**Newman Students’ Union Data Protection Policy**

## Context and Overview

## Key details

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| Policy Prepared By  | Dominic Anderson |
| Position | General Manager |
| Approved by Board of Trustees | To be approved at the next meeting: 03/04/2023 |
| Policy Became Operational On | 16/01/2023 |
| Reviewed by Newman DPO | 16/01/2023 |
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## Introduction

Newman Students’ Union handles personal data of individuals on a regular basis as part of its operational requirements. These individuals can include: members of the Union, business contacts, suppliers, employees and other people the organisation has a relationship with or may need to contact. This policy describes how this personal data must be collected, handled and stored to meet with the organisation’s data protection standards – and to comply with the law.

**For further information about this policy please contact the President of the Students’ Union at** **su-president@newman.ac.uk**

## What is personal data

* The UK GDPR and Data Protection Act 2018 applies to ‘personal data’. Personal data means includes information relating to living people who:
	+ can be identified, directly from the information in question; or
	+ who can be indirectly identified from that information in combination with other information.

## This definition provides for a wide range of personal identifiers to constitute personal data, including name, identification number, location data or online identifier, reflecting changes in technology and the way organisations collect information about people.

## These data protection laws apply to both automated personal data (i.e. personal data processed by some kind of computer system) and to manual filing systems or personal data that is intended to be in a filing system.

## Information which has had identifiers removed or replaced in order to pseudonymise the data is still personal data for the purposes of UK GDPR.

## Information which is truly anonymous is not covered by the UK GDPR.

## Special category dataThe UK GDPR calls personal data that is particularly sensitive ‘special category data’. This includes:

* Race;
* Ethnic origin;
* Politics;
* Religion;
* Trade union membership;
* Genetics;
* Biometrics (where used for ID purposes);
* Health;
* Sex life; or
* Sexual orientation.

NSU recognises that these sensitive pieces of information and will take extra care when using or processing them in accordance with this policy.

## Why this policy exists

This data protection policy ensures that Newman Students’ Union:

* Complies with the laws and follows good practice;
* Protects the rights of staff, members and partners;
* Is transparent about how it stores and processes individuals’ data; and
* Protects itself from the risks of a data breach.

## Data protection law

The UK GDPR describes how organisations – including Newman Students’ Union – must collect, handle and store personal information.

These rules apply regardless of whether data is stored electronically, on paper or on other materials.

To comply with the law, personal information must be collected and used fairly, stored safely and not disclosed unlawfully.

The UK GDPR is underpinned by seven important principles of the GDPR. These say that personal data must:

1. **Lawful, fair and transparent**

There has to be legitimate grounds for collecting the data and it must not have a negative effect on the person or be used in a way they wouldn’t expect.

1. **Limited for its purpose**

Data should be collected for specified and explicit purposes and not used in a way someone wouldn’t expect.

1. **Adequate and necessary**

It must be clear why the data is being collected and what will be done with it. Unnecessary data or information without any purpose should not be collected.

1. **Accurate**

Reasonable steps must be taken to keep the information up to date and to change it if it is inaccurate.

1. **Not kept longer than needed**

Data should not be kept for longer than is needed, and it must be properly destroyed or deleted when it is no longer used or goes out of date.

1. **Integrity and confidentiality**

Data should be processed in a way that ensures appropriate security, including protection against unauthorised or unlawful processing, loss, damage or destruction, and kept safe and secure.

1. **Accountability**

The accountability principle requires you to take responsibility for what you do with personal data and how you comply with the other principles. You must have appropriate measures and records in place to be able to demonstrate your compliance.

Under the law, data subjects have a number of rights regarding the use of their personal information. They can be found at: <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

## People, risks and responsibilities

## Policy scope

This policy applies to:

* The Board of Trustees of Newman Students’ Union;
* All staff and volunteers of Newman Students’ Union; and
* All contractors, suppliers and other people working on behalf of Newman Students’ Union.

It applies to all personal data that the company holds relating to identifiable individuals, even if that information technically falls outside of the UK GDPR. This can include:

* Names of individuals;
* Postal addresses;
* Email addresses;
* Telephone numbers; and
* … plus any other information relating to individuals

## Data protection risks

This policy helps to protect Newman Students’ Union from data security risks, including:

* Information about individuals getting into the wrong hands, through poor security or inappropriate disclosure of information; or
* Individuals being harmed through data being inaccurate or insufficient.

An inventory of the data protection risk areas and specific data sets within Newman Students’ Union is outlined in **Appendix 1: Inventory of Data Sets** of this policy.

All retention policies specifically for accounting and personnel/employee records can be found in **Appendix 2: Retention of Accounting and Personnel Records.**

## Data controller and data processor

According to law, different roles are identified as indicated below:

**Data Controller** – “means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determine the purposes and means of the processing of personal data”

**Data Processor** – “means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller”.

Newman Students’ Union (NSU) is a data controller.

Newman Students’ Union (NSU) may also be a data processor if they collect data on behalf of another organisation, for example, when collecting data via surveys for the National Union of Students (NUS).

Newman Students’ Union (NSU) will only process personal data where it has an Article 6 lawful basis for doing so. It will only process special category data where it has an Article 9 condition for processing relating to that personal data.

Where the lawful basis or condition for processing is ‘consent’, a record of consent will be stored the same length of time as the personal data.

## Responsibilities

Everyone who works for Newman Students’ Union has some responsibility for ensuring that personal data is collected, stored and handled appropriately, and everyone who handles such personal data must ensure that it is processed in line with this policy and the seven principles of UK GDPR.

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| **NSU(Data Controller)** | The Board of Trustees have overall responsibility for ensuring that the organisation complies with its legal obligations. |
| **General Manager(Data Protection Officer)** | The General Manager as the most senior member of staff has the responsibility to:* Brief the Board on Data Protection responsibilities;
* Review Data Protection and related policies;
* Advise staff on all Data Protection issues;
* Ensure Data Protection induction and training takes place;
* Handle data subject requests including subject access request and third party data sharing requests;
* Ensure that good data protection practice is established and maintained across the organisation; and
* Ensure that all staff and volunteers follow the Newman Students’ Union Data Protection Policy.
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| **Staff and Volunteers** | All staff and volunteers are required to read, understand, acknowledge, and accept any policies and procedures relating to personal data that they may handle in the course of their work. |
| **Enforcement** | Individuals found in breach of this policy may be subject to disciplinary procedures. |

## General staff guidelines

* The only people able to access data covered by this policy should be those who need it for their work.
* Data should not be shared informally. When access to confidential information is required, employees can request it from the General Manager.
* Newman Students’ Union shall provide training to all employees to help them understand their responsibilities when handling data.
* Employees should keep all data secure, by taking sensible precautions and following the guidelines under the “Data storage” section of this policy. In particular, strong passwords must be used and they should never be shared.
* Personal data should not be disclosed to unauthorised people, either within the organisation or externally.
* Data should be reviewed regularly and updated (recommended twice a year for each area). If it is found to be out of date, or no longer required, it should be deleted and disposed of.
* Employees should request help from the General Manager if they are unsure about any aspect of data protection.

## Data recording and storage

## Storing data electronically

When storing data electronically all staff must:

* Ensure that the data is protected by strong passwords which are only known by relevant people.
* Ensure that any data stored on removable media such as CD, DVD is kept locked away securely when not being used. Memory sticks should be encrypted (password protected);
* Data should only be stored on designated drives and servers. For the purpose of Newman Students’ Union, this means their password protected user area or the Newman University shared drive (S: Drive) under NCSU or Microsoft, which only Students’ Union staff have access to;
* Data should never be saved directly onto laptops or other mobile devices like tablets or smart phones, unless they are Students’ Union property protected by approved security software and a firewall;
* Transfer data from emails immediately onto relevant and appropriately secured documents. All emails should be deleted when no longer required, or archived appropriately and securely;
* Encrypt confidential information in accordance with **Appendix 3: Encrypting Confidential Data when Sending via Email;**
* Ensure that the screens of their computers are always locked when left unattended. Staff can also request for a computer visibility screen by contacting the Students’ Union General Manager;
* All servers and computers containing data should be protected by approved security software and a firewall. For the purpose of Newman Students’ Union, they shall only use University servers, computers with University installed security software and firewall;
* Ensure that data will be held in as few places as possible to prevent duplication of data sets;
* Update data as soon as inaccuracies are discovered. For example, if a partner can no longer be reached by their telephone number, it should be removed from the database.

## Storing data on paper

When storing data on paper all staff must:

* Ensure that it is kept in a secure place such as in a locked drawer or locked filing cabinet;
* Ensure that data is not left unattended where unauthorised people could see them, such as on a desk or on a printer; and
* Ensure that all data printouts are disposed of securely when no longer required i.e. cross-shredded or placed in a confidential paper waste bin.

## Recording data

When recording data all staff must:

* Ensure that the information is correctly recorded. If information is being taken by phone, staff must repeat the data back to the individual if in a secure office, or alternatively follow up with an email to confirm the information is correct;
* Annually contact all individuals who the organisation holds data about to ensure that all data is up-to-date; and
* Contact any individual who has had their data given to Newman Students’ Union by a third party organisation to inform them how and why NSU has their data, and where appropriate, to check its accuracy.

## Data subject access request

All individuals who are the subject of personal data held by Newman Students’ Union are entitled to:

* Ask what information the organisation holds about them and why;
* Ask how to gain access to it;
* Be informed how to keep it up-to-date; and
* Be informed how the organisation is meeting its data protection obligations.

If an individual contacts an organisation requesting this information, this is called a data subject access request.

Data subject access requests are the responsibility of the General Manager on behalf of the Board of Trustees. The General Manager shall handle the subject access request **within the legal time limit of one month.** You can read more about data subject access requests on the Information Commissioner's website <https://ico.org.uk/for-the-public/personal-information/>

**Data subject requests should be made to the General Manager via the President of the Students’ Union by email at** **su-president@newman.ac.uk**

## Disclosing data for other reasons

In certain circumstances, the data protection laws allow personal data to be disclosed to law enforcement agencies or other agencies without the consent of the data subject.

Under these circumstances, Newman Students’ Union will disclose requested data. However, the General Manager will ensure the request is legitimate and lawful, seeking assistance from the Board of Trustees and from the organisations legal advisors where necessary.

## Data sharing agreement

Newman Students’ Union has a data sharing agreement with Newman University that outlines the purpose of sharing the data of enrolled students as automatic members of the Students’ Union, and how data subjects are able to “opt out”. You can read more about this on the [(Newman University) Privacy Notice for Students](https://www.newman.ac.uk/privacy-notices/) in the section headed ‘Who does the University share my personal data with?. You can read the [Newman Students’ Union Privacy Notice](https://www.newmansu.org/data.html) on the Newman Students’ Union website.