



University of the Highlands and Islands

# Data Protection Policy

## POL013

Lead Officer (Post):	Head of Governance and Records Management
Responsible Office/ Department:	Principal and Secretary's Office
Responsible Committee:	Finance and General Purposes Committee
Review Officer (Post):	Head of Governance and Records Management
Date policy approved:	17/08/2011
Date policy last reviewed and updated:	28/05/2018
Date policy due for review:	06/06/2020
Date of Equality Impact Assessment:	Click or tap to enter a date.
Date of Privacy Impact Assessment:	Click or tap to enter a date.

Accessible versions of this policy are available upon request. Please contact the Governance and Policy Officer on 01463 279000.

## Policy Summary

Overview	To demonstrate compliance with Data Protection Act (2018) and summarise the roles and responsibilities within the university around Data Protection.
Purpose	This policy sets out the university's commitment to protecting personal data and complying with relevant legislation and describes how that commitment is implemented.
Scope	It applies to all personnel whether staff, contractor, other third parties, or members of partnership organisations with access to UHI data or information systems.
Consultation	Head of Governance and Records Management and relevant committees to be consulted. UHI partners to be notified of change.
Implementation and Monitoring	Data Protection Officer, Head of Governance and Records Management, Head of Internal Audit – resources may be required to implement some elements. HGRM and HoIA aware of this.
Risk Implications	Failure to comply with the Data Protection Act (2018)
Link with Strategy	How is this policy linked to University strategy?
Impact Assessment	Equality Impact Assessment:
	Privacy Impact Assessment:

## 1. Policy Statement

The University of the Highlands and Islands (“the university”) has educational and business requirements to maintain certain personal data about living individuals in pursuit of its legitimate activities as a university. The university recognises that the correct and lawful treatment of personal data maintains confidence in the organisation and provides for successful operations.

Personal information, whether held on paper, on computer or other media, is subject to the legal safeguards specified in the Data Protection Act 2018 and the General Data Protection Regulation (Regulation (EU) 2016/679).

The university fully endorses and adheres to the seven principles of the General Data Protection Regulation. These principles specify the legal conditions to be satisfied in relation to obtaining, handling, processing, transportation, and storage of personal data. Employees, students and any others who obtain, handle, process, transport and store personal data for the university shall adhere to these principles.

## 2. Definitions

Act	Data Protection Act 2018
EU	European Union
GDPR	General Data Protection Regulation
ICO	Information Commissioner’s Office
University	University of the Highlands and Islands
UK	United Kingdom

## 3. Purpose

This policy sets out the university’s commitment to protecting personal data and complying with relevant legislation and describes how that commitment is implemented.

## 4. Scope

This policy applies to all personnel who will have access to the information processing systems operated by the university and its partnership organisations and to all data whether stored electronically on systems, applications or paper copy.

## 5. Exceptions

This policy applies without exceptions, exclusions, or restrictions.

## 6. Notification

UHI partner organisations.

## 7. Roles and Responsibilities

Line Managers shall ensure that all staff and contractors are adequately briefed and comply with this policy.

Information Owners shall ensure that, where appropriate:

- documents containing personal information have appropriate classification applied
- retention policies are applied to personal information held on file

The Data Protection Officer shall be responsible for setting out clear data protection procedures including responding to requests for information under subject access provisions of the act.

Personnel responsible for managing and handling personal information shall follow good data protection practice and comply with this policy.

## 8. Procedures

The university shall:

- Maintain an up to date and accurate register entry with the Information Commissioner's Office (ICO) and pay the data protection fee to the ICO;
- Ensure that any changes are notified to the ICO within appropriate timescales;
- Ensure that there is someone with specific responsibility for Data Protection;
- Observe fully the conditions regarding the fair collection and use of personal data;
- Meet its obligations to inform individuals of data collection, processing sharing and retention as set out in the 'right to be informed' under the GDPR;
- Meet its obligations to specify the purposes for which personal data is used;
- Collect and process appropriate personal data only to the extent that it is needed to fulfil operational or any legal requirements;
- Ensure the quality of personal data used;
- Apply strict checks to determine the length of time personal data is held;
- Ensure that the rights of individuals about whom the personal data is held can be fully exercised under the Act and under the General Data Protection Regulation;
- Take the appropriate technical and organisational security measures to safeguard personal data;
- Ensure that appropriate safeguards are in place for personal information being transferred outside the UK. Note: Additional safeguards are required when the information is being sent outside the EU;
- Ensure that the rights of people, about whom information is held, can be fully exercised under the Act (These include: the right to be informed that processing is being undertaken, the right of access to one's personal information, the right to prevent processing in certain circumstances and the right to correct, rectify, block or erase information which is incorrect or unnecessary);
- Treat people justly and fairly whatever their age, religion, disability, gender, sexual orientation or ethnicity when dealing with requests for information.

## 9. Legislative Framework

General Data Protection Regulation (Regulation 2016/679 of the European Parliament and of the Council) and the Data Protection Act 2018.

## 10. Related Policies, Procedures, Guidelines and Other Resources

Additional guidance and procedures will be forthcoming to supplement this policy and make sure that the university meets its obligations by guiding staff in how to achieve the purposes in section 8: procedures (above).

## 11. Version Control and Change History

Version	Date	Approved by	Amendment(s)	Author
0	28/05/2018	HGRM	Updated slightly for post-GDPR use	(edited by DPO)
1				
2				
3				
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