference in connection with employment application and further education

Students in most instances will maintain the right to access their personal data. This will normally be provided in the form of copies of personal data and student record files here RARE's designated Data Protection Officer would be the point of contact to whom any queries or enquiries regarding said data would be addressed.

Use of Staff Personal Data

For the purposes of gathering employment related information and for organisational operation the collation of both 'ordinary' and 'sensitive' personal data related to our staff is regarded as an essential factor. In some cases the processing of this data may even be required for activities that continue even after the member of staff is no longer in service.

The list below reflects the usage required for RARE to process the use of staff personal data and in compliance under the Data Protection Act 1998 enables us to process the use of personal data specifically for organisational purpose.

It is therefore within our policy that all members of staff and other workers agree to us processing their personal data for the following purposes:

- Payment of wages under their contract of employment
- Monitoring absence or sickness
- For specific training and development purposes
- For management and organisational planning including curriculum design, timetabling and team meetings
- For providing and obtaining references and consultation with external agencies, including police checks if necessary, DBS and any other relevant purposes for employment engagement
- to administer to police or other regulatory body where there is an investigation of a particular crime
- to use when considering promotion, job transition, salary changes
- to use when considering administration of codes of practice, policy and compliance with legal practice
- to access when administering any disciplinary, staff mis-conduct or grievance procedures
- to utilise for any employment -related matters, i.e. producing a staff reference or offering to any third party services deemed reasonable in terms of staff benefit
- to access regarding the inclusion of appropriate data usage for published staff lists, contact details, identity cards, staff photographs or publications used for organisational purposes
- To access for close family and next of kin contacts incases of emergency for example, accident, serious injury, illness, staff bereavement.

In light of the above sensitive personal data relates to information regarding the following:-

racial/ethnic origin, political opinion, religious belief, health, sexual orientation and any criminal conviction.

Conclusion

RARE's policy is to maintain compliance with the Data Protection Legislation Act of 1998, that governs the use of all personal data held and implements the necessary controls required over its accuracy, access and security.

RARE maintains compliance with the Act and impose's direct responsibility for all staff to adhere to such legislation. RARE considers any breach of its data protection policy a criminal offence leading to disciplinary action being taken. In some cases access to RARE's facilities may be withdrawn immediately. RARE considers it an important factor to review, amend and maintain alignment with any changes to legislation.