

Data Protection Policy (FX Plus)

This document sets out the policy for ensuring that Falmouth Exeter Plus (FX Plus) apply appropriate measures to comply with the six principles of the Data Protection Act 2018 ("DPA") and the UK General Data Protection Regulation ("UK GDPR") and so meet our statutory requirements and mitigate against penalties applied under the regulations.

Organisation(s):	FX Plus
Applies to:	Staff
Required Consultees:	Not Applicable
Approved by:	FX Plus Senior Executive Team
Date approved:	19/07/2023
Review date:	01/07/2026
Version Number:	2.1

Data Protection Policy (FX Plus)

This document sets out the policy for ensuring that Falmouth Exeter Plus (FX Plus) apply appropriate measures to comply with the six principles of the Data Protection Act 2018 ("DPA") and the UK General Data Protection Regulation ("UK GDPR") and so meet our statutory requirements and mitigate against penalties applied under the regulations.

1. Key Facts

No.	Clause(s)	Description
1	8.2 & 8.3	All FX Plus workers, whether permanently employed, agency, contracted or volunteering, must be aware of their obligations under this policy to protect the personal information they may see or use.

2. Purpose

- 2.1 To ensure that Falmouth Exeter Plus apply appropriate measures to comply with the six principles of the Data Protection Act 2018 ("DPA") and the UK General Data Protection Regulation ("UK GDPR"), listed below, and so meet our statutory requirements and mitigate against penalties applied under the regulations.
- 2.2 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

3. Scope

- 3.1 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.

4. Related information

- 4.1 The [FX Plus Information Governance Intranet pages](#) contains useful information relating to this policy and provides guidance on required forms and steps required to meet the legislation requirements.

5. Key Definitions

- 5.1 Data Protection Legislation – refers to the current legislation within the United Kingdom relating to the protection of personal data. Currently the [Data Protection Act 2018](#), and the [UK General Data Protection Regulation](#), which incorporates the EU General Data Protection Regulation.
- 5.2 Personal Data – any data item that can uniquely identify a living subject either on its own or by incorporation with other available data.

6. Role of FX Plus

- 6.1 FX Plus needs to process certain personal data about staff and students to fulfil its purpose and to meet its legal obligations to funding bodies and the government.
- 6.2 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.
- 6.3 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 organisation of both institutions, as per the instruction provided by the relevant Data Controller.

7. Rights of staff, students and third parties

- 7.1 Rights of data subjects to access personal data
- 7.2 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.
- 7.3 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).
- 7.4 Under the regulations, 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.
- 7.5 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

8. Responsibilities of staff, students and third parties

- 8.1 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.
- 8.2 Staff who, as part of their responsibilities, process personal information about other people must comply with this Data Protection Policy.
- 8.3 Others working for and on behalf of FX Plus (known as third parties) who handle personal data in connection with FX Plus must operate in accordance with the Data Protection legislation, 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.

9. Persons who provide personal data to FX Plus

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

10. Release of data to Emergency Services

10.1 Staff receiving requests from emergency services must consider the implications of responding to the request, especially in Out of Hours timeframes. During standard working hours, the relevant Data Protection team can be contacted on the following email addresses:

- Falmouth Exeter Plus: dataprotection@fxplus.ac.uk
- Falmouth University: ig@falmouth.ac.uk
- University of Exeter: dataprotection@exeter.ac.uk

10.2 If there is RISK TO LIFE, data should be passed on promptly, and the Data Protection Officer informed by email to dataprotection@fxplus.ac.uk so that this may be recorded. Detail the information released, who it was released to (including badge numbers where applicable), and the reasons given for the release. This may include the ambulance, fire, police, or coastguard services.

10.3 If the Police require information to assist them in a criminal investigation, they must supply a section notice (Form 277, or DPA) which includes the specifics of the data they require, their reason for requiring it, and a case reference number. Devon and Cornwall Constabulary can be referred to the Exeter Headquarters data protection team if they are unable to comply with this. Other forces operate similar documentation, although they may refer to it in different terms. Ensure a copy is sent to dataprotection@fxplus.ac.uk for recording.

10.4 If the data requested relates to a university student or member of staff, then the release of information must be approved by the University Information Governance team (unless a "risk to life" scenario, where notification will suffice).

11. Specific Responsibilities

It is the responsibility of the Data Protection Officer to:

- 11.1 Inform and advise FX Plus and its employees about their obligations to comply with the Data Protection legislation.
- 11.2 Monitor compliance with the Data Protection legislation and other data protection laws, including managing internal data protection activities, advise on data protection impact assessments; train staff and conduct internal audits.
- 11.3 Be the first point of contact for Information Commissioner, and for individuals whose data is processed (employees, customers etc).
- 11.4 Maintain a record of all personal data used within FX Plus
- 11.5 Be responsible for all Data Protection legislation request handling.
- 11.6 Ensure compliance with any instruction by the Information Commissioner's Office
- 11.7 Keep the Senior Executive Team aware of relevant Data Protection legislation issues.
- 11.8 Ensure provision of suitable Data Protection legislation advisory and awareness services, including arranging with Human Resources to ensure data protection training is available to all staff.

12. Equality Impact Assessment

12.1 The author has confirmed whether an Equality Impact Assessment is required and confirms that:

- An Equality Impact Assessment is **not required**.
- An Equality Impact Assessment **is required and has been completed**.

13. Contact for Further Information

13.1 Data Protection Officer, dataprotection@fxplus.ac.uk