



INFORMATION CHARTER

FINAL VERSION

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1 INTRODUCTION

MidKent College (“the College”) holds both personal and non-personal information in a variety of databases which are critical to our statutory functions.

The College collects personal information either directly from you and/or from third parties, such as the Department for Education, to enable us to carry out our functions.

All information that the College holds is subject to our duty of confidentiality. We know how important it is to protect individual’s privacy and to comply with the data protection legislation. As such, we will not give your information to anyone, including government departments and their agencies, local authorities, the police or any other public or private sector bodies unless we have lawful basis for doing so.

2 SCOPE

Our Information Charter contains the standards you can expect from the College when we ask for and hold your personal information, and when you ask for information from us. It also sets out how you can help us make sure the information we hold about you is accurate.

This Charter describes your statutory rights in regard to information under the provisions of:

- the United Kingdom General Data Protection Regulation (UK GDPR);
- Data Protection Act 2018;
- Freedom of Information Act 2000; and
- Environmental Information Regulations 2004.

3 OUR PROMISE TO YOU

- The College and its employees recognise that we have privileged access to information, and we will endeavour do all we reasonably can to protect it.
- We will take care to ensure information is collected and used for the purpose intended.
- We will do all we can to respond to requests in a timely manner.

4 YOUR RIGHTS

The College is committed to facilitating rights enshrined in the Data Protection and Freedom of Information legislation:

- The right to be informed
 - The right to be told how personal data is used in clear and transparent language.
- The right of access, also known as a data subject access request (DSAR)
 - The right to know and have access to the personal data held about the individual.

- The right to rectification
 - The right to have personal data corrected where it is inaccurate or incomplete.
- The right to erasure, also known as the right to be forgotten
 - The right to have personal data deleted.
- The right to restrict processing
 - The right to limit the extent of the processing of the individual's personal data.
- The right to data portability
 - The right to receive personal data in a common and machine-readable electronic format.
- The right to object
 - The right to complain and to seek to prevent the processing of an individual's data.
- Rights in relation to automated decision making and profiling
 - The right not to be subject to decisions without human involvement.
- Right to request information, also known as a freedom of information request
 - Right to request access to information held by public authorities.

5 YOUR PRIVACY

If we ask for your personal information, we will:

- tell you the reasons we're asking for it in our Privacy Notice(s)
- only ask for the information we need
- make sure we don't keep it for longer than necessary
- protect information we obtain, receive or hold about you
- make sure only the appropriate people have access to it
- let you know if we'll share it with other organisations as per our Privacy Notices(s)
- only share or release information about you when the law lets us and we need to
- keep it up to date where necessary
- consider privacy risks when we're planning to change the way we use data
- train our staff to ensure we use and protect it properly

In return, to keep information reliable and up to date we ask you:

- be honest - give us accurate information promptly when we ask for it
- take care to get things right - tell us as soon as possible of any changes, such as a change of address

6 HOW TO FIND OUT WHAT PERSONAL INFORMATION WE HOLD ABOUT YOU

Under the terms of the UK GDPR and Data Protection Act 2018, you're entitled to ask us:

- if we're processing your personal data
- for a description of the data we hold about you
- the reasons we're holding it
- any recipient we may disclose it to, for example Ofsted
- for a copy of your personal data and any details of its source
- to delete your data, subject to conditions set out in law
- to limit or stop the way we use your data, subject to conditions set out in law

If you want to see your personal data, you should make a 'subject access request'.

Please be as specific as you can about the information you're asking us about, such as: the department that is holding the data you require.

Before we can consider your request, we may need to check your identity and your right to access the information you're requesting. This means we may ask you to see proof of your identity.

We will try to respond to your request within one month of receiving it, subject to any extenuating circumstances, such as unforeseen disasters. If your request is complex, we may extend the period by a further 2 months but will let you know.

7 HOW WE PROCESS YOUR PERSONAL DATA

If you want more information about how we process your personal data, please refer to our Privacy Notice(s) in the first instance before you contact us.

All employees receive regular training on how to handle personal information.

8 WHEN WE SHARE PERSONAL INFORMATION

We may get information about you from other people and certain other organisations.

We may share information we hold about you with certain organisations where the law allows it, or if we have a legal obligation to do so.

There may be some circumstances where we'll need to share information about you with others without your consent. For example, this might be to prevent or detect a crime, or to comply with our obligations under safeguarding laws. In all cases, we'll comply with all data handling legislation including the UK GDPR and Data Protection Act 2018.

9 HOW LONG WE'LL KEEP YOUR INFORMATION

We will only keep your information for as long as necessary, after which point, we will securely destroy it. The length of time that is necessary for us to keep your information is detailed in our Retention Schedule.

If you ask us to erasure your data we will consider your request against the criteria listed in law. In these circumstances, if the law permits, and you agree, we will delete your data before it is due to be deleted in line with our Retention Schedule.

There are circumstances where we need to keep your information indefinitely for research and statistical purposes. We have measures to safeguard this information.

10 HOW TO FIND OUT WHAT INFORMATION WE HOLD AS A PUBLIC AUTHORITY

Under the terms of the Freedom of Information Act 2000 and Environmental Information Regulations 2004, you're entitled to ask us for information we hold on record as a public authority.

In return, we will:

- tell you whether the information exists; and
- provide you access to the information.

However, all request are subject to the application of relevant exemptions which may restrict what we disclose.

If you want to see data we hold, you should make a 'freedom of information request'.

Please be as specific as you can about the information you're asking us about, such as the department that is holding the data you require.

We will respond to requests within 20 days of receiving it, subject to any extenuating circumstances, such as unforeseen disasters, which will impact our capacity to respond.

11 CONTACT

If you need to contact us or have questions for our Data Protection Officer you can:

- Write to us at: Data Protection Officer, MidKent College, Medway Campus, Medway Road, Gillingham, Kent, ME7 1FN
- E-Mail us at: Data.Protection@midkent.ac.uk
- Call us on: 01634 383525

12 APPROVAL

- This Charter was approved by the Risk and Audit Committee in June 2021.