

## **1 Policy Statement: Data Protection**

We are committed ensuring the responsible, safe and legitimate collection, retention and usage of information about individuals in order to protect their privacy whilst providing controlled access to that information by those with a legitimate and permitted interest.

This policy outlines the arrangements for collecting, using, storing, retaining and sharing personal information.

## **2 Employer Responsibilities**

We shall:

- Register with the Office of the Information Commissioner;
- Identify a data controller;
- Ensure that personal information is collected and used fairly and lawfully;
- Only use that information for limited, specifically stated purposes;
- Seek, retain and use information in way that is adequate, relevant and not excessive;
- Strive to maintain accurate information;
- Not retain personal information for longer than is absolutely necessary;
- Process and store information according to people's data protection rights;
- Keep all personal information safe and secure and protected from unauthorised access, accidental loss or destruction;
- Not transfer any information to a country outside the European Economic Area;
- Cease to process any data on request where that data processing is causing undue distress or damage to the individual concerned;
- Remove any personal data from ESFA records on request of any individual, or amend anything which is inaccurate;
- Train staff in data protection;
- Inform staff of the personal data held about them, and the reasons for holding that data;
- Share that data with relevant third parties in the interests of conducting ESFA business (eg pension provider), for complying with statutory duties (eg HMRC for income tax purposes), or for other legislative purposes (eg criminal investigation);
- Share information with other third parties only when data sharing protocols or contracts, in line with this policy, have been approved by Trustees;
- Provide any individual with copies of all personal data held about them as soon as possible, and in any event no later than one month from the request date, unless the request is unduly complex and requires an extended period of two further months to complete,, unless that information relates to criminal proceedings, matters of national security, tax matters or appointments to the judiciary;
- Provide information held at no cost to the applicant, unless the request is manifestly unfounded or excessive, in which case an appropriate fee to cover the cost of administration may be levied.

- Give due regard to the additional sensitivity in handling data about any criminal record and about individual's protected characteristics as defined by the Equality Act;
- Conduct DBS checks only where necessary and in line with the ESFA's safeguarding policy;
- Publish a data protection statement on the website (see Annex 1).

### **3 Employee Responsibilities**

Employees shall:

- Actively participate in data protection training and apply that learning in the workplace;
- Ensure that data protection protocols are applied to relationships with membership;
- Ensure that data protection protocols are applied to relationships with sponsors, funders and any other third parties;
- Provide personal information to the employer so that the employer can discharge its responsibilities under employment law, equalities law, health and safety laws and safeguarding legislation;
- Take responsibility for updating the employer when any of those personal details change;
- Comply with reasonable requests to review their personal information for the purposes of checking currency and accuracy;
- Put in writing any request for copies of their personal information and ensure that this request is dated;
- Comply with the FA's IT acceptable use policy;
- Comply with the ESFA's safeguarding policy and guidance;
- Raise any concerns about the handing of their personal data with their line manager in the first instance.

### **4 References and tools support the Policy**

Privacy Statements

FA IT acceptable use policy

Safeguarding policy and guidance

Contract of employment

The Office of the Information Commissioner – [www.ico.gov.uk](http://www.ico.gov.uk)

### **5 Policy Review Arrangements**

This policy will be reviewed at least annually.

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For office use only

Policy title	Data protection
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Policy author	CEO
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