



# Data Protection, GDPR and Confidential Information

At UKCE, we are committed to good internal practice, communicated to all involved, that ensures the protection of staff, students and providers and remains legally compliant with all relevant data protection legislation.

## Principles

Following The Data Protection Act, UKCE guarantees that all personal information about staff, clients and providers is:

- obtained and used fairly and lawfully
- used for limited, specific and relevant purposes
- used in a way that is relevant and not excessive
- accurate and up to date
- kept for no longer than necessary
- handled according to people's data protection rights
- not transferred outside the UK without adequate protection
- stored safely and securely

All UKCE staff and contractors must observe this policy, which applies to all data and information held by UKCE, relating to identifiable individuals – including staff, clients and providers. Such information includes, but is not limited to:

- Personal details: name, date of birth, nationality, employment history
- Contact details: address, telephone numbers, email
- Booking details: confirmation /denial of booking, course dates, course times, level, progress, attendance, financial information
- Personal issues: relating to health and welfare

## Responsibilities

The College is required to adhere to the eight principles of data protection as per the New General Data Protection Regulations. In accordance with those principles personal data shall be:

1. Processed fairly and lawfully
2. Processed for specified purposes
3. Adequate, relevant and not excessive
4. Accurate and up to date
5. Not kept longer than necessary
6. Processed in accordance with the data subject's rights
7. Kept secure
8. Not transferred outside the countries of the European Economic Area without adequate protection.



### Overall responsibilities:

Application of this policy is the responsibility of all individuals at UKCE. Overall implementation, monitoring and maintenance is the responsibility of the Chief Executive, Director of Studies and Operations Manager.

### Individual responsibility:

All individuals, including staff, clients and providers are responsible for:

- providing correct personal information and advising of any changes (contact details, for example)
- checking personal information in relation to their employment (staff) or enrolment (clients) are accurate and up to date

## Code of Practice

### Disclosure

1. UKCE staff will not disclose identifiable information about any individual, directly or indirectly, to any third party (including but not limited to family, colleagues, friends or other students) who is not a member of UKCE or relevant provider, without the individual's specific written or verbal consent to the disclosure of such information.
2. UKCE recognises that information may need to be shared between UKCE staff members. Shared information must be relevant to its purpose, factual, subject to a 'need-to-know' basis, and exchanged in an appropriate environment or via appropriate medium.
3. UKCE recognises that information may need to be shared between UKCE and their service providers. In such cases, only the information necessary for the provider to fulfil the agreed service is to be shared.
4. UKCE utilises statistical recording of service use to enable the monitoring of demand and to identify any practical or policy issues related to the provision of services.

### Exceptional cases and extenuating circumstances

In accordance with the Data Protection Act, personal information may be disclosed to law enforcement agencies without the consent of the individual concerned. UKCE will comply with such a request if it is legitimate. However, the Chief Executive will ensure the request is legitimate, seeking assistance from the company's legal advisers where necessary.

### Next of Kin

All staff and students provide the name and address of their next-of-kin upon arrival at UKCE.

The Designated Safeguarding Lead, Head Studies or Chief Executive may decide that information may be disclosed to the next-of-kin without specific consent, particularly in the case of students under the age of 18 or vulnerable adults, if they judge there to be a risk of physical danger or other serious harm to the individual or to others.

Circumstances in which the next-of-kin may be contacted include, but is not limited to:

- three consecutive days of absence (where attempts at direct contact with the individual has not been successful)



- serious issues pertaining to welfare, safeguarding, being asked to leave the course or other Emergency

#### Third parties acting on behalf of clients

UKCE may discuss the progress of the booking stages (enquiry to confirmation) with verified third parties (including agents / family) acting on behalf of a student.

Staff, students and others whose personal data may be held by the institution, should note that the College has a duty under the Counter-Terrorism and Security Act 2015 to have due regard to the need to prevent people from being drawn into terrorism, and that this duty may involve the passing of information to the police / security services.

#### Exceptional cases - Under 18s

See safeguarding policy.

### Secure Storage

It is the responsibility of the Chief Executive, the Head of Studies, Academic Registrar and the Operations Manager to ensure that all student / staff personal information is stored in lockable storage units when not in use. Only authorised staff have access to the keys of the lockable storage units.

Papers containing confidential information are shredded when no longer required. Personal data should never be transferred outside of the European Economic Area, with the exception of Visa Letters – which are sent securely via a courier with a tracking service. UKCE keep all financial records for 7 years in accordance with the HMRC for tax purposes. It is the responsibility of UKCE staff to ensure that all computer records are held securely and appropriately protected. This is done by reminding all staff to log out of their profiles whenever they leave a computer.

### Notification of data held

All staff and clients have the right to know the following:

- what personal information UKCE holds about you, the purpose for which it is used and how to gain access to it
- how it is kept up to date
- what UKCE is doing to comply with its obligations under the 1998 Act and the General Data Protection Regulations (EU) of 2018.

For this information:

- clients should contact the Operations Manager or Academic Registrar.
- staff should contact their Chief Executive or Director of Studies.

### Relevant Legislation, Codes of Practice and Industry Standards

*Data Protection Act 1998*

*Data Protection Act (Mauritius) 2004*



*Counter-Terrorism and Security Act 2015*  
*Freedom of Information Act 2000*  
*Limitation Act 1980*  
*Information Commissioner's 'Employment Practices Code'*  
*General Data Protection Regulations (EU) 2018*

*Reviewed in January 2020*

*Reviewed annually or more often if required*