

BETTER TRAINING LTD

Data Protection Policy (Draft)

Introduction. The General Data Protection Regulations ('GDPR') regulate how organisations use the personal data of living individuals. It requires organisations to be accountable and transparent in its handling of such data and gives individuals rights to challenge its use and to access the data held. The GDPR supersede the Data Protection Act 1998 and this policy has been updated to reflect the new regulations.

Definitions. For the purpose of this policy, the term 'staff' covers both the tutors and office staff of Better Training Ltd. The term 'personal data' covers both personal data and sensitive data held by Better Training Ltd on behalf of its learners ('data subjects') and staff.

Better Training Ltd's responsibilities. Under the GDPR regulations, Better Training Ltd is required to put in place comprehensive but proportionate governance measures to minimise the risk of data breaches and to uphold the protection of personal data.

Specifically, Better Training must comply with the principles governing the use of personal data and must ensure that data is:

1. processed lawfully, fairly and in a transparent manner in relation to individuals;
2. collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
3. adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
4. accurate and, where necessary, kept up to date;
5. 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;
6. processed in a manner that ensures appropriate security of personal data.

Better Training Ltd's Compliance. In order to ensure full and effective compliance with its data protection responsibilities, Better Training's Data Protection Officer (DPO) is named as Penny Dowdeswell, who is responsible for adopting a robust approach to data security, including:

1. ensuring that specific physical and electronic spaces are made available for the storage of personal data;
2. prohibiting the transfer of personal data to external devices, unless approved by the DPO under an appropriate data sharing agreement;
3. ensuring that all staff report any breaches of data security;
4. ensuring appropriate precautions are taken when using mobile devices;
5. ensuring that all requests to share personal data with third parties are referred to the DPO for approval.

The DPO will also provide advice about secure and appropriate methods of sharing data if appropriate. **Better Training in its role of sub-contractor shares data ONLY with Abingdon and Witney College.**

Better Training Ltd follows a clear Data Retention Procedure that outlines what personal data is kept, why it is kept, how it is kept and for how long. In addition, Better Training Ltd:

6. maintains records of data processing activities
7. publishes a Privacy Statement outlining:
 - the organisation and contact details of the DPO
 - the basis for collecting personal data
 - how the personal data is used
 - how it is kept secure.
8. respects, facilitates and appropriately responds to the rights of Data Subjects, including by:
 - seeking consent to use personal data (if required), ensuring that this consent is of an “opt in” nature;
 - ensuring that students understand how their data will be used before they sign/enrol;
 - providing access to a copy of personal data and supplementary information in either hard copy or electronic format, within a month of a formal request being made;
 - rectifying any inaccuracies or incomplete personal data within a month of a formal request being made;
 - erasing all personal data if it is not required to be kept for a legitimate need within a month of a formal request being made;
 - notifying Data Subjects if the security of their personal data is compromised within 14 days of a breach occurring;
 - complying with a withdrawal of consent within a month of the request being made.
9. ensures that all staff are fully trained in respect of their data protection responsibilities
10. records and responds to actual or potential data protection compliance failures effectively. Staff are required to report any actual or potential breaches to the DPO who will:
 - report any data breach to the Information Commissioner’s Office (ICO, a government department) as soon as possible but within 72 hours
 - take remedial action to mitigate the situation
 - notify individuals affected by the breach
 - maintain a log of actual and potential compliance failures.

All Better Training staff must comply with this policy and all guidance, procedures and protocols relating to it. It is linked to Better Training’s Privacy Statement.

The Data Subject Request form is available from the Data Protection Officer.

Specific responsibilities. Better Training is a small organisation. Specific responsibility for all Data Protection Regulations falls under the remit of the DPO, Penny Dowdeswell.

Updated June 2018, reviewed May 2021.

Better Training would like to acknowledge the help A&W College have provided in producing this document. This Policy is based on their very comprehensive and easy to understand Data Protection Policy.

