



# ANGLO SKILLS COLLEGE

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Private  
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Anglo Skills College  
Certification N°108  
Educational Oversight 2012  
[educationaloversight.co.uk/108](http://educationaloversight.co.uk/108)

## Anglo Skills College



### General Data Protection Regulations (GDPR) POLICY

|                                      |  |
|--------------------------------------|--|
| <b>Originator</b>                    | <b>Administration Office</b>   |
| <b>Date this policy was reviewed</b> | <b>June 2018</b>   |
| <b>Date of next review</b>           | <b>June 2019</b>   |
| <b>Approved by</b>                   | <b>Farooq Mir, Principal</b><br> |



## Colleges and the General Data Protection Regulations (GDPR)

The law on data protection in the UK will be significantly strengthened next year. Colleges, like all companies and organisations, need to anticipate this change and prepare now. The change in the law takes place at a time when individuals are much more aware of the value of their own data and the way in which it is used. Law or no law: this is an issue which colleges should focus on. Anglo Skills College will be abiding by the new GDPR Regulation from the date of implementation of the law.

### Some of the key issues for colleges to be aware of are:

- GDPR takes effect on the 25<sup>th</sup> of May 2018
- Data collection should be minimised to what is necessary and there must be informed consent from individual
- Clear communication when obtaining data, particularly from students is critical. A proportionate approach is also needed with former students
- Review internal data systems to ensure information is kept securely and look into cybersecurity as data breach penalties are severely increasing
- Review and adapt the way sensitive data (for example ethnic origin, disabilities, health status or criminal records) is managed and stored.
- Appoint a named Data Protection Officer, who has statutory tasks including advising the organisation and monitoring compliance.

### Introduction

- The General Data Protection Regulation (GDPR) is a European Union (EU) directive which takes effect on the 25<sup>th</sup> of May 2018, before the end of 2017/18 academic year. The UK Government has confirmed that the directive will be put into law regardless of Brexit.
- The note explains the implications of GDPR in a number of areas for colleges and highlights areas where they should already be taking action.
- In the part the government agencies might have provided detailed guidance and implementation plans on an issue like this.



- Over the coming months the Ministry of Justice will be taking a Data Protection Bill through Parliament. Combined authorities and other agencies will be making decisions affecting colleges. A subsidiary purpose of this notes is to highlight the specific data protection issues that relate to colleges.

## The GDPR and colleges:

- The GDPR is described by the UK Information Commissioner as the “biggest change in data protection law for a generation” but it builds on existing data protection arrangements and- according to official Information Commissioners’ Office ([ICO](http://ico.org.uk)) advice- should not cause significant problems for organisations that already take the issue seriously. GDPR brings many changes which can be summarised as follows:
  - There is an emphasis on accountability, including at Board Level
  - Individuals obtain new rights over the way their data is used
  - Organisation need to issue longer privacy notices
  - There will be a new system of breach reporting and higher penalties levied by the ICO
  - Colleges are long-established organisation with plenty of experience in handling data. For ASC initial assessment the GDPR poses the biggest challenges in the following areas:
    - Making legally compliant changes to data collection on students which is a major exercise focused in August and September because of the annual turnover of students.
    - Ensuring that relatively old (legacy) IT systems provide sufficient protection for personal data
    - Providing greater protection for sensitive data at a time of higher expectations that colleges will use such data to prevent extremism, safeguard students, overcome disadvantage and improve performance.
    - Developing adequate arrangements for communication privacy notices to students and other data subjects.



- Determining who the Data Protection officer and ensuring effective reporting liner to the governing body in circumstances where many colleges have slimmed down management teams.
- Reconciling the new data protection law with their obligations under the freedom of Information Act.

## Data collection on students:

- The new date protection regime strengthens the right that individuals have over the data that organisations collect and process. This happens by creating or strengthening the obligations that organisation have with regard to personal data. These include:
  - Minimising data collection to what is necessary
  - Consent arrangements. Individuals consent to the use of their data must be “freely given, specific, informed and unambiguous”.
  - More transparency about what organisation do with data. The term “privacy notice” describes the information given to the individuals (or accessible to them) when data is collected
  - Stronger protection of data
  - Deletion of data when it is no longer needed or when this is requested.

Colleges need to address these issued for all the data they collect and process weather this is for students, staff, governors, suppliers, employer’s parents or visitors whose image is capture in CCTV. The area which requires greatest attention is student data. Colleges collect considerable amounts of personal data from thousand of students each year often in concentrated periods of time. They gold this data while students are enrolled but also for many years afterwards they share the data with a wide range of public organisation who process it themselves and match the data receives with other records. Here are a number of steps that colleges should take with regard to their student data.

Ensuring they have incorporated the Education and Skills Funding agency (ESFA’s) latest individual Learner Record (ILR) privacy notice they collect in their enrolment process. The latest notice was issued on 28<sup>th</sup> of April 2017 as



Annex F to the ILR manual and has not yet been updated to take account of the GDPR.

- Making arrangements to communicate any update to the privacy notice to existing students whose data already on systems when GDPR takes effect. The update may be necessary because of the decision or guidance by the college, the ESFA, Departments for Education (DFE) or ICO. Choosing a proportionate approach to communicating the college update data protection arrangement to former students. Colleges have legal obligations set out in funding agreements, funding and audit guidance in relation to data retention. ESFA's use of adult education funding to match fund European Social Fund (ESF) spending means that records using its GDPR implementation to explain its retention policy in a clear and accessible way to students.
- Carrying out an internal review or audit of the way in which student data is kept, transferred archived and deleted across the college by staff outside the main student record system. Student data is the biggest area in colleges affected by the new data protection arrangements. The same approaches and methods could then be applied and adapted to other data held and processed within the college.

## **Control of IT Systems:**

The new law requires colleges to act on the data protection but data breaches associated with cybersecurity failures are a more immediate reason for action. There have been a number of incidents where systems have been hacked, data stolen and in some cases published. JISC offers specialist advice on cybersecurity. GDPR raises the maximum penalty for serious data breaches from the current £500,000 to as much as £18 million.

Colleges are expected to take technical and organisational measures to provide stronger protection data on their behalf. Techniques that could be adopted include minimising the data collected, anonymising before processing and creating ways to allow individuals to see their data. The exceptional in the new rules (and an implicit expectations in the current regime) is that the



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organisation will implement data protection by design and will carry out assessments before new uses.