

**DATA PROTECTION POLICY**

**Purpose**

This Policy does not form part of the formal contract of employment, but it is a condition of employment and enrolment that employees and learners will abide by the rules and Policies made by Reynolds Training Academy at all times. Failure to follow the Policy will therefore result in disciplinary proceedings. This Policy serves to protect the privacy of all Academy/College members.

Any member of staff, who considers that the Policy has not been followed in respect of their personal data, should raise the matter with their Line Manager. If the matter is not resolved it should be raised as a formal grievance.

Schedule 1 to the Data Protection Act lists the data protection principles in the following terms:

1. Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless –
   1. At least one of the conditions in Schedule 2 is met
   2. In the case of sensitive personal data, at least one of the conditions in Schedule 3 is also met
2. Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes
3. Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed
4. Personal data shall be accurate and, where necessary, kept up to date
5. Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes
6. Personal data shall be processed in accordance with the rights of data subjects under this Act
7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data
8. Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data

Reynolds Training Academy staff should be aware that specific procedures apply to the provision of data to third parties. In the case of principle 8, personal data about any person put on the World Wide Web placed there without that person’s express consent will breach the Act and therefore have serious consequences.

Failure to comply with the provisions of the Act may render the Academy/College, and/or potentially the individuals involved, liable to prosecution in addition to creating civil charges. With this in mind, all Reynolds Training Academy members should make themselves aware of the general aspects of Data Protection, more particularly if they are dealing with personal data as part of their duties.

**Policy**

Reynolds Training Academy by necessity, holds and processes data about its employees, applicants, learners, alumni and other individuals for a range of purposes (such as the administration of the audition and funding process, course administration, welfare, learner accounts, staff payroll and to enable correspondence and communications). To comply with the Data Protection Act 1998, ("the 1998 Act") all personal data must be administered in a suitable and lawful manner.

All personal data, which may be recorded and stored on paper, on computer or via other media, is subject to certain legal protection, as defined in the 1998 Act and other regulations. The 1998 Act imposes limitations on how Reynolds Training Academy might use that information.

Reynolds Training Academy adheres to the Data Protection Act 1998. This act details an outline of rights and duties, created to protect personal data, balancing the genuine and legal needs of organisations to collect and use personal data against the entitlement of individuals within the privacy of their personal details. It is an essential part of the overall safeguarding procedure at the Academy/College, and acts to protect potentially vulnerable children and young adults.

All members of Reynolds Training Academy will be issued with this Policy so that the conditions of data protection legislation and of their individual responsibility concerning the legislation are transparent to all.

This Policy has been approved by the Governance of Reynolds Training Academy, the Principal and Senior Management Team. It sets out the Academy/College’s approach to data protection and the legal conditions that must be satisfied in relation to the obtaining, handling, processing, storage, transportation and disposal and safe destruction of personal information.

All staff, learners and other users are entitled to know:

* What information the Academy/College holds and what it is used for
* How to access such information should they need to
* How to update it so that the Academy/College holds accurate information
* The details of the Reynolds Training Academy Data Protection Policy

**Responsibilities of Staff**

All staff at Reynolds Training Academy must ensure that they:

* Provide the Academy/College with accurate and up to date information in connection with their employment
* Update the Academy/College with any changes to information as soon as they are able
* Make the Academy/College aware of any errors or changes. The Academy/College cannot be held responsible for any errors or changes unless they have been informed of them

If and when staff collect information about other people (i.e. about learners course work, tutorial outcomes, assessment results, references to other academic institutions, or details of personal circumstances), they must comply with the guidelines for staff.

**Responsibilities of Learners**

Learners must ensure that all personal data provided to Reynolds Training Academy is accurate and up to date. They must ensure that any changes to personal data are given to the Senior Administrator and Personal tutor as soon as possible after they occur.

Learners using the Academy/College computers should be aware that anything stored on them is available to other users and therefore should provide a USB memory stick on which they store their work, and any information that they wish to keep confidential.

**Rights to Access Information**

Staff, learners and other users of the Academy/College have the right to access any personal data that is being kept about them either on computer or in certain files. Any person who wishes to exercise this right should approach the Principal.

**Course/Programme Consent**

In certain cases, Reynolds Training Academy can only process personal data with the permission of the individual. However, giving consent to the Academy/College with regard to processing specified personal data is a condition of acceptance of a learner onto any course/programme, and also a condition of employment for staff. This includes information about previous criminal convictions, contact details and any other information that is vital to the running of the Academy/College.

The Academy/College has a duty under the Children’s Act 1989 and other related Acts to ensure that all staff are suitable for the job, and learners for the courses on offer. The Academy/College also has a duty of care to all staff and learners and must therefore ensure that employees and those who use the Academy/College facilities do not pose a threat or danger to other users.

The Academy/College will ask for information about particular health needs, such as allergies to particular forms of medication, or any conditions such as asthma or diabetes. The Academy/College will only use the information in the protection of the health and safety of the individual, but will need consent to process in the event of a medical emergency, for example.

Therefore, all potential Academy/College members will be asked to sign a “Consent to Process” form, concerning particular types of information when an offer of employment or a course place is made. Refusing to sign such a form may result in the offer being withdrawn.

**Designated Data Controllers**

Under the Act, Reynolds Training Academy is responsible overall for Data Control. However, there are designated data controllers who deal with day-to-day matters. The data controllers are members of the Senior Management Team, Senior Administrator and Personal Tutors.

In order to ensure the proper functioning of the Academy/College as an institution in the Further Education sector, Reynolds Training Academy is required to disclose relevant personal data about applicants and learners within the Academy/College to other members of staff, organisations such as qualification awarding bodies, The Education and Skills Funding Agency (ESFA) and potential employers or agents. The Academy/College may or may not seek further consent to specific disclosures depending upon the intended disclosure.

In the event that Reynolds Training Academy needs to process your sensitive personal data, it will endeavour to seek to your explicit consent to the extent that the processing is not covered by other conditions or exemptions in the 1998 Act and refer to the Consent to Process Form where applicable.

If you require access to information held, or need to update anything, please contact the Senior Administrator in the Academy/College Office.

RTA Data Protection Policy – reviewed 16-8-2023 / 29-2-2024