



Data Protection Policy

General Statement of the College's duties

The College is required to process relevant personal data regarding pupils and their parents and guardians as part of its operation and shall take all reasonable steps to do so in accordance with this Policy. Processing may include obtaining, recording, holding, disclosing, destroying or otherwise using data. In this Policy any reference to pupils includes current, past or prospective pupils.

Data Protection Controller

The Bursar, Mr John Champion, is Data Protection Controller (DPC) who endeavours to ensure that all personal data is processed in compliance with this Policy and the Principles of the Data Protection Act 1998.

The Principles

The College so far as is reasonably practicable complies with the Data Protection Principles (the Principles) contained in the Data Protection Act to ensure all data is:

- Fairly and lawfully processed
- Processed for a lawful purpose
- Adequate, relevant and not excessive
- Accurate and up to date
- Not kept for longer than necessary
- Processed in accordance with the data subject's rights
- Secure
- Not transferred to other countries without adequate protection.

Personal Data

Personal data covers both facts and opinions about an individual. The College may process a wide range of personal data of pupils, their parents or guardians as part of its operation. This personal data may include (but is not limited to): names and addresses, bank details, academic, disciplinary, admissions and attendance records, references, examination scripts and marks.

Processing of Personal Data

Consent may be required for the processing of personal data unless the processing is necessary for the College to undertake its obligations to pupils and their parents or guardians. Any information, which falls under the definition of personal data, and is not otherwise exempt, remains confidential and is only disclosed to third parties with the consent of the appropriate individual or under the term of this Policy.

Sensitive Personal Data

The College may, from time to time, be required to process sensitive personal data regarding a pupil, their parents or guardians. Sensitive personal data includes

medical information and data relating to religion, race or criminal records and proceedings. Where the College processes sensitive personal data, the explicit consent of the appropriate individual is generally required in writing.

Rights of Access

Individuals have a right of access to information held by the College. Any individual wishing to access their personal data should put their request in writing to the DPC. The College endeavours to respond to any such written requests as soon as is reasonably practicable and in any event within 40 days for access to records and 21 days to provide a reply to an access to information request.

(Please note that the College may charge an administration fee of up to £10.00 for providing this information)

Certain data is exempt from the right of access under the Data Protection Act: this may include information, which identifies other individuals information, which the College reasonably believes, is likely to cause damage or distress or information which is subject to legal professional privilege. The College is also not required to disclose any pupil examination scripts.

The College treats as confidential any reference given by the College for the purpose of education, training or employment, or prospective education, training or employment of any pupil. The College acknowledges that an individual may have the right to access a reference relating to them received by the College. However, such a reference is only disclosed if such disclosure does not identify the source of the reference or where, notwithstanding this, the referee has given consent or if disclosure is reasonable in all the circumstances.

Who's Rights

The rights under the Data Protection Act are the individual's to whom the data relates. The College however in most cases relies on parental consent to process data relating to pupils unless, given the nature of the processing in question, and the pupil's age and understanding, it is unreasonable in all the circumstances to rely on the parent's consent. Parents should be aware that in such situations they may not be consulted.

The College only grants pupils direct access to their personal data if in the College's reasonable belief the pupil understands the nature of the request.

Pupils agree that the College may disclose their personal data to their parents or guardian.

Where a pupil seeks to raise concerns confidentially with a member of staff and expressly withholds their agreement to their personal data being disclosed to their parents or guardian, the College maintains confidentiality unless it has reasonable grounds to believe that the pupil does not fully understand the consequences of withholding their consent, or where the College believes disclosure will be in the best interests of the pupil or other pupils.

Exemptions

Certain data is exempted from the provisions of the Data Protection Act, which includes the following:

- The prevention or detection of crime
- The assessment of any tax or duty
- Where the processing is necessary to exercise a right or obligations conferred or imposed by law upon the College.

The above are examples only of some of the exemptions under the Act: any further information on exemptions should be sought from the DPC.

Disclosure of Information

The College may receive requests from third parties to disclose personal data it holds about pupils, their parents or guardians. The College confirms that it does not generally disclose information unless the individual has given their consent or one of the specific exemptions under the Data Protection Act applies. However, the College does disclose such data as is necessary to third parties for the following purposes:

- To give a confidential reference relating to a pupil to any educational institution which it is proposed that the pupil may attend.
- To give information relating to outstanding fees or payment history to any educational institution which it is proposed that the pupil may attend.
- To publish the results of public examinations or other achievements of pupils of the College.
- To disclose details of a pupil's medical condition where it is in the pupil's best interested to do so, for example for medical advice, insurance purposes or to organisers of school trips.

Where the College receives a disclosure request from a third party it takes reasonable steps to verify the identity of that third party before making any disclosure.

Use of Personal Information by the College.

The College, from time to time, makes use of personal data relating to pupils, their parents or guardians in the following ways: (Should you wish to limit or object to any such use, please notify the DPC.)

- To make use of photographic images of pupils in College publications and on the College website. However, the College does not publish photographs of individual pupils with their names on the College website without the express agreements of the appropriate individual.
- For fund raising, marketing or promotional purposes and to maintain relationships with pupils of the college, including transferring information to any association society or club set up for the purpose so establishing or maintain contact with pupils of for fund raising, marketing or promotional purposes.

Accuracy

The College endeavours to ensure that all personal data held in relation to an individual is accurate. Individuals must notify the DPC of any changes to information held about them. An individual has the right to request that inaccurate information about them is erased or corrected.

Security

The College takes reasonable steps to ensure that members of staff only have access to personal data relating to pupils, their parents or guardians where it is necessary

for them to do so. All staff are be made aware of this policy and their duties under the Data Protection Act. The College ensures that all personal information is held securely and is not accessible to unauthorised persons.

Enforcement

If an individual believes that the College has not complied with this Policy or acted otherwise than in accordance with the Data Protection Act, they should utilise the College's complaints procedure and should also notify the DPC.

Review date: September 2011