

GDPR POLICY
AT **MARK** BETTS HAIR
EDUCATION

Effective May 2019

Mark Betts Hair Education is committed to a policy of protecting the rights and privacy of individuals, including learners, staff and others, in accordance with the General Data Protection Regulation (GDPR) established May 2018.

The new regulatory environment demands higher transparency and accountability in how the centre manages and uses personal data. It also accords new and stronger rights for individuals to understand and control that use. The GDPR contains provisions that the centre will need to be aware of as data controllers, including provisions intended to enhance the protection of learner's personal data.

For example, the GDPR requires that:

We must ensure that our privacy notices are written in a clear, plain way that staff and learners will understand.

Mark Betts Hair Education needs to process certain information about its staff, learners, parents and guardians, employers, clients and other individuals with whom it has a relationship for various purposes such as, but not limited to:

1. The recruitment and payment of staff.
2. The administration of programmes of study and courses.
3. Learner enrolment.
4. Examinations and external accreditation.
5. Recording learner progress, attendance and conduct.
6. Collecting fees and payments
7. Complying with legal obligations to funding bodies and government including local government.

To comply with various legal obligations, including the obligations imposed on it by the General Data Protection Regulation (GDPR) Mark Betts Hair Education must ensure that all this information about individuals is collected and used fairly, stored safely and securely, and not disclosed to any third party unlawfully

Compliance

This policy applies to all staff and learners of Mark Betts Hair Education. Any breach of this policy or of the Regulation itself will be considered an offence and the Centres disciplinary procedures will be invoked. As a matter of best practice, other agencies and individuals working with Mark Betts Hair Education and who have access to personal information, will be expected to read and comply with this policy. It is expected that departments who are responsible for dealing with external bodies will take the responsibility for ensuring that such bodies sign a contract which among other things will include an agreement to abide by this policy. This policy will be updated as necessary to reflect best practice in data management, security and control and to ensure compliance with any changes or amendments to the GDPR and other relevant legislation.

General Data Protection Regulation (GDPR)

This piece of legislation comes in to force on the 25th May 2018. The GDPR regulates the processing of personal data, and protects the rights and privacy of all living individuals (including children), for example by giving all individuals who are the subject of personal data a general right of access to the personal data which relates to them. Individuals can exercise the right to gain access to their information by means of a 'subject access request'. Personal data is information relating to an individual and may be in hard or soft copy (paper/manual files, electronic records, photographs, CCTV images), and may include facts or opinions about a person.

Responsibilities under the GDPR

Mark Betts Hair Education will be the 'data controller' under the terms of the legislation – this means it is ultimately responsible for controlling the use and processing of the personal data. The centre appoints a Data Protection Officer (DPO) who is available to address any concerns regarding the data held by the centre and how it is processed, held and used.

The HR and centre support department is responsible for all day-to-day data protection matters, and will be responsible for ensuring that all members of staff and relevant individuals abide by this policy, and for developing and encouraging good information handling within the centre. Details of the centre's notification can be found on the Office of the Information Commissioner's website. Our data registration number is: ZA126251. Certificate of registration is attached to this document.

Compliance with the legislation is the personal responsibility of all members of the centre who process personal information. Individuals who provide personal data to the Centre are responsible for ensuring that the information is accurate and up-to-date.

Data Protection Principles

The legislation places a responsibility on every data controller to process any personal data in accordance with the eight principles.

1) Lawfulness, fairness and transparency

Mark Betts Hair Education will make all reasonable efforts to ensure that individuals who are the focus of the personal data (data subjects) are informed of the purposes of the processing, any disclosures to third parties that are envisaged; given an indication of the period for which the data will be kept, and any other information which may be relevant.

2) Purpose limitation

Mark Betts Hair Education will ensure that the reason for which it collected the data originally is the only reason for which it processes those data, unless the individual is informed of any additional processing before it takes place.

3) Data minimisation

Mark Betts Hair Education will not seek to collect any personal data which is not strictly necessary for the purpose for which it was obtained. Forms for collecting data will always be drafted with this mind. If any irrelevant data is given by individuals, it will be destroyed immediately.

4) Accuracy

It is the responsibility of the individuals giving their personal data to ensure that this is accurate, and each individual should notify the Centre if, for example, a change in circumstances mean that the data needs to be updated. It is the responsibility of the Centre to ensure that any notification regarding the change is noted and acted on.

5) Storage Limitation

Mark Betts Hair Education will not retain personal data for longer than is necessary to ensure compliance with the legislation, and any other statutory requirements. This means Mark Betts Hair Education will undertake a regular review of the information held and implement a weeding process. Mark Betts Hair Education will dispose of any personal data in a way that protects the rights and privacy of the individual concerned (e.g. secure electronic deletion, shredding and disposal of hard copy files).

6) Integrity and confidentiality (security)

Individuals have various rights under the legislation including a right to:

- be told the nature of the information the Centre holds and any parties to whom this may be disclosed.

- Prevent processing likely to cause damage or distress.
- Prevent processing for purposes of direct marketing.
- Sue for compensation if they suffer damage by any contravention of the legislation.
- Take action to rectify, block, erase or destroy inaccurate data.
- request that the Office of the Information Commissioner assess whether any provision of the Act has been contravened.
- Mark Betts Hair Education will only process personal data in accordance with individuals' rights ensuring that any personal data which they hold is kept securely and not disclosed to any unauthorised third parties. Full security measures are detailed in the procedure.

7) Accountability Mark Betts Hair Education and each member of staff is responsible for complying with each of the above principles. If any member of staff comes across a breach of this, they should report this to the DPO immediately so that the appropriate action can be taken. A log of any breaches is attached to this document; these will be reviewed annually to see if any additional steps or measures should be put in place.

Consent as a basis for processing

Although it is not always necessary to gain consent from individuals before processing their data, it is often the best way to ensure that data is collected and processed in an open and transparent manner. Consent is especially important when Mark Betts Hair Education is processing any sensitive data, as defined by the legislation. Mark Betts Hair Education understands consent to mean that the individual has been fully informed of the intended processing and has signified their agreement via the enrolment form provided by the funding provider and also an additional form from Mark Betts Hair Education, whilst being of a sound mind and without having any undue influence exerted upon them. Consent cannot be inferred from the non-response to a communication.

Mark Betts Hair Education will ensure that if the individual does not give his/her consent for the processing, and there is no other lawful basis on which to process the data, then steps will be taken to ensure that processing of that data does not take place.

Subject Access Rights (SARs)

Individuals have a right to access any personal data relating to them which are held by the centre. Any individual wishing to exercise this right should apply in writing to the Director. Any member of staff receiving a SAR should forward this to the Director. Under the terms of the legislation, any such requests must be complied with within 40 days.

Additional Matters

Mark Betts Hair Education publishes various items which will include some personal data, e.g.

- event information.
- photos and information in marketing materials.

It may be that in some circumstances an individual wishes their data processed for such reasons to be kept confidential or restricted access only. Therefore it is MARK BETTS HAIR EDUCATION's policy to offer an opportunity to opt-out of the publication of such when collecting the information.

Email

It is the policy of Mark Betts Hair Education to ensure that senders and recipients of email are made aware that under GDPR, the contents of email may have to be disclosed in response to a request for

information. One means by which this will be communicated will be by a disclaimer on the centre's email.