

THE TRAINING WIZARD POLICY ON PERSONAL DATA PROTECTION

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The Training Wizard

Policy Statement

1.0 The Training Wizard fully understands its obligations to ensure that personal information is treated fairly, lawfully and correctly, and is committed to achieving compliance with the laws of the Data Protection Act (DPA) 1998.

2.0 The DPA sets out the rules for how organisations must process personal data and sensitive personal data about living individuals. It gives individuals the right to find out what personal data is held about them by organisations (both electronically and within a manual filing system) and to see and correct any personal data held.

3.0 The Training Wizard needs to collect and process personal data about people, including staff and individuals with whom it deals with, in order to operate its daily business and for the organisation to operate effectively.

4.0 The Training Wizard is committed to ensuring that staff are appropriately trained and supported to achieve compliance with the DPA. This is regarded by THE TRAINING WIZARD as being very important in maintaining the confidence between them and with those whose personal data they hold.

5.0 THE TRAINING WIZARD fully endorses and adheres to the Data Protection Principles given below.

The Eight Principles of the Data Protection Act

P1: Personal data must be fairly and lawfully processed, and in particular, shall not be processed unless specific conditions Schedule 2 and Schedule 3 of the Act are met.

P2: Personal data shall be obtained and used for one or more specified and lawful purposes, and shall not be processed in any manner incompatible with that purpose or purposes.

P3: Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.

P4: Personal data shall be accurate and kept up to date.

P5: Personal data shall not be kept for longer than is necessary for the purpose or purposes it was collected for.

P6: Personal data shall be processed in line with the individuals' rights (see Appendix 6).

P7: 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.

P8: Personal data shall not be transferred to a country or territory outside the European Economic Area (see Appendix 7) 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 their personal data.

Policy Scope

6.0 This policy has been written within the guidelines of relevant authoritative bodies and related documentation listed at Appendix 1.

7.0 Definitions and terms used throughout this policy are defined at Appendix 2.

8.0 This policy applies to all personal data and sensitive personal data collected and processed by THE TRAINING WIZARD in the conduct of its business, in electronic format in any medium and within structured paper filing systems.

9.0 This policy applies to all THE TRAINING WIZARD employees, whether permanent, temporary, contractors, consultants or seconders (hereafter referred to as 'staff') and learners.

10.0 This policy applies to all THE TRAINING WIZARD staff, including those in THE TRAINING WIZARD supported joint units (Joint Business Operations Services).

11.0 Disciplinary action may be taken against staff failing to comply with this policy.

12.0 THE TRAINING WIZARD is the Data Controller of, and registered with the Information Commissioner's Office (ICO) for collecting and using personal data about:

Individuals who have applied for Training course (S), or been awarded, funding for research or related scientific activities including events, seminars and workshops

15.0 THE TRAINING WIZARD is registered with the ICO to process personal data for the following specified purposes:

Staff Administration
Learners Training and administration
Advertising, Marketing and Public Relations
Accounts and Records
Consultancy and Advisory Services
Crime Prevention and Prosecution of Offenders

Policy Objectives

18.0 The objectives of this policy are to ensure that:

Proper procedures are in place for the processing and management of personal data

There is someone within the organisation who has specific responsibility and knowledge about data protection compliance.

A better and supportive environment and culture of best practice processing of personal data is provided for staff.

Staff understand their responsibilities when processing personal data, and that methods of handling that information are clearly understood.

Individuals wishing to submit a Subject Access Request are fully aware of how to do this and who to contact:

Subject Access Requests are dealt with promptly and courteously.

Individuals are assured that their personal data is processed in accordance with the data protection principles, that their data is secure at all times and safe from unauthorised access, alteration, use or loss

Other organisations with whom THE TRAINING WIZARD data needs to be shared or transferred, meet compliance requirements

Any new systems being implemented are assessed on whether they will hold personal data, whether the system presents any risks, damage or impact to individuals' data and that it meets this policy.

Policy Principles

19.0 In order to meet the requirements of the 8 principles of the DPA, THE TRAINING WIZARD adheres to the following values when processing personal data:

19.1 Fair Collection and Processing

The specific conditions contained in Schedules 2 and 3 of the DPA (see Appendices 4 and 5) regarding the fair collection and use of personal data will be fully complied with.

Individuals will be made aware that their information has been collected, and the intended use of the data specified either on collection or at the earliest opportunity following collection. This may be verbally, written or through electronic direction to THE TRAINING WIZARD Privacy Notice.

Personal data will be collected and processed only to the extent that it is needed to fulfil business needs or legal requirements.

Personal data held will be kept up to date and accurate.

Retention of personal data will be appraised and risk assessed to determine and meet business needs and legal requirements, with the appropriate retention schedules applied to that data in line with Awarding body Requirements.

Personal data will be processed in accordance with the rights of the individuals about whom the personal data are held.

Individuals whose personal information is held on a THE TRAINING WIZARD Contacts Database will be provided with the option to 'opt out' of receiving event invitations and future communications.

A 'cease processing request' from an individual will be acknowledged within 3 working days, with the final response within 21 days. The final response will state whether THE TRAINING WIZARD intend to comply with the request and to what extent, or will state the reasons why it is felt the requestor's notice is unjustified.

Staff will advise the Data Protection Officer Bertrand Kessou in the event of any intended new purposes for processing personal data. No new purpose for processing data will take place until the ICO has been notified of the relevant new purpose and the data subjects have been informed, or in the case of sensitive data, their consent has been obtained.

19.2 Security

Appropriate technical, organisational and administrative security measures to safeguard personal data will be in place.

Staff will report any actual, near miss, or suspected data breaches to THE TRAINING WIZARD Data Protection Officer for investigation. Lessons learnt during the investigation of breaches will be relayed to those processing information to enable necessary improvements to be made.

Any unauthorised use of corporate email by staff, including sending of sensitive or personal data to unauthorised persons, or use that brings THE TRAINING WIZARD into disrepute will be regarded as a breach of this policy.

Staff will use appropriate protective markings to protect and secure any document containing personal information. In this way informing recipients of the document of the measures that need to be employed for its appropriate handling.

An Information Asset Register will be maintained identifying personal data held at The Training Wizard Office, where it is held, how it is processed and who has access to it.

Annual Data Protection Awareness Training will be provided to staff to keep them better informed of relevant legislation and guidance regarding the processing of personal information.

There is a member of staff within THE TRAINING WIZARD Office who has specific responsibility for data protection, covering all aspects within the scope of this policy.

19.3 Data Sharing

Personal data will not be transferred outside the European Economic Area unless that country or territory can ensure a suitable level of protection for the rights and freedoms of the data subjects in relation to the processing of their personal data.

Personal data in any format will not be shared with a third party organisation without a valid business reason, a Data Sharing Agreement in place, or without the data subjects' consent.

19.4 Privacy Impact Assessments

The Information Management and Information Services Teams will work collaboratively to carry out Privacy Impact Assessments on all new systems intended for implementation in THE TRAINING WIZARD to determine the risks and impacts to the personal data of the individuals those systems are intended to hold.

Personal data will not be used to test any systems, unless it is proven to be satisfactory and safe that such use is the only practical method to test that system.

19.5 Access

Members of staff will have access to personal data only where it is required as part of their functional remit.

Staff are made aware that in the event of a Subject Access Request being received in THE TRAINING WIZARD, their emails may be searched and relevant content disclosed, whether marked as personal or not.

THE TRAINING WIZARD Privacy Notice will include a contact address for data subjects to use should they wish to submit a Subject Access Request, make a comment or complaint about how THE TRAINING WIZARD is processing their data, or about THE TRAINING WIZARD's handling of their request for information.

A Subject Access Request will be acknowledged to the data subject within 3 working days, with the final response and disclosure of information (subject to exemptions) within 40 calendar days. A fee may be charged for this, at THE TRAINING WIZARD's discretion, which will be no more than £10.

A data subject's personal information will not be disclosed to them until their identity has been verified.

Third party personal data will not be released by THE TRAINING WIZARD when responding to a Subject Access Request or Freedom of Information Request (unless consent is specifically obtained, obliged to be released by law, or necessary in the substantial public interest).

All data subjects have a right of access to their own personal data: THE TRAINING WIZARD will provide advice to data subjects on how to request or access their personal data held by THE TRAINING WIZARD.

19.6 Links with the Freedom of Information Act 2000

The Freedom of Information Act 2000 enables greater public access to information processed by public bodies. However, personal data continues to be protected by the Data Protection Act 1998, and is therefore exempt from disclosure under the Freedom of Information Act (Section 40).

Policy Responsibilities

20.0 Primary Responsibility

Role

Data Protection Officer (DPO) / Information and Records Manager (IRM)

Responsible for :

- maintaining THE TRAINING WIZARD notification with the ICO
- advising staff on data protection compliance
- maintaining THE TRAINING WIZARD Information Asset Register (IAR)
- assessing management of personal data listed on the IAR for potential risks
- processing subject access requests
- reporting any personal data breaches to the SIRO, ISO and ICO as appropriate
- carrying out Privacy Impact Assessments against planned new systems that will hold personal data
- issuing data sharing guidance and developing Data Sharing Agreements between THE TRAINING WIZARD and external organisations
- development, administration, dissemination, review and application of this policy

Senior Information Risk Officer (SIRO)

- reporting on Information Risk Management to THE TRAINING WIZARD Management and business associates

Information Security Officer (ISO)

- assessing information assets held for the impact of loss
- managing Information Security Incidents and correct reporting to SIRO, ICO and business associates
- information risk assessment returns to THE TRAINING WIZARD SIRO and BIS
- advising staff on information security and assurance matters

Information Asset Owners (IAO)

- supporting this policy and implementing within their specific areas of the business
- personal data processed within their area of business
- risk management of personal data within their area of business
- providing annual assurance of the risk controls to the ISO and SIRO
- maintaining an accurate IAR for their area of the business
- delegating limited responsibility to an Information Asset Administrator within their area of the business

A Copy of this policy is available at the centre on demand and advertised on our website

The Training Wizard