



Data Protection and Freedom of Information Policy

June 2016

This policy applies to :	All staff, students, general public
Author/Department:	Office Manager
Area/Person responsible:	Vice Principal Finance & Resources
Date approved:	9 th June 2016
Related Documents/ Policies:	Staff Acceptable Use Policy, Student Acceptable Use Policy, Retention Policy, Information Security Procedures
Date of Next Review:	1 st June 2017

Date of most recent review:	
Changes made:	

Equality Impact Assessment

An Impact Assessment should be carried out if any of the following apply to the policy. If it:

- affects primary or high level functions of the College; or
- is relevant to the promotion of equality; or
- is one which has particular relevance to an equality group protected under the Equality Act 2010

Does an Impact Assessment need to be completed:	Yes		No	X
If not, please provide a reason:	Purpose of policy to state commitment to statutory responsibilities. No impact on any group protected under the Equality Act 2010.			
Impact Assessment Reference/Location:				

Initial Impact Assessment Completed	
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Date	
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Review of Policy	
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Date	
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1 Introduction

- 1.1. As an organisation, the College is subject to requirements set out in legislation and monitored by the Information Commissioner's Office under the Data Protection Act 1998.
- 1.2. As a public authority, the College is also subject to requirements set out in legislation and monitored by the Information Commissioner's Office under the Freedom of Information Act 2000.
- 1.3. The College is registered with the Information Commissioner's Office as a Data Controller (registration reference Z4694881). A copy of the register entry can be viewed at the Information Commissioner's Office website at www.ico.org.uk.
- 1.4. The Data Protection Act 1998 requires that the College complies with the Data Protection Principles set out within the Act – in summary these state that personal data shall:
 - Be obtained and processed fairly and lawfully and shall not be processed unless certain conditions are met.
 - Be obtained for a specified and lawful purpose and shall not be processed in any manner incompatible with that purpose.
 - Be adequate, relevant and not excessive for those purposes.
 - Be accurate and kept up to date.
 - Not be kept for longer than is necessary for that purpose.
 - Be processed in accordance with the data subject's rights.
 - Be kept safe from unauthorised access, accidental loss or destruction.
 - Not be transferred to a country outside the European Union, unless that country has equivalent levels of protection for personal data.
- 1.5. The Freedom of Information Act 2000 requires that the College provide general access to some classes of information through a publication scheme, and provides any person with the right to make a request for information not already published or protected by exemption (for example, personal information protected under the Data Protection Act 1998). The Act also sets out procedures for dealing with requests, such as time limits for compliance and fees which may be charged.

2 Our Commitment

- 2.1. The College is committed to the principles of the Freedom of Information Act 2000. The Information Commissioner's Office have produced an extensive selection of documents to support organisations, and the College will make reference to the following in meeting our obligations:
 - a. *The Guide to Freedom of Information* (<https://ico.org.uk/for-organisations/guide-to-freedom-of-information/>)
 - b. *Model Publication Scheme* (<https://ico.org.uk/media/for-organisations/documents/1153/model-publication-scheme.pdf>)

- c. *Definition document for the governing bodies of maintained and other state-funded schools in England* (<https://ico.org.uk/media/1235/definition-document-schools-in-england.pdf>)
- d. *Receiving a Request and Request Handling Flowchart* (<https://ico.org.uk/for-organisations/guide-to-freedom-of-information/receiving-a-request/>)
- e. *Refusing a Request* (<https://ico.org.uk/for-organisations/guide-to-freedom-of-information/refusing-a-request/>)

2.2. The College is committed to the principles of the Data Protection Act 1998. The Information Commissioner's Office have produced an extensive selection of documents and codes of practice to support organisations, and the College will make reference to the following in meeting our obligations:

- a. *Guide to Data Protection* (<https://ico.org.uk/for-organisations/guide-to-data-protection/>)
- b. *Subject Access* (<https://ico.org.uk/for-organisations/guide-to-data-protection/principle-6-rights/subject-access-request/>)
- c. *Data Sharing and Data Sharing Code of Practice* (<https://ico.org.uk/for-organisations/guide-to-data-protection/data-sharing/>)
- d. *Privacy by Design and Privacy Notices Code of Practice* (<https://ico.org.uk/for-organisations/guide-to-data-protection/privacy-by-design/>)

2.3. Any queries regarding the College's obligations, procedures and practices under the Data Protection Act 1998 and the Freedom of Information Act 2000 should be directed to:

The Office Manager
Ashton Sixth Form College
Darnton Road
Ashton under Lyne
OL6 9RL

Or by email to contact@asfc.ac.uk, marked for the attention of the Office Manager.