

# Data Protection Policy

A review of this policy will be undertaken by the Information Governance Lead annually or more frequently as required, and will be authorised by the Information Governance Board for approval by the Senior Executive Team.

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## Purpose

To ensure that Falmouth Exeter Plus apply appropriate measures to comply with the six principles of the Data Protection Act 2018 ("DPA") and the General Data Protection Regulation ("GDPR"), listed below, and so meet our statutory requirements and mitigate against penalties applied under the regulations.

These principles apply to personal data – that is information that may directly or indirectly be used to identify a living human being and are:

- Lawfulness, fairness and transparency
- Purpose limitations
- Data Minimisation
- Accuracy
- Storage Limitation
- Integrity and Confidentiality

## Scope

All members of staff of Falmouth Exeter Plus ("FX Plus"), and their subsidiary commercial services, including, but not limited to Cornwall Plus, the Sports Centre and the Nursery, located on Penryn, Falmouth and Truro Campuses.

## Policy Statement

### 1. Role of FX Plus

1.1 FX Plus needs to process certain personal data about staff and students in order to fulfil its purpose and to meet its legal obligations to funding bodies and the government. FX Plus regards the lawful and correct treatment of personal information as very important to successful operations and to maintaining the confidence of those with whom we deal. We will always do our utmost to ensure that our organisation treats personal information lawfully and correctly. To this end we fully endorse and adhere to the Data Protection Principles as specified in the current Data Protection legislation.

1.2 FX Plus is required to process personal data including, but not limited to, information about staff and students of both Falmouth University and the University of Exeter and other individuals, as a Data Controller in its own right, and as a Data Processor for Falmouth University, the University of Exeter and for the student union of both institutions, as per the instruction provided by the relevant Data Controller.

### 2. Rights of staff, students and third parties

#### 2.1 Rights of data subjects to access personal data

- All data subjects have the right to access the information held about them, ensure that it is correct and fairly held, and to complain to the Data Protection Officer if they are dissatisfied.

- Data subjects include (but may not be limited to) all staff of FX Plus and staff/students of Falmouth University and University of Exeter and any other person about whom FX Plus processes personal data (third parties).

2.2 Under the regulation, FX Plus is not always required to seek the consent of data subjects when processing personal data, for example, when processing occurs as part of the performance of a contract or is required under law or any statutory requirement.

2.3 If any person has any questions about the way in which their data is processed by FX Plus, they should contact the Data Protection Officer.

### **3. Responsibilities of staff, students and third parties**

3.1 Anyone who processes (stores or uses) personal data on behalf of FX Plus has a responsibility to ensure that the Data Protection Principles are observed.

3.2 Staff who, as part of their responsibilities, process personal information about other people must comply with this Data Protection Policy.

3.3 Others working for and on behalf of FX Plus, usually called third parties, who handle personal data in connection with FX Plus must operate in accordance with the GDPR and details of any such processing must be subject to written agreements between FX Plus and the third party. Such third parties include external supervisors, external examiners or suppliers.

### **4. Persons who provide personal data to FX Plus**

4.1 Everyone who provides personal data to FX Plus is responsible for ensuring adherence to the Data Protection Principles, especially with regard to accuracy and, in the case of third parties providing the personal data of others, the right to disclose this personal data.

### **5. Specific Responsibilities**

5.1 It is the responsibility of the Data Protection Officer to

- inform and advise FX Plus and its employees about their obligations to comply with the DPA and other data protection laws
- monitor compliance with the DPA and other data protection laws, including managing internal data protection activities, advise on data protection impact assessments; train staff and conduct internal audits.
- be the first point of contact for Information Commissioner, and for individuals whose data is processed (employees, customers etc).
- maintain a record of all personal data used within FX Plus
- be responsible for all DPA request handling
- ensure compliance with any instruction by the Information Commissioner's Office
- keep the Senior Executive Team aware of relevant DPA issues
- ensure provision of suitable DPA advisory and awareness services, including arranging with Human Resources to ensure data protection training is available to all staff.

5.2 It will be the responsibility of each Information Asset Owner (or delegated officer) to:

- ensure their Directorate's compliance with the DPA and implement agreed work and training programmes for Data Protection
- arrange for Subject Access Requests to be carried out within their Directorate
- identify and record information asset administrators who keep personal data within their Directorate
- disseminate guidance to information asset administrators within their Directorate
- ensure that information asset administrators are trained in the principles of the Regulation and the procedures for their implementation within FX Plus
- Undertake other Data Protection tasks assigned by the Data Protection Officer.
- police this policy

5.3 It will be the responsibility of each Information Asset Administrator to:

- inform their Directorate's Information Asset Owner and the Data Protection Officer of existing records and proposals to process personal information for the information asset register
- Maintain accurate details of personal data usage within their remit on the information asset register
- ensure that they receive training on the DPA