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**Data Protection, Privacy and Retention Policy**

**Board Approved: October 2018**

**Contents:**

1. Purpose of Policy

2. Definitions

3. Data Held

4. Policy

5. Implementation

6. Identification & Disposal of waste

**1 Purpose of Policy**

V Learning Network (hereafter referred to as VLN) has to keep certain information about its staff, partner organisations and learners to allow it to monitor performance, achievement and safety. To comply with the General Data Protection Regulation (GDPR) 2018, any essential data collected will be stored safely and not disclosed to any other person unlawfully.

**2. Definitions**

Data refers to the facts and statistics collected together for reference or analysis, usually held in a coded or processed format.

**3. Data Held**

Under the General Data Protection Regulation (GDPR) 2018 V Learning Network holds processed data in the following instances:

* Preparing contracts for sub contractors *– this information is primarily paper based and on a secure i-drive*
* Processing registration documentation for new learners – *this information is on a very secure portal and i-drive -learners sign to indicate their willingness for this data to be held by us and passed to awarding bodies*
* Undertaking quality control work:
  + Observations of staff - *i-drive*
  + Holds copies of CVs and CPD records of staff *(locked office)*
  + Reviewing assessment decis*ions of staff which also includes learner details - paper based and on a secure i-drive*

**4. Policy**

**4.1 Statement of key principles**

a. VLN will ensure that any personal data shall be processed according to the six data protection principles:

* Processed lawfully, fairly and transparently
* Collected only for specific legitimate purposes
* Adequate, relevant and limited to what is necessary
* Must be accurate and up to date
* Stored only as long as necessary
* Ensure appropriate security integrity and confidentially.

The organisation and all staff or others who process or use any personal data must ensure they follow these principles at all times.

b. All staff, partners, learners and associates/clients upon whom VLN holds personal data are entitled to:

* Know that consent must be freely given, specific, informed and unambiguous
* Request for consent must be intelligible and in clear plain language
* Withdraw consent unless if affects the operation of the company

## c. Privacy rights for individuals

All individuals concerned with VLN have the right to be informed about

* The right of access
* The right to rectification
* The right to erasure
* The right to restrict processing
* The right to data portability
* The right to object
* The right to not be subject to automated decision-making including profiling.
* What information VLN holds and processes about them and why
* How to gain access to it
* How VLN to keeps it up to date on the basis of new information they supply it
* What VLN is doing to comply with its obligations under the 2018 Act

**5. Implementation**

* VLN is registered with the Information Commissioner’s Office.
* The Data Protection Manager is Stephen Howard.
* Staff collecting data should ensure any personal data is kept secure i.e. kept in a locked cabinet or password protected if held on the computer.
* Any email sent containing personal or confidential data is sent via ‘EGRESS’.
* Learners should ensure that any information held on them is updated e.g. changes of address.
* VLN will only share information with third parties as part of contractual obligations. These will include: Awarding Bodies, Education and Skills Funding Agency the European Social Fund.

## 6. Identification and Disposal of Waste

* Confidential paper waste is collected and disposed of by Lyreco.
* VLN will retain some forms of information for longer than others. Currently information about learners will be kept for 10 years after they leave the course. However, this is extended to 31/12/2030 for ESF 2014-2020 match funding. This will include all ILR documentation.
* VLN will be required to keep general information on staff for 5 years after they leave. Certain specific information will be kept for much longer e.g. information in respect of pensions, taxation, and information required for references.