



KING WILLIAM'S COLLEGE

King William's College & The Buchan School

Staff Data Protection Policy

Last reviewed: 02/18

Next review: Prior to GDPR

John Oatts (Bursar)

KING WILLIAM'S COLLEGE AND THE BUCHAN SCHOOL

STAFF DATA PROTECTION POLICY

'The School' is defined as King William's College and The Buchan School.

The School is registered with the Office of the Data Protection Supervisor of the Isle of Man, as a Data Controller.

About this Policy

Everyone has rights with regard to the way in which their personal data is handled. During the course of the School's activities it collects, stores and processes personal data about staff, pupils, their parents, suppliers and other third parties, and it is recognised that the correct and lawful treatment of this data will maintain confidence in the organisation and will provide for successful business operations.

Those who are involved in the processing of personal data are obliged to comply with this policy when doing so. Any breach of this policy may result in disciplinary action.

This policy sets out the basis on which the School will process any personal data we collect from data subjects, or that is provided to us by data subjects or other sources. It does not form part of any worker's contract of employment and may be amended at any time.

General Statement of the School's Duties

The School is required to process relevant personal data regarding employees as part of its operation and shall take all reasonable steps to do so in accordance with this Policy.

Data Protection Controller

The School has appointed the Bursar as the Data Protection Controller (DPC) who will endeavour to ensure that all personal data is processed in compliance with this Policy and the Principles of the Isle of Man Data Protection Act 2002 (the 'Data Protection Act'). Any questions about the operation of this policy or any concerns that the policy has not been followed should be referred in the first instance to the DPC.

The Principles

Anyone processing personal data must comply with the eight enforceable principles of good practice as enshrined within the Data Protection Act. These provide that personal data must be: -

- Fairly and lawfully processed
- Processed for a lawful purpose
- Adequate, relevant and not excessive
- Accurate and up to date
- Not kept for longer than necessary
- Processed in accordance with the data subject's rights
- Secure
- Not transferred to other countries without adequate protection

Personal Data

Personal data covers information relating to identifiable individuals, such as job applicants, current and former employees, agency, contract and other staff, pupils and their parents, suppliers and marketing and business contacts. It includes expressions of opinion about the individual, any indication of someone else's intentions towards the individual, information

necessary for employment such as the worker's name and address and details for payment of salary.

Processing of Personal Data

The School's policy is to process personal data in accordance with the applicable data protection laws as set out above. All staff have a personal responsibility for the practical application of this policy.

Staff should generally not process personal data unless:

- The individual whose details are being processed has consented to this;
- The processing is necessary to perform the School's legal obligations or exercise legal rights, or
- The processing is otherwise in the School's legitimate interests and does not unduly prejudice the individual's privacy.

When gathering personal data or establishing new data protection activities, staff should ensure that individuals whose data is being processed receive appropriate data protection notices to inform them how the data will be used. There are limited exceptions to this notice requirement. In any case of uncertainty as to whether a notification should be given, staff should contact the DPC.

Sensitive Personal Data

The School may, from time to time, be required to process sensitive personal data regarding an employee. Where sensitive personal data is processed by the School, the explicit consent of the worker will generally be required in writing.

The consent should be informed, which means it needs to identify the relevant data, why it is being processed and to whom it will be disclosed. Staff should contact the DPC for more information on obtaining consent to process sensitive personal data.

Processing of Credit Card Data

The School complies with the requirements of the PCI Data Security Standard (PCI DSS). Staff who are required to process credit card data must ensure that they are aware of and comply with the most up to date PCI DSS requirements. If you are unsure in this regard please seek further guidance from the DPC.

Accuracy, adequacy, relevance and proportionality

Staff should make sure data processed by them is accurate, adequate, relevant and proportionate for the purpose for which it was obtained. Personal data obtained for one purpose should generally not be used for unconnected purposes unless the individual has agreed to this or would otherwise reasonably expect the data to be used in this way.

Individuals may ask the School to correct personal data relating to them which they consider to be inaccurate. If a member of staff receives such a request and does not agree that the personal data held is inaccurate, they should nevertheless record the fact that it is disputed and inform the DPC.

Staff must ensure that personal data held by the School relating to them is accurate and updated as required. If personal details or circumstances change, staff should inform the DPC so the School's records can be updated.

Rights of Individuals

Workers have the right of access to information held by the School, subject to the provisions of the Data Protection Act. Any worker wishing to access their personal data should put their request in writing to the DPC. The School will endeavour to respond to any such written requests as soon as is reasonably practicable and in any event, within 40 days for access to records and 21 days to provide a reply to an 'access to information request'. The School may charge £10 for the provision of the requested personal data, as permitted by law. The information will be imparted to the worker as soon as is reasonably possible after it has come to the School's attention. It should be noted that there are certain restrictions on the information to which individuals are entitled under applicable law.

Staff should not send direct marketing material to someone electronically (e.g. by email) unless there is an existing business relationship with them in relation to the services being marketed. Staff should abide by any request from an individual not to use their personal data for direct marketing purposes and should notify the DPC about any such request. Staff should contact the DPC for advice on direct marketing before starting any new direct marketing activity.

Exemptions

Certain data is exempted from the provisions of the Data Protection Act which includes the following:-

- The prevention or detection of crime;
- The assessment of any tax or duty;
- Where the processing is necessary to exercise a right or obligation conferred or imposed by law upon the School.

The above are examples only of some of the exemptions under the Act. Any further information on exemptions should be sought from the DPC.

Accuracy

The School will endeavour to ensure that all personal data held in relation to workers is accurate and kept up to date. Workers must notify the DPC of any changes to information held about them. A worker has the right to request that inaccurate information about them is erased.

Timely Processing

The School will not keep personal data longer than is necessary for the purpose or purposes for which they were collected and will take all reasonable steps to destroy, or erase from its systems, all data which is no longer required.

Enforcement

If a worker believes that the School has not complied with this Policy or acted otherwise than in accordance with the Data Protection Act, the worker should utilise the School grievance procedure and should also notify the DPC.

Data Security

The School must ensure that appropriate security measures are taken against unlawful or unauthorised processing of personal data, and against the accidental loss of, or damage to, personal data. This is in relation to data belonging to staff, pupils, parents and alumni. As such, no member of staff is permitted to remove personal data from School premises, whether in paper or electronic form and wherever stored, without prior consent of the Principal or Bursar. Where a worker is permitted to take data offsite it will need to be encrypted.

General Data Protection Regulation (GDPR)

This policy will shortly be replaced by a new version which will take account of the above new Regulation. That draft is currently under review.