# Data Protection Policy

## Introduction

This policy relates to data protection, as outlined in the Data Protection Act 2018, and how data and information is managed at Hartpury University & Hartpury College (Hartpury).

## Purpose

Data protection legislation, including the General Data Protection Regulation (GDPR) and the UK Data Protection Act 2018 applies to all information relating to an identified or identifiable living individual. This is defined as personal data within data protection legislation.

Hartpury takes the protection of all personal information extremely seriously and is committed to a policy of protecting the rights and freedoms of individuals with respect to the processing of their personal information.

## Scope

Hartpury holds and processes information about its current, past or prospective employees, prospective students, applicants, current students, alumni and others who are defined as data subjects within data protection legislation.

Hartpury processes personal information for a variety of reasons which it defines within its Privacy Notice.

Examples of these purposes, but not limited to, include:

- Administration of the student application process
- Academic administration
- Managing Human Resources processes, such as applications, performance management, training and development
- Administration of financial aspects of an individual's relationship with Hartpury
- Management of use of facilities and participation in events
- Enabling effective communications with staff and students
- Operation of security, disciplinary, complaint and quality assurance processes and arrangements
- Support of Health, Safety and Welfare requirements
- Production of statistics and research for internal and statutory reporting purposes.
- Fundraising and Marketing

## Objectives

The aim of this policy to enable the maintenance of authentic, reliable and useable information, which is capable of supporting business functions and activities for as long as they are required. This will be achieved through the consolidation, establishment and continuous improvement of effective records management policies and procedures. This document outlines compliance and practice around the key principles of the DPA and GDPR legislation, as well as good practice in information management

## Principles

Anyone who processes personal information within Hartpury must comply with the principles of data protection. The Principles define how data can be legally processed. Processing means any operation which is performed on personal data or sets of personal data, by automated or manual means such as collecting, recording, organising, storing, adapting, altering, consulting, using, disclosing, combining, restricting, erasing or destroying.

The principles of data protection state that personal data shall be:

a) processed lawfully, fairly and in a transparent manner in relation to the data subject;
b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes (although certain other safeguards must be in place as defined within the GDPR);
c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
d) accurate and, where necessary, kept up to date;
e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods when processed only for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of appropriate measures to protect the rights and freedoms of data subjects;
f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

Hartpury shall be responsible for, and be able to demonstrate, compliance with data protection legislation.

<u>Roles and Responsibilities</u>

Hartpury, as data controller (ICO Registration number: Z1591909), is responsible overall for demonstrating compliance with data protection legislation and meeting the accountability and transparency obligations within the legislation.

In accordance with the GDPR Hartpury has appointed a Data Protection Officer (dpo@hartpury.ac.uk) to carry out the DPO role as defined in the legislation. The DPO is responsible for overseeing compliance with regard to data protection.

Hartpury has an Information Governance Manager who is responsible for co-ordinating day to day data protection functions, providing training and for developing and encouraging good information handling practice amongst all members of Hartpury.

Senior Managers have a responsibility to ensure compliance with data protection legislation and this policy, and to develop and encourage good information handling practices within their areas of responsibility

All staff have a responsibility to ensure they process personal data in accordance with the data protection principles and other requirements of data protection legislation. Academic and academic-related staff are responsible for the conduct in data protection matters of the students they supervise.

The Information Governance Manager will perform periodic audits to ensure compliance with this policy and to ensure that the notification to the Information Commissioner is kept up to date and appropriate accountability can be demonstrated.

**Procedures**

Information Asset Owners

Each area of Hartpury that processes personal data will assign a member of staff to be a named Information Asset Owner.

The Information Asset Owner will be a member of staff who manages an information collection or data asset and has the power to make decisions about how that information is managed.

Information Asset Owners will work with the Information Governance Manager to disseminate guidance and information relating to data protection and good information handling practices, as well as managing breach reporting within their area and maintaining the appropriate registers to demonstrate accountability in relation to data protection.

Record of processing

Information Asset Owners will be responsible for recording data/information assets within Hartpury's Information Asset Register(s) and for maintaining this register.

Data Protection Impact Assessments

All major data processing activities, especially new processing of personal data or adaptations of existing methods of processing, are risk assessed using the Hartpury's Data Protection Impact Assessment process to ensure that the proposed processing complies with the requirements of data protection.

Templates and guidance provided by the Information Governance Manager should be used to complete the Data Protection Impact Assessment.

Data subject rights

Hartpury will comply with all data subject rights, as appropriate in relation to the processing it undertakes.
These rights are:

- Transparency of processing
- Right of access to personal data
- Right of rectification of inaccurate personal data
- Right of erasure

- Right to restriction of processing
- Right to data portability
- Right to object to processing where it is processed in the following way:
    - for direct marketing purposes
    - for scientific/historical/research/statistical purposes
    - based on legitimate interest grounds
    - necessary for the performance of a task carried out in the public interest •
- Right to object to automated individual decision making, including profiling

Transparency of processing

Details of the use of personal information by Hartpury can be found in Hartpury's General Privacy Notice purpose.

Subject Access Requests

The Data Protection Act 2018 entitles any individual whose data is processed by Hartpury to request a copy of that data; this is known as a data subject access request. Your right under the Act is to be told by us whether we or someone else on our behalf is processing your personal data and if so, to be given a description of the personal data, the purposes for which they are being processed and the likely recipients and sources of that personal data. You are also entitled to receive a copy of this personal data.

Any person can exercise this right by requesting their data either verbally or in writing, a Subject Access Request form is available on our website, should an individual wish to request in writing www.hartpury.ac.uk/sar. Any formal subject access request must be responded to within one 30 month, or appropriate additional timescale as laid down by data protection legislation

Data sharing

All sharing of personal data with third parties will be subject to the appropriate controls as laid out in data protection legislation.

Repeated or ongoing data sharing arrangements will be covered by an appropriate data sharing or processor agreement and/or where appropriate by contract to comply with this policy.

Use of personal data within research

Where research involves the processing of personal data, the Chief or Principal Investigator will be considered to be the relevant Information Asset Owner for the data.

All requirements of this policy relating to processing of personal data should be adhered to alongside Hartpury's research good practice requirements.

Use of personal data for research purposes will be subject to the appropriate safeguards as specified within the data protection legislation. In particular, personal data should be limited to the minimum amount of data which is reasonably required to achieve the desired academic objectives. Wherever possible, personal information should be anonymised or pseudonymised so that the data subjects cannot be identified.

Students should only obtain or use personal information relating to third parties for approved research or other legitimate Hartpury-related purposes with the knowledge and

express consent of an appropriate Information Asset Owner or member of staff who is responsible for their supervision.

## Governance Requirements

Implementation / Communication Plan

This policy is communicated to all staff as part of Hartpury's induction and general policy review process.

Exceptions to this Policy

There are no exceptions to this policy. Data Protection Legislation requires that all processing of personal data within Hartpury be subject to an appropriate policy.

## Reference to Other Policies

*To be completed post-sign-off*

## Equality, Diversity and Inclusion

As with all Hartpury policies and procedures, due care has been taken to ensure that this policy is appropriate to all members of staff regardless of their age, disability, ethnicity, gender, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation and transgender status.

The policy will be applied fairly and consistently whilst upholding Hartpury's commitment to providing equality to all. If any employee feels that this or any other policy does not meet this aim, please contact the HR Department.

Hartpury is committed towards promoting positive mental health by working towards the MINDFUL EMPLOYER Charter. Hartpury aims to create a culture of support within the workplace where employees can talk about mental health problems without the fear of stigma or discrimination.

## Approval and Review Cycle

This policy and specific subsidiary information governance and security policies will be annually reviewed by the Information Governance team to ensure that it remains appropriate in the light of any relevant changes to the law, Hartpury policies, contractual obligations, technological developments and emerging threats.

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| Date Last Approved | 2011 |
| Policy Owner | Director of Digital Services |
| Approving Committee | Strategy Finance and Resources Committee |
| Status | Approved |
| Effective from | uly 2020 |
| Next Review Date | May 2022 |