

Data Protection Policy



Introduction

This privacy notice explains how Bird College - Dance, Music & Theatre Performance ("we", "our", "us") collects, uses and shares your personal data, and your rights in relation to the personal data we hold. This privacy notice concerns our processing of personal data of past, present and prospective students, as well as employees, including visiting teachers, contractors, consultants, partners or other parties working on behalf of Bird College ("you", "your").

Doreen Bird College is the data controller of your personal data and is subject to the General Data Protection Regulation (the "GDPR").

Data Protection Officer

Kerensa Gardner is the appointed Data Protection Officer (DPO) for the College and is responsible for the implementation of this policy. Any questions about this policy should be directed in the first instance to Kerensa at dpo@birdcollege.co.uk

The Data Protection Principles

The lawful basis for holding information is that we have a legitimate interest and the purpose is that we need this information to facilitate the services we or your company provide and to facilitate and transact those services and/or products.

We also have a legitimate interest and therefore a lawful basis to inform you, your company and its employees about existing and new services that we believe will be of benefit to you.

The GDPR sets out seven key principles, and these are central to our approach to processing personal data:

- Lawfulness, fairness and transparency
- Purpose limitation
- Data minimisation
- Accuracy
- Storage limitation
- Integrity and confidentiality (security)
- Accountability

Personal Data

The GDPR and this policy applies to the processing of personal data that is:

- wholly or partly by automated means; or
- the processing other than by automated means of personal data which forms part of, or is intended to form part of, a filing system.

Personal data only includes information relating to natural persons who:

- can be identified or who are identifiable, directly from the information in question; or
- who can be indirectly identified from that information in combination with other information.

Personal data may also include special categories of personal data or criminal conviction and offences data. These are considered to be more sensitive and may only be processed in more limited circumstances. Information about a deceased person does not constitute personal data and therefore is not subject to the GDPR. Information about companies or public authorities is not personal data.

However, information about individuals acting as sole traders, employees, partners and company directors where they are individually identifiable and the information relates to them as an individual may constitute personal data. An individual is 'identified' or 'identifiable' if they can be distinguished from other individuals. A name is perhaps the most common means of identifying someone. A combination of identifiers may be needed to identify an individual. The Data Controller determines the purposes for which and the manner in which any personal data is processed. The College is for the purposes of this policy the Data Controller.

An 'appropriate filing system' means any structured manual system that enables specific information about an individual to be located easily. For example, an individual's student record or personnel file will contain information about their studies or work history with the College, including information about disciplinary or grievance procedures, warnings, absence records, assessments, performance appraisals and personal information about the data subject including contact details.

There may also be other information about individuals located within the College's systems, such as its' on-line records, e-mail system, payroll and within documents stored in an appropriate filing system. Retention schedules list the types of record or information we hold, what we use it for, and how long we intend to keep it. They help us establish and document standard retention periods for different categories of personal data.

To comply with documentation requirements, we have established and documented standard retention periods for different categories of information we hold wherever possible. Systems are in place to ensure the College keeps to these retention periods in practice, and to review retention at appropriate intervals.

Sensitive Personal Data

Special category data is broadly similar to the concept of sensitive personal data under the 1998 Data Protection Act. The requirement to identify a specific condition for processing this type of data is also very similar. The College has a lawful basis to process special category data under Article 6. Special category data is more sensitive, and so needs more protection. For example, information about the following may be held by the College:

- a data subject's race;
- a data subject's ethnic origin;
- a data subject's health;
- a data subject's safeguarding history;

The College only holds personal data which is directly relevant to its dealings with a given data subject. That data will be held and processed in accordance with the GDPR principles and with this policy.

How we collect your information

We may collect your personal data in several ways, for example:

- from the information you provide to us when you interact with us before joining, for example when you express your interest in studying or working with us;
- when you apply to study or work with us and complete enrolment forms, application forms and when you complete other College processes and procedures;
- when you communicate with us by telephone, email or via our website, for example to make enquiries or raise concerns;
- in various other ways as you interact with us during your time with us, for the various purposes set out below;
- from third parties, for example from your previous or current school, sixth form, College or employers who may provide a reference or sponsorship.

Processing Personal Data

Personal data may be passed from one department or individual to another in accordance with the GDPR principles and this policy if that department or individual reasonably requires access to that personal data with respect to the purposes for which it was collected and is being processed.

The College will ensure that:

- All personal data collected and processed by and on behalf of the College by any party is done so fairly and lawfully; this means that processing must be necessary for the various purposes of the

GDPR or employees have given their consent to the processing of personal data

- Data subjects are made fully aware of the reasons for the collection of personal data and are given details of the purpose for which the data will be used
- Personal data is only collected to the extent that is necessary to fulfil the stated purposes
- All personal data is accurate at the time of collection and kept accurate and up to date while it is being held and / or processed
- No personal data is held for any longer than necessary in light of the stated purposes
- All personal data is held in a safe and secure manner, taking all appropriate technical and organisational measures to protect the data
- All personal data is transferred using secure means, electronically or otherwise
- No personal data is transferred outside of the UK, EU or EEA (as appropriate) without first ensuring that appropriate safeguards are in place in the destination country or territory

Data Protection Procedures

Students, staff, visiting teachers, contractors, consultants, partners or other parties working on its behalf must comply with the following when processing and / or transmitting personal data:

- All hard copies of personal data should be stored securely in a locked cabinet, pedestal, drawer or similar
- All electronic copies of personal data should be stored securely using passwords and/or suitable data encryption
- All passwords used to protect personal data should be changed regularly and should not use words or phrases which can be easily guessed or otherwise compromised
- Care must be taken to ensure that confidential personal information must not be given, either accidentally or otherwise, to any person who is not authorised to receive this
- If working on personal information as part of approved job duties when away from the normal workplace, for example working from home, the terms of this policy must be complied with, in particular in matters of data security
- All hard copy personal information must be disposed of securely, for example via confidential waste or shredding

Organisational Measures

The College will ensure that the following measures are taken with respect to the collection, holding and processing of personal data:

- A designated data protection officer within the College is appointed with the specific responsibility of overseeing data protection and ensuring compliance with the GDPR
- All staff, visiting teachers, contractors, consultants, partners or other parties working on behalf of the College are made aware of their individual responsibilities and the College's responsibilities

under the GDPR. A copy of this policy is included in the staff handbook

- All employees, visiting teachers, contractors, consultants, partners or other parties working on behalf of the College handling personal data will be appropriately briefed and supervised to do so
- Methods of collecting, holding and processing personal data will be regularly evaluated and reviewed
- All staff, visiting teachers, contractors, consultants, partners or other parties working on behalf of the College handling personal data are bound to do so in accordance with the principles of the GDPR and this policy by contract. Failure by any employee to comply with the principles or this policy shall constitute a disciplinary offence. Failure by any visiting teacher, contractor, consultant, partner or other party to comply with the principles or this policy will constitute a breach of contract. In all cases, failure to comply with the principles or this policy may also constitute a criminal offence under the GDPR.
- All visiting teachers, contractors, consultants, partners or other parties working on behalf of the College handling personal data must ensure that any and all of their employees who are involved in the processing of personal data are held to the same conditions as those relevant employees of the College arising out of this policy and the GDPR.
- Where any visiting teacher, contractor, consultant, partner or other party working on behalf of the College handling personal data fails in their obligations under this policy that party shall indemnify the College against any costs, liability, damages, loss, claims or proceedings which may arise out of that failure.

Access by Data Subjects

Individuals have the right to access their personal data and may make a subject access request ('SAR') at any time to see the information which the College holds about them. This information includes personal data held electronically and manually in files that form part of a structured filing system:

- Individuals can make an SAR verbally or in writing.
- The College has one month to respond to a request.

The GDPR requires that the information we provide to an individual is in a concise, transparent, intelligible and easily accessible form, using clear and plain language. The following information will be provided to the data subject:

- The types of information that the College holds on the data subject
- Details of what that personal data is used for
- Details of any third-party organisations that personal data is passed to
- Details of any technical terminology or codes used in describing the data.

Notification to the Information Commissioner's Office

If you have any queries about this policy or how we process your personal data, you can contact our Data Protection Officer, Kerensa Gardner by email dpo@birdcollege.co.uk ; by telephone: 020 8300 6004; or by post: Clerk to the Board of Governors, C/O Kerensa Gardner, Bird College Alma Road, Sidcup, Kent, DA14 4ED.

To request access to the personal data that we hold about you, you can contact our Data Protection Officer, Kerensa Gardner by email dpo@birdcollege.co.uk ; by telephone: 0208 300 6004; or by post: Clerk to the Board of Governors, C/O Kerensa Gardner, Bird College Alma Road, Sidcup, Kent, DA14 4ED.

If you are not satisfied with how we are processing your personal data, you can make a complaint to the Information Commissioner.

You can find out more about your rights under data protection legislation from the Information Commissioner's Office website available at: www.ico.org.uk

End of Document

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