

DATA PROTECTION POLICY

CATEGORY	Audit & Risk
POLICY OWNER	Director of Operations & Sustainability
DATE & VERSION	25th September 2023 - Version 3.2
APPROVED BY	Audit & Risk Committee
REVIEW FREQUENCY	Every two years

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1. Policy Purpose

This policy is intended to ensure that personal information is dealt with in accordance with the General Data Protection Regulation (GDPR). It will apply to information regardless of the way it is collected, used, recorded, stored and destroyed, and irrespective of whether it is held in paper files or electronically.

2. Policy Statement

UWC Atlantic (United World College of the Atlantic Limited, company number 00673076, and Atlantic College Enterprises Limited, company number 07734369) collects and uses personal information about employees, students, parents and other individuals who come into contact with the College. This information is gathered in order to provide education and other associated functions. UWC Atlantic (the College) has a duty to inform individuals of the information that it holds, why it is held, and any other parties with whom this information may be shared. Details provided to individuals about how the College processes their personal information must be: concise; transparent; intelligible and easily accessible; written in clear and plain language; free of charge.

All staff involved with the collection, processing and disclosure of personal information will be aware of their duties and responsibilities by adhering to these guidelines.

3. Policy Implementation

3.1 Roles and Responsibilities

The Director Operations & Sustainability is appointed as the Data Controller and is the employee responsible for implementation, coordination and review of this policy.

The Data Controller will also act as a contact point for any requests for personal data, or any complaints in relation to the processing of personal data.

United World College of the Atlantic Limited has a duty of care acting as a data controller to appoint a Data Protection Officer (DPO). UWCA has a legal obligation to notify the ICO of their name and contact details. The appointed Data Protection Officer (DPO) is CSR Limited. CSR can be contacted by telephone on 0117 325 0830 or via email at dpo@csrb.co.uk.

3.2 What is personal data?

The GDPR applies to 'personal data' meaning any information relating to an identifiable person who can be directly or indirectly identified.

3.3 GDPR Principles

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The GDPR establishes seven principles relating to the processing of personal data.

Personal data shall be:

- a) processed lawfully, fairly and in a transparent manner.
- b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.
- 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; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay.
- 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.
- 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.
- g) meets UWCA's accountability obligations. We review and, where necessary, update the measures we have put in place. For example, we continually enhance our privacy management framework, as this can help embed our accountability measures and create a culture of privacy across our organisation.

3.4 What is different under GDPR from the previous data protection legislation (Data Protection Act 1998)?

As before, the principles of the new GDPR focus on the purpose of processing personal data; organisations must process data in a lawful, fair and transparent way, and for specified, explicit and legitimate purposes. The GDPR however expects a higher standard of transparency and accountability for these purposes.

3.5 GDPR legal basis for processing personal data

The GDPR places more emphasis on being accountable for, and transparent about, the lawful basis for processing personal data. To process personal data at least one of the following must apply:

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- a) **Consent:** the individual has freely given clear, informed consent for you to process their personal data for a specific purpose.
- b) **Contract:** the processing is necessary for a contract you have with the individual, or because they have asked you to take specific steps before entering into a contract.
- c) **Legal obligation:** the processing is necessary for you to comply with the law (not including contractual obligations).
- d) **Vital interests:** the processing is necessary to protect someone's life
- e) **Public task:** the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.
- f) **Legitimate interests:** the processing is necessary for your legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests.

3.6 Individual Rights

In addition to providing a legal basis for processing data, the GDPR provides the following rights for individuals:

1. The right to be informed

The College will provide concise, transparent, intelligible and easily accessible information about the processing of personal data to individuals using a Privacy Notice. This will be written in clear plain language and will clearly set out how personal data is processed within the College.

2. The right of access

Where requested, the College will provide individuals with confirmation that their data is being processed and give access to their personal data. This will be processed as a Subject Access Request, and the College will provide a copy of the information free of charge (unless a request is clearly excessive or unfounded), within one month of the request.

3. The right to rectification

The College is committed to rectifying personal data if inaccurate and will respond to a request for rectification within one month of receiving the request.

4. The right to erasure

The College will consider individual requests for deletion or removal of personal data where there is no compelling reason for its continued processing, in line with the conditions set out

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in the regulation. The College will inform relevant third parties of erasure of personal data; unless it is impossible, or involves disproportionate effort to do so.

5. The right to restrict processing

The College will ensure that data processing is restricted in any of the following circumstances:

- Where an individual contests the accuracy of personal data until the accuracy is verified.
- Where an individual has objected to the processing.
- When processing is unlawful.

If data processing is restricted, the college will notify any relevant third parties.

6. The right to data portability

The College will comply with individual requests to allow an individual to obtain and reuse their personal data for their own purposes across different services.

7. The right to object

The College will comply with an individual's right to object to processing of their personal data based on legitimate interests (to 'opt out') or the performance of a task in the public interest/exercise of official authority. The College will inform individuals of their right to object in the Privacy Notice.

8. Rights in relation to automated decision making and profiling

The College will adhere to GDPR requirements which specify that automated decision making or automated processing of personal data (without any human involvement), including profiling, can only be carried out where this type of decision making is necessary for a legal contract or based on the individual's consent.

4. Related Information

4.1 Privacy Notice

The college is committed to meeting the requirements of the GDPR. To support this the college will issue individuals with a Privacy Notice which will clearly explain how the College will use personal information including the:

- categories of information processed
- purpose and lawful basis for collating this information
- methods by which information may be collected, stored and shared (as applicable)

- individual rights of access and other data related requests

4.2 Subject Access Requests

The College will process all Subject Access Requests and provide a copy of the information, free of charge, within one month of receipt. The College may charge a fee when a request is manifestly unfounded or excessive, particularly if it is repetitive. Further copies of the information can be provided at a reasonable charge. The College will verify the identity of the individual making the request using reasonable means.

4.3 Contact Details

If you have any enquiries in relation to this policy, please contact the Data Controller, via email at david.emery@uwcatlantic.org

Further advice and information is available from the [Information Commissioner's Office](#):

Telephone: +44 (0)303 123 1113

5. Policy Measurement and Reporting

The Data Protection Policy is reviewed annually by the Audit & Risk Committee of the Board and the Director, Sustainability & Operations as part of the curriculum review cycle and as part of the whole College development plan. Part of this review process will consider to what extent the policy is being used as an active working document.

The policy is communicated to the school community electronically on **Every** and is available on the UWCA website.