

CVQO Data Protection Policy

Data Protection Officer (DPO)	Andrew Munro Director, Finance and Business Services	dpo@cvqo.org	01276 601717 / 07583 183084
Version:	20180719		
Issued:	July 2018		

Data Protection Policy

1. Introduction

1.1. Background

CVQO is an educational charity whose purpose is to advance the education and training of members of youth movements and young people in schools by enabling them to obtain vocational qualifications. For the purposes of the General Data Protection Regulation (GDPR) CVQO is a 'controller' of learner personal data. CVQO is a private company limited by guarantee incorporated in England and Wales (registration number 05736932). CVQO's registered address is 3 Archipelago, Lyon Way, Camberley, Surrey, GU16 7ER. CVQO is a charity registered in England and Wales (registration number 1115234) and Scotland (registration number SCO 39261).

CVQO processes the personal data of living individuals such as its staff, students, contractors, research subjects and customers. This processing is regulated by the General Data Protection Regulation (GDPR). The UK's regulator for the GDPR is the Information Commissioner's Office (ICO).

1.2. Key Definitions

The GDPR contains a number of key definitions which are referenced in this policy such as 'personal data', 'processing' and 'Data Controller'. Those definitions are set out below in section 9.

1.3. Purpose and Objectives of Policy

This policy sets out CVQO's commitment to comply with the General Data Protection Regulation (GDPR).

1.4. Scope and Status of the Policy

This policy applies to all CVQO staff, learners, volunteers and others who use or process any personal data. This policy applies regardless of where personal data is held and or the equipment used if the processing is for CVQO's purposes. Further, the policy applies to all personal data and special category data held in any form whether manual paper records or electronic records.

2. Roles and Responsibilities

2.1. The Board of Trustees

The Board of Trustees is responsible for approval of the Policy.

2.2. CVQO's Executive Team

CVQO's Executive Team is responsible for strategic level implementation of the policy, oversight of compliance with the policy and reporting identified risks to the Board.

2.3. Information Asset Owners

CVQO will appoint Information Asset Owners (IAOs) with responsibility for data protection compliance for personal data processed in their areas. The IAOs are recorded in CVQO's Information Asset Register (see 3.2 below).

2.4. Data Protection Officer

CVQO's Data Protection Officer (DPO) is primarily responsible for advising on and assessing the Charity's compliance with the GDPR and making recommendations to improve practice in this area. Further, the DPO acts as CVQO's primary point of contact for GDPR matters.

2.5. All staff

All staff, including permanent staff, fixed term contractors and temporary workers must comply with this Policy and the GDPR whenever processing personal data held by CVQO or on behalf of CVQO.

2.6. All Volunteers

All Cadet Force Vocational Qualification Officers (VQOs) are responsible for compliance with the rules and policies made by CVQO. VQOs must comply with this policy where collecting and processing personal data in relation to CVQO courses and learners.

2.7. Contractors and Consultants

Third parties such as consultants, contractors or agents, undertaking work on behalf of CVQO involving personal data, must adhere to CVQO's Data Protection Policy and comply with the GDPR. Provision will be made in contracts with external providers to ensure compliance with this Policy and the GDPR.

3. Compliance with the GDPR

3.1. Awareness and Capability

CVQO will implement, and monitor completion of, mandatory Data Protection training for all staff. The content of that training will be reviewed annually. Full details are provided in CVQO's Staff Training Policy.

3.2. Information Asset Register

CVQO will maintain an Information Asset Register (IAR), which will provide a record of processing activities detailing what personal data is held, where it came from, who it is shared with and what it is used for.

3.3. Privacy by Design

CVQO will implement a Privacy by Design Approach to processing personal data through integrating Data Privacy Impact Assessments into business projects. Full details are provided in CVQO's Data Protection Impact Assessment (DPIA) Policy.

3.4. Security

CVQO will protect the security of personal data by maintaining and monitoring compliance with the CVQO Information Security Policy.

3.5. Record Keeping and Retention

CVQO will include details within the IAR showing retention rules setting the periods for which records containing personal data are to be retained and will manage the retention and disposal of personal data in accordance with its Records Retention Policy.

3.6. External Contractors and International Transfers

CVQO will enter into legally binding contracts with external bodies where those bodies are engaged to process personal data on our behalf. CVQO will implement adequacy arrangements where transferring any personal data outside of the European Union.

3.7. Other Third Party Access

CVQO will only disclose personal data to third parties such as the police, central government and other education institutions where there is a lawful basis for doing so and appropriate arrangements are in place with those parties.

3.8. Internal Sharing

CVQO will seek to ensure that personal data is only shared across different teams within the Charity where those areas have a business need for accessing that data.

4. Data Subjects Rights

CVQO will comply with requests from an individual in exercising their rights under the GDPR.

Under the GDPR, individuals also have the following rights in relation to their personal data:

- The right to be informed about the collection and use of their personal data
- The right to be know what information is held about them and to receive a copy of that information.
- The right to request their personal data is rectified if inaccurate.
- The right to request erasure of their personal data.
- The right to request that the processing of their personal data is restricted.
- The right of portability in relation to their personal data.
- The right to object to the processing of their personal data.
- The right to object to processing which involves automated decision making or profiling.

CVQO will publish Privacy Policies and Notices to ensure the right of data subjects to be informed is satisfied. CVQO will handle requests from data subjects to exercise any of the above rights in accordance with its Data Subject Rights Policies.

Please note that the GDPR sets out exceptions to these rights. If we are unable to comply with your request due to an exception we will explain this to you in our response.

Individuals who wish to exercise the above rights should contact CVQO's Data Protection Officer through our website www.cvqo.org by clicking on Contact Us and completing an information request enquiry, by sending an email to dpo@cvqo.org or by writing to the Data Protection Officer, CVQO Ltd, 3 Archipelago, Lyon Way, Camberley, Surrey, GU16 7ER.

Any staff member who receives a request from an individual to exercise the above rights under the GDPR must be forwarded to CVQO's Data Protection Officer (DPO): dpo@cvqo.org. All staff are responsible for cooperating with the DPO to ensure that CVQO can comply with an individual's request under the GDPR within the statutory timescales.

5. Own Personal Data

All staff, VQOs and learners are responsible for checking that information they provide in connection with CVQO's vocational qualifications is accurate and up to date. Any changes to personal data provided (e.g. change of address) must be promptly notified, in writing, to CVQO Learner Support Services. CVQO cannot be held responsible for errors unless the member of staff, VQO or learner has properly informed CVQO about them.

All staff are responsible for checking that information they provide to CVQO in connection with their employment is accurate and up to date. Any changes to personal data provided (e.g. change of address) must be promptly notified by update through CVQO's on-line HR management system (myHRToolkit).

6. Personal Data Breaches

CVQO will respond promptly to any identified personal data breaches, which will be dealt with in accordance with its Personal Data Breach Policy.

7. Compliance

Compliance with this Policy and the GDPR is the responsibility of all members of staff, VQOs and learners. Employees must comply with the rules and procedures made by CVQO. It is a condition of being a learner with CVQO that all of CVQO's rules and policies are fully complied with.

Any breach of the policy by a member of staff may result in disciplinary action.

Any breach of the GDPR by CVQO may result in a substantial fine or actions imposed upon the Charity by the ICO.

8. Further Information

Questions about the interpretation or operation of this policy should be taken up in the first instance with CVQO's DPO: dpo@cvqo.org. Any individual who considers that the Policy has not been followed in respect of personal data about themselves should also raise the matter with the DPO.

Further information about the GDPR can be found on the Information Commissioner's Office ([ICO website](#)).

9. Key Definitions

'Personal Data' means data which relate to a living individual who can be identified from those data or from those data and other information which is in the possession of, or is likely to come into the possession of, the Data Controller and includes any expression of opinion about the individual and any indication of the intentions of the Data Controller or any other person in respect of the individual. Under the GDPR, the definition of personal data will explicitly extend to IP addresses.

'Special category data' means any personal data information about an individual's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, sex life or sexual orientation and their genetic or biometric data.

'Processing' means any operations or set of operations which is performed on personal data whether or not by automated means such as collection, use, disclosure or storage of personal data etc.

'Data Controller' means the organisation which, either alone or jointly with another organisation, determines the manner and purpose of the processing of personal data. The Data Controller is responsible for compliance with the GDPR.

'Data Processor' means an organisation (such as a contractor) which processes personal data on behalf of a Data Controller.

'Personal Data Breach' means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed.