

WESTBOURNE ACADEMY BOURNEMOUTH
DATA PROTECTION POLICY

Policy Statement

Everybody has rights over how we manage their personal data. During the course of our business activities we will collect, store and process personal data about our students, staff, homestay providers and other third parties. We understand that the appropriate management of this data will maintain our partners' confidence in the organization whilst at the same time enabling us to conduct successful business operations.

All staff must comply with this policy when processing personal data. Any breach of this policy may result in disciplinary action.

Policy reference

The types of personal data that we (Westbourne Academy Bournemouth) may need to handle during our business activities include information about:

- Current students
- Past students
- Prospective students
- Current staff
- Past staff
- Homestay hosts
- Homestay family members
- Other residents in homestay homes
- Educational tour operators
- Internship students
- Educational tour operator staff

The personal data may be held in electronic or paper format. It is subject to certain legal safeguards laid out in the following:

- The Data Protection Act 1998
- The General Data Protection Legislation 2018

This policy describes how we will process any personal data we collect from individuals, or that is provided to us by individuals or other sources.

This policy does not form part of any employee's contract and is regularly revised and amended as necessary.

This policy sets out rules on data protection and the legal conditions that we must satisfy when we do any of the following with personal data:

Obtain, Process, Store, Handle and/or Transfer

Westbourne Academy Bournemouth's Managing Director is responsible for ensuring compliance with Data Protection Legislation and for implementing and ensuring compliance with this policy. Any questions about the operation of this policy or any concerns that the policy has not been followed should be referred to the appropriate line manager and/or the WAB Managing Director.

Policy terms

Data is information which is stored in electronic or paper format.

Data subjects include all living individuals about whom we hold personal data. Data subjects can be other than a UK national or resident. All data subjects have legal rights in relation to their personal information.

Personal data means data relating to a living individual who can be identified from that data or from a combination of that data and other information in our possession. Personal data can be:

- factual, for example:
 - name
 - address
 - date of birth
- opinion based about:
 - a person
 - a person's actions
 - a person's behavior

Data controller Westbourne Academy Bournemouth is the data controller of all personal data used in its business for its own purposes.

Data processor is any organization that is not an employee and which processes personal data on behalf of WAB or on WAB staff instructions.

Data processing is any activity which involves use of data. It includes:

- obtaining data
- recording data
- holding data
- organizing data
- amending data
- retrieving data
- using data
- disclosing data
- erasing data
- destroying data
- transferring data to third parties
- carrying out any operation or set of operations on data

Special categories of personal data

These include information about an individual's:

- racial or ethnic origin
- political opinions
- religious or similar beliefs
- trade union membership
- physical health
- mental health
- condition
- sexual life

Certain categories of personal data can only be processed under strict conditions including one requiring the express permission of the person concerned. Other similar categories include:

- information relating to the commission of any offence committed
- information relating to any offence alleged to have been committed
- information relating to proceedings for any offence committed
- information relating to proceedings for any offence alleged to have been committed
- the disposal of proceedings for any offence committed
- the disposal of proceedings for any offence alleged to have been committed
- the sentence of any court in any offence committed

Data protection principles

Personnel processing personal data must comply with the following data protection principles.

These state that personal data must be:

- processed fairly and lawfully
- processed for limited purposes
- processed in an appropriate way
- adequate
- relevant
- not excessive for the purpose
- accurate
- up to date
- not kept longer than necessary for the purpose
- kept securely

Additionally, Data Protection Legislation requires that personal data must be processed in line with data subjects' rights.

Data must not be transferred to people or organisations situated in countries which do not have adequate protection.

Fair and lawful processing

The aim of Data Protection Legislation is to ensure that data processing is done fairly and without negatively impacting the rights of the data subject.

Data Protection Legislation defines lawful personal data processing as being based on one of the following legal grounds:

- the data subject's consent to the processing
- the processing is necessary for the performance of a contract with the data subject
- for compliance with a legal obligation to which the data controller is subject
- for the legitimate interest of the data controller
- for the legitimate interest of the party to whom the data is disclosed

Additional conditions must be met when special categories of personal data or information about criminal offences such as Disclosure and Barring Service checks are being processed.

Processing for limited purposes

To enable us to carry out our business we collect and process personal data for a number of reasons. These include:

- enrolment of our students
- administration of our courses
- details of homestays
- recruitment of staff
- staff administration
- compliance with our legal obligations

Personal data may be received from a number of different sources. These include:

- the data subject
 - from completed forms
 - from emails
 - from phone calls
 - from standard mail
 - in other formats
- business partners
- sub-contractors in technical services
- sub-contractors in payment services
- sub-contractors in delivery services
- the Disclosure & Barring Service
- other services

We process personal data for the specific purposes of this policy and may do so for any other purpose permitted by the Data Protection Legislation. WAB will notify those purposes to the data subjects when WAB first collects the data (see below) or as soon as possible thereafter.

Notifying data subjects

Our collection of personal data complies with the transparency information required under the Data Protection Legislation. This includes:

- the purposes for which we intend to process that personal data
- the types of third party with whom we may share the data
- the existence of rights for data subjects

Where WAB receives personal data about a data subject from other sources, WAB will provide the data subject with this information as soon as possible thereafter.

WAB will inform data subjects whose personal data WAB processes that WAB is the data controller for that data.

Adequate, relevant and non-excessive processing

WAB only collects personal data to the extent that it is required for the specific purpose notified to the data subject.

Accurate data

WAB will ensure that:

- personal data is accurate
- personal data is up to date
- accuracy is checked at the point of collection
- accuracy is checked at regular intervals after collection
- inaccurate data will be
 - amended
 - destroyed
- out of date data will be destroyed

Timely processing

WAB will not keep personal data longer than necessary for the purpose for which it was initially collected:

- WAB will take all reasonable steps to destroy any physical data which is no longer required
- WAB will take all reasonable steps to erase from our system any electronic data which is no longer required

Processing in line with data subject's rights

WAB will comply with data subjects' rights when processing their personal data as follows:

- their right to request access to any data held about them by a data controller
- their right to prevent the processing of their data for direct-marketing purposes
- their right to request that any inaccurate personal data about them is corrected
- their right to request that their personal data is deleted
- their right to request that WAB stops using their personal information for certain processes
- their right to request that their personal data is provided to them in a portable format
- their right to request that decisions about them are not made by wholly automated means

WAB will make all reasonable efforts to comply with data subjects' requests.

Where a data subject is unhappy with the way WAB has processed their personal data they have a right to complain about WAB to the Information Commissioner's Office (ICO). You can find more information on the ICO at: <https://ico.org.uk/concerns/>

Data security

WAB will take appropriate security measures against:

- unlawful processing of personal data
- unauthorized processing of personal data
- accidental loss of personal data
- accidental damage to personal data

WAB will maintain the security of all personal data from the point of collection to the point of destruction.

WAB will only transfer personal data to a data processor if he/she:

- agrees to comply with those policies and procedures
- puts in place adequate measures himself/herself

Data security comprises:

- **confidentiality** – only people who are authorized to use the data can access it
- **integrity** – personal data is accurate and fit for purpose
- **availability** – personal data is stored only on servers not desktops so that all authorized users are able to access it for authorized purposes
- **entry controls** – staff report any stranger seen in entry-controlled areas
- **secure lockable desks and cupboards** – desks and cupboards should be kept locked if they hold confidential information of any kind. **Personal information is always considered confidential**
- **methods of disposal**
 - paper documents are shredded
 - digital storage services are physically destroyed when no longer needed
- **equipment**
 - computer users ensure that monitors do not show confidential information to passers-by
 - computer users log off from their PC when it is left unattended
 - PC user names and passwords are kept in a lockable desk drawer and otherwise only known to individual PC users

Transferring personal data to a country outside the European Economic Area

Personal data we hold may be transferred to a country outside the EEA if one of the following conditions applies:

- the receiving country ensures an adequate level of protection for the data subjects' rights and freedoms
- the data subject has given his/her consent
- the transfer is required for one of the reasons set out in the Data Protection Legislation
 - the performance of a contract between WAB and the data subject
 - protecting the vital interests of the data subject
- the transfer is required on public interest grounds
- the transfer is required for the establishment of legal claims

- the transfer is required for the exercise of legal claims
- the transfer is required for the defence of legal claims
- the relevant data protection authority authorises the transfer because WAB has cited as evidence
 - adequate safeguards to the protection of data subjects' privacy
 - adequate safeguards to the protection of data subjects' fundamental rights
 - adequate safeguards to the protection of data subjects' fundamental freedoms
 - adequate safeguards to the protection of data subjects' exercise of their rights

Subject to the conditions listed above, personal data WAB holds may also be processed by

- employees operating outside the EEA who work for WAB
- employees operating outside the EEA who work for one of our suppliers

Disclosure and sharing of personal information

WAB may share personal data we hold with any member of our group namely New City College, London and its subsidiaries.

WAB may also disclose personal data it holds to third parties:

- in the event that we sell or buy any business or assets:
 - WAB may disclose personal data it holds to the prospective buyer or seller of such assets or business
 - WAB may disclose personal data as a transferred asset if WAB or substantially all of its assets are acquired by a third party

WAB may also disclose/share personal data:

- to comply with any legal obligation
- to enforce a contract with the data subject
- to apply a contract with the data subject
- to protect WAB property
- to protect the safety of WAB employees, customers or others
- to protect against fraud
- to protect against credit risk reduction

WAB may also share personal data we hold with selected third parties for the purposes set out in this policy.

Dealing with requests for exercise of individual rights

Data subjects may make a request under the rights listed above including for access to the information we hold about them. Employees receiving such a request should forward it to the Managing Director immediately.

Telephone enquirers will only receive disclosed personal data if the following conditions are met:

- the caller's identity is checked to make sure that information is only given to a person entitled to receive it
- the caller's identity is checked when staff are unsure about the caller's right to receive information until the request has been received in writing

WAB employees will refer a request for personal information to their line manager for assistance in difficult situations.

WAB employees will not be bullied into disclosing personal information.

Changes to this policy

WAB reserves the right to change this policy at any time.