

# General Data Protection Regulation (GDPR) Policy

The Vocational Academy Essex LTD

2021

## **The Vocational Academy – General Data Protection Regulation**

***March 2023 (Next review March 2025)***

The Vocational Academy Essex LTD needs to keep certain information about its learners in order to allow it to record learner achievements, effectively manage customer correspondence, monitor the effectiveness of its qualifications and comply with awarding body guidelines. To comply with the law, information must be collected and used fairly, stored safely and not disclosed to any other person unlawfully.

In addition, we may be required by law to collect and use information in order to comply with the requirements of central government. We endeavor to handle this information properly. Treating information lawfully and appropriately is very important to our successful operations, and essential to maintaining confidence between us and those with whom we carry out business. We aim to adhere to the Principles of the Data Protection and GDPR .

To do this, The Vocational Academy Essex LTD must comply with the General Data Protection Regulation set out in May 2018, due for review in May 2023.

### **Why this policy exists:**

This data protection policy ensures The Vocational Academy:

- Complies with data protection and GDPR law and follows good practice.
- Protects the rights of contractors, staff, members and partners.
- Is open about how it stores and processes individuals' data.
- Protects itself from the risks of a data breach.
- Obtains and processes data fairly and lawfully, which shall not be processed unless certain conditions are met;
- All data is obtained for a specified and lawful purpose and shall not be processed in any manner incompatible with that purpose;
- All data is to be adequate, relevant and not excessive for that purpose;
- Personal data must be accurate and kept up to date;
- Personal data not be kept for longer than is necessary for that purpose;
- Must be processed in accordance with the data subject's rights;
- Keeps all data safe from unauthorised access, accidental loss or destruction;
- Will ensure all data is not transferred to a country outside the European Economic Area, unless that country has equivalent levels of protection for personal data.

The Vocational Academy Essex LTD and all staff who process or use personal information must ensure that they follow these principles at all times.

People, Risks, Reponsibilites

## **Policy Scope**

### **This policy applies to:**

- All contractors, suppliers and other people working on behalf of The Vocational Academy

It applies to all data that the company holds relating to identifiable individuals. This can include:

- Names
- Addresses
- Email addresses
- Telephone and mobile numbers
- Plus any other information relating to individuals

## **Data Protection Risks**

This policy helps to protect The Vocational Academy and associates from security risks, including:

- Breaches of confidentiality. For instance, information being given out inappropriately.
- Failing to offer choice. For instance, all individuals should be free to choose how the company uses data relating to them.
- Reputational damage. For instance, the company could suffer if hackers successfully gained access to sensitive data.

## **Responsibilities**

Everyone who works for The Vocational Academy has some responsibility for ensuring data is collected, stored and handled appropriately. All personal data must be handled and processed in line with this policy and data protection principles.

The Directors are ultimately responsible for ensuring that The Vocational Academy meets its legal obligations. However, anyone who gathers information is known as a processor and must handle data in line with this policy.

## **General Guidelines**

- The only people able to access data covered by this policy should be those who need it for their work.
- Data should not be shared informally (E.g. via text, email or in conversation).
- Tutors and all staff/data processors should keep all data secure, by taking sensible precautions and following the procedure below.
- In particular, strong passwords must be used and they should never be shared.
- Personal data should not be disclosed to unauthorized people, either within the company or externally.
- Data should be regularly reviewed and updated if it is found to be out of date. If no longer required, it should be deleted and disposed of.

- Employees should request help from their management if they are unsure about any aspect of data protection.
- Take appropriate technical and organisational security measures to safeguard personal information;
- Ensure that personal information is not transferred abroad without suitable safeguards.

#### **Data Storage at The Vocational Academy Essex LTD:**

The rules describe how and where data should be safely stored:

- When data is stored on paper, it must be kept in a secure place where unauthorised people cannot see it. All paper records such as student enrolment forms and other sensitive information pertaining to a student/customer must be filed in the relevant lockable filing cabinet, which is kept in the locked administrators office and reception area.
- Ensure paper and printouts are not left where unauthorised people could see them.
- Data printouts should be shredded and disposed of securely when no longer required.
- Electronic data such as student enrolment forms are to be kept stored on password protected computers and where possible, encrypted files, to prevent unauthorised access, accidental deletion and malicious hacking attempts.
- All computers / laptops must be protected by a password and passwords should be kept secret.
- If data is stored on removable media, these should be kept locked away securely when not in use.
- Data should only be stored on designated drives and servers and should only be uploaded to an approved cloud computing service.
- Servers containing personal data should be sited in a secure location, away from general office space.
- Data should be backed up frequently and those backups should be tested regularly, in line with the company's standard backup procedures.
- Data should never be saved directly to laptops or other mobile devices.
- All servers and computers containing data should be protected by approved security software and a firewall.
- In some cases for example student loan repayments, data is collected and stored by PayL&R student finance in line with their policies, more information can be found on their website

### **What type of information do we collect?**

The personal information we collect will include your name, address, e--mail address, mobile phone number, date of birth along with other information relating to identifying your needs when embarking on to an education course with us. Examples include, but not limited to:

- Your employment status
- General or specific learning needs
- Previous education and qualifications
- Employment history where applicable
- Residential status
- Information pertaining to equal opportunities for monitoring purposes only
- Any information that is relevant, accurate and up to date, not excessive and only relevant to identifying support needs.

### **Payment information**

Depending on your circumstances and chosen method of course fee payment, your payment information is held by:

- Student finance: Divido and Omni capital retail finance (privacy policies above)
- Student Budget Account: GoCardless: <https://gocardless.com/legal/privacy> for privacy policy.

### **Learner information**

Details of learners' personal details, registrations, assessment results and qualification or unit achievements are retained by The Vocational Academy Essex LTD for a minimum of 1 year and the awarding body for a minimum of 6 years.

Unless authorised by a learner this information will not be shared with other parties other than The Vocational Academy Essex LTD and the awarding body.

Learners wishing to access personal details in relation to accredited qualifications will be subject to an identity check before any information is disclosed.

In accordance with Condition D4.2 of the Ofqual Conditions of Recognition the awarding body is not obliged to disclose information if to do so would breach a duty of confidentiality or any other legal duty.

### **How do we keep your information safe?**

- Ensuring the screens of the computers are always locked when unattended.
- Not be sharing data informally. In particular, it should never be sent by email or text
- Encrypting before being transferring electronically.
- Never be transferring data outside of the EEA.
- Not be saving data on own computers, always updating the central copy.

### **Data accuracy**

The law requires The Vocational Academy to take reasonable steps to ensure that data is kept accurate and up to date.

- Data will be held in as few places as necessary.
- Data should be updated as inaccuracies are discovered.
- Any data held will be destroyed after 7 years

### **Subject access requests**

All individuals who are the subject of personal data held by The Vocational Academy are entitled to:

- Ask what information the company holds about them and why.
- Ask how to gain access to it.
- Be informed how to keep it up to date.
- Be informed how the company is meeting its data protection obligations.

If an individual contacts the company requesting this information, this is called a Subject Access Request. These requests should be made in writing or email to the Centre Coordinator, The Vocational Academy Essex LTD, Second Floor Unit 1 Eldon Way Industrial Estate, Hockley, Essex, SS5 4AD. Requests made by e-mail should be addressed to; [admin@thevocationalacademy.co.uk](mailto:admin@thevocationalacademy.co.uk)

Note: The Vocational Academy must verify the identification of anyone making such a request before any information is made available.

### **Disclosing Data for other Reasons**

In certain circumstances the Data Protection Act allows personal data to be disclosed to law enforcement agencies without the consent of the data subject. Under these circumstances, The Vocational Academy will disclose requested data after gaining verification that the request is legitimate.

### **Providing Information**

The Vocational Academy aims to ensure that individuals are aware that their data is being processed and that they understand:

- How the data is being used.
- How to exercise their rights.

## Apprenticeships: Additional Data Protection Policy

### **Policy statement**

The Vocational Academy (TVA) is committed to a policy of protecting the rights and privacy of individuals, voluntary and community group members, volunteers staff and others in accordance with The Data Protection Act 1998. The policy applies to all staff at The Vocational Academy. Any breach of The Data Protection Act 1998 or TVA's Data Protection Policy is considered to be an offence and in that event, disciplinary procedures apply.

As a matter of good practice, other organisations and individuals working with the TVA and who have access to personal information, will be expected to have read and comply with this policy. It is expected that any staff who deal with external organisations will take responsibility for ensuring that such organisations sign a contract agreeing to abide by this policy.

### **Legal Requirements**

Data are protected by the Data Protection Act 1998, which came into effect on 1 March 2000. Its purpose is to protect the rights and privacy of individuals and to ensure that personal data are not processed without their knowledge, and, wherever possible, is processed without their consent.

The Act requires us to register the fact that we hold personal data and to acknowledge the right of 'subject access' – voluntary and community group members and staff must have the right to copies of their own data.

### **Managing Data Protection**

We will ensure that our details are registered with the Information Commissioner.

### **Purpose of data held by TVA**

Data may be held by us for the following purposes: Please note this list does not cover all reasons TVA may keep your data. For a full list please consult the centre manager.

1. Staff Administration
2. Registration with awarding bodies
3. Accounts & Records
4. Advertising, Marketing & Public Relations
5. Information and Databank Administration
6. Research

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