

Data Protection Procedure

This is a statement of the data protection procedure adopted by De Montfort University.

The university needs to collect certain types of information about people with which it deals in order to operate. This includes information relating to current, past or prospective employees, suppliers, clients, customers and others with whom it communicates. In addition, it may be required by law to collect and use certain types of information of this kind to comply with the needs of government departments for business and other data. This personal information must be dealt with properly however it is collected recorded and used - whether on paper in a computer or recorded on other material. There are safeguards to ensure this proper use through the *Data Protection Act 1998*.

The university regards lawful and correct treatment of personal information as very important to successful operation and to maintaining the confidence of those with whom it deals. The organisation treats personal information lawfully and correctly.

To this end, the university fully endorses and adheres to the principles of data protection as enumerated in the *Data Protection Act 1998*. The university will adopt the strict application of criteria and controls and will fully observe conditions regarding the fair collection and use of information. It will:

- Meet its legal obligations to specify the purposes for which information is used
- Collect and process appropriate information only to the extent that it is needed to fulfil operational needs or comply with any legal requirements
- Ensure the quality of information used
- Apply strict checks to determine the length of time information is held
- Ensure that the rights of people about whom information is held can be fully exercised under the *Data Protection Act 1998*
- Take appropriate technical and organisation security measures to safeguard personal information
- Ensure that personal information is not transferred abroad without suitable safeguards

In addition, the university will ensure that:

- There is someone with specific responsibility for data protection in the organisation
- Everyone managing and handling personal information understands that they are contractually responsible for following good data protection practice
- Everyone managing and handling personal information is appropriately trained to do so and that they are appropriately supervised
- Anybody wanting to make enquiries about handling personal information knows what to do
- Queries about handling personal information are promptly and courteously dealt with
- Methods of handling personal information are clearly described
- A regular review and audit is made of the way personal information is managed and that methods of handling personal information are regularly assessed and evaluated

Any enquiries on personal data protection should be addressed to the Information Governance Manager, who has day-to-day responsibility for *Data Protection Act 1998* compliance:

Fraser Marshall
Information Governance Manager
Information Technology & Media Services
De Montfort University
The Gateway
Leicester LE1 9BH

Or emailed to dpa@dmu.ac.uk

The *Data Protection Act 1998* confers responsibilities on the university for ensuring that all personal data it collects and processes about students is used appropriately and that it is kept secure. Students also have responsibilities for making sure that they are within the law when handling personal data.

University responsibilities

The university is required by law to register with the Information Commissioner's Office. Dieter Kräftner, Director of Information Technology and Media Services is registered with the ICO as the person responsible for Data Protection.

The entry on the Information Commissioner's Register of Data Controllers may be viewed here: http://ico.org.uk/what_we_cover/register_of_data_controllers

All personal data processed by the university must be processed in accordance with the following principles:

- 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 Economic Area, unless that country has equivalent levels of protection for personal data

The university collects information about staff and students for various administrative, academic and health and safety reasons. For most uses of personal data, the university will only process data where it has gained the consent to do so, normally via the enrolment form for students and the contract of employment for staff. The collection and processing of this data is necessary for managing your presence and progression within the university. The information collected will be made available only to those authorised to access it within the organisation. In some cases, the university does not require your consent to process your personal data; however it will normally seek to inform you that it is doing

so. Students can find out more via the Student Handbook. Staff should consult their employment contract.

Relevant and necessary contact data for students may be sent to the De Montfort University Student's Union in order for them to provide their services. We may also send students information about university programmes and courses.

Information on student progression may be sent to a sponsor if a student has one and if requested by them (for example, a company funding a student's fees). Other information is sent to the Higher Education Funding Council for England and other government bodies for statistical purposes.

We also request information for a contact that can be used for emergencies. You should ensure that this contact is aware that you have nominated them in this role. If, as part of studies, a student goes to a country outside the European Economic Area we will ask permission where it is necessary to send information about a student to another organisation.

If you have any questions regarding the collection and use of your personal data you can consult the Student Portal or the university's Information Governance Officer.

Your responsibilities

You must ensure the university receives any changes that affect data you have provided for the university, such as a new address as soon as possible. You can do this through the staff or student web portal as appropriate. The university cannot be held responsible for any such errors unless the staff member or student has informed the university.

Most use of personal data by students may be considered as "domestic" and falls outside the scope of the *Data Protection Act 1998*, for example when using university email, you and not the university are responsible for whatever you may say about another person. Students have a responsibility for the management of any data about living persons that they collect or use in their studies. If you undertake activities associated with your studies that involve collecting data from people there are steps you will need to take to protect that data. You should discuss this with the appropriate tutor when you come to plan any work involving surveys and similar activities.

Use of personal data by staff will be within the scope of the *Data Protection Act 1998*. All staff are required to attend Data Protection Act Awareness training and maintain their awareness via appropriate training opportunities. All staff are responsible for ensuring that any information they access about other people is processed in accordance with the principles set out previously.

Rights of Data Subjects

Data Subjects have the right not only to know that their personal data is being processed and for what purpose, but to object to the processing of their personal data on the grounds that such processing (or its processing by particular individuals) would cause them significant damage or distress. Processing, in this sense, includes publication of data about individuals (including photographs) on internal or external web pages.

The university is not in all circumstances obliged to change its processing arrangements in response to such an objection, but must be clear that if it does not do so, is in a position to offer adequate justification to the Information Commissioner should an enquiry be made, or in the event of litigation.

Further information

Full information on the extent of personal data collected by the university and its purposes together with other information on data protection is available through the Student Portal in the Handbook section, which can be accessed from any computer with internet connectivity. There are also processes in place to enable you to access your personal data under the *Data Protection Act 1998*.

You may also contact the Information Governance Officer who is responsible for compliance with the *Data Protection Act 1998*.

Fraser Marshall
Information Governance Manager
Information Technology & Media Services
De Montfort University
The Gateway
Leicester LE1 9BH

Email dpa@dmu.ac.uk

More information about the administration of the *Data Protection Act 1998* is available from the independent authority set up to uphold information rights, the Information Commissioner's Office, via their website at <https://ico.gov.uk/>

Recovery of debts

As part of debt recovery processes the University may release relevant information on to an agency to which it contracts for this purpose.

HESA Collection Notices

The university is required to pass certain information to the Higher Education Statistics Agency (HESA). The following collection notices are provided to Higher Education Institutions nationally and may also be accessed at the following link:
hesa.ac.uk/collection-notices

More information about data protection and the HESA records is available here:
hesa.ac.uk/index.php/content/view/140/170/

Note: Versions provided for post graduate and Associate College students vary in some details.

Document approval

Approved by: Dieter Kräftner
Approved Date: 1st May 2014
Review Date: 1st May 2015
Reviewer: Information Governance Manager

Document History

28/10/2013 – Draft 1 Fraser Marshall
08/04/2014 – Draft 2 Neil Faver