**Notting Hill College**

**Data Protection Policy**

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| **Centre Details** | | | |
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| **Centre Name:** | Notting Hill College | **Centre Number:** |  |

Throughout this policy, the term ‘the Centre’ will be used to refer to the Centre details above.

| **Policy Details** | | | |
| --- | --- | --- | --- |
| **Date Published:** | 14 May 2025 | **Version Number:** | DPPV2025 |
| **Date of Next Review:** | May 2026 | | |
| **Individuals Responsible for Policy:** | | Amira Madkour and Iryna Hurkova | |

**1. Introduction**

* 1. In order to operate efficiently and effectively, the Centre must collect personal data about individuals it works with and colleagues. This may include learners, assessors, IQA officers, suppliers, employees (past, current and prospective), casual workers, subcontractors, Centre representatives and others with whom it communicates.
  2. The Centre is also required to collect and use information in order to comply with regulatory and statutory requirements.
  3. The processing of personal data must be dealt with in accordance with the regulations as stated under the Data Protection legislation to ensure compliance. The legislation regulates the way the personal data collected is handled and gives certain rights to individuals relating to their personal data.
  4. The Centre considers that the correct processing of personal data is integral to the success of its business and to maintaining the trust of the individuals it deals with. The underlying principles of the legislation are fundamental to the Centre, and it fully supports and adheres to its provisions.

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* 1. Data must be:

a) Fairly and lawfully processed

b) Processed for limited purposes

c) Adequate, relevant and not excessive

d) Accurate

e) Not kept longer than necessary

f) Secure

* 1. The Centre has nominated **Ali Ibrahim** as the Data Controller who is responsible for, and able to demonstrate, compliance with the principles outlined above.
  2. The Centre will not sell, rent, distribute or otherwise make user data commercially available to any third party, except as described above, or with prior consent.
  3. The security of the data the Centre holds is a key priority, and in order to ensure that its IT systems are safe and secure, it has established procedures that are regularly reviewed and updated. These procedures include password protection with regular updates and complexity requirements, restricted access to sensitive files based on role-specific permissions, use of encrypted storage and data transmission protocols, regular system audits, multi-factor authentication for accessing critical platforms, firewall and antivirus protections, and staff training on data protection and cybersecurity best practices. These measures are designed to prevent unauthorized access, data breaches, and ensure compliance with relevant data protection regulations.

1. **Data Covered by this Policy**
   1. The legislation uses the term “personal data.” Regarding the data we hold, personal data means any recorded data held by (either electronically or in paper format) from which a living individual can be identified either directly or indirectly. This may include a variety of data including names, addresses, telephone numbers, unique identity numbers, photographs of individuals, online identifiers and other personal details.

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1. **Right of Access**
   1. Individuals have the right to obtain their personal data.
   2. If any individual wishes to exercise the right to access their personal data, they should make the request in writing to the Centre. There is no fee applied to a data access request, but a charge may be applied if the request is considered excessive or for multiple copies.
   3. The data will be provided within 28 calendar days. It can be extended by a further two months where requests are complex or numerous, although the Centre will inform the individual of the delay and the explanation, within 28 days of receipt of the request.
   4. The legislation provides the following rights for individuals:
2. The right to be informed.
3. The right of access.
4. The right to rectification.
5. The right to erasure.
6. The right to restrict processing.
7. The right to data portability.
8. The right to object.
9. Rights in relation to automated decision making and profiling.
10. **Lawful Basis for Processing Information**
    1. In order to process personal data **Notting Hill College** must have a valid lawful basis under Article 5 of the legislation. The lawful basis will depend on the purpose of the data and the relationship with the individual.
    2. It must be determined before the data is processed and should be documented and stated within the privacy notice.
    3. The six type of lawful basis are:
11. Consent – individuals have given clear consent for a specific purpose.
12. Contract – necessary for a contract or specific step prior to a contract.

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1. Legal Obligation – necessary to comply with the law.
2. Vital interests – necessary to protect someone’s life.
3. Public task – necessary to perform a task in the public interest with a clear basis in law.
4. Legitimate interests – necessary for the organisations or a third party’s legitimate interest.
   1. The Centre will ensure that it is compliant with the requirements of the legislation by:
5. Implementing appropriate technical and organisational measures which may include regular internal audits of data processing activities, comprehensive staff training programs on data privacy and security protocols, and systematic reviews and updates of internal HR policies to align with legal and regulatory requirements.
6. Maintaining relevant documentation on processing activities.
7. Appointing a Data Protection Manager.
8. Implementing measures that meet the principles of data protection by design and data protection by default.
   1. Measures could include:
9. Data minimisation (only collect relevant and necessary data and retain as long as necessary)
10. Pseudonymisation (process the data in such a way to render it anonymous).
11. Transparency.
12. Accuracy of data.
13. Allowing individuals to monitor processing, and
14. Creating and improving security features on an ongoing basis f) use data protection impact assessments (DPIA) where appropriate. The necessity for a DPIA will be considered as part of the initial development of each project relating to data processing.
15. **Personal Data Breaches**
    1. The legislation introduces a duty to all organisations to report certain types of personal data breach to the relevant supervisory authority, within 72 hours of becoming aware of the breach, where feasible.

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* 1. In the case of a breach where it is likely to result in a high risk of adversely affecting individuals’ rights and freedoms, **Notting Hill College** will inform those individuals without undue delay.
  2. A record of any personal data breaches will be maintained detailing the facts relating to the breach, its effects and the remedial action taken.
  3. Personal data breaches can include:

1. Access by an unauthorised third party
2. Deliberate or accidental action (or inaction) by a controller or processor
3. Sending personal data to an incorrect recipient d) computing devices containing personal data being lost or stolen.
4. Alteration of personal data without permission, and
5. Loss of availability of personal data.
   1. A personal data breach can be broadly defined as a security incident that has affected the confidentiality, integrity or availability of personal data. In short, there will be a personal data breach whenever any personal data is lost, destroyed, corrupted or disclosed if someone accesses the data or passes it on without proper authorisation.
6. **The Centre’s Commitment to Data Protection**
   1. The Centre will ensure that:
7. Everyone managing and handling personal information understands that they are responsible for following good data protection practices.
8. There is someone with specific responsibility for data protection in the organisation.
9. Staff who manage personal information are appropriately supervised and trained.
10. Queries about handling personal information are promptly and courteously dealt with, and individuals know how to access their own personal information.
11. Methods of handling personal information are regularly assessed and evaluated.

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1. Any disclosure of personal data will be in compliance with approved procedures.
2. All necessary steps are taken to ensure that personal data is kept secure.
3. All software updates have been installed on all Servers and Computers and a regular schedule of maintenance is conducted.
4. Where necessary and required by regulation, such as data provided by the Education and Skills Funding Agency, access to this data will be restricted by folder to those approved access by the Third Party.
5. The Centre complies with all time scales for Data Retention.
6. **Version History**

| **Version** | **Date Published** | **Changes Made** | **Signed off by** |
| --- | --- | --- | --- |
| DPPV2025 | 14 May 2025 |  | Iryna Hurkova |
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