



## 14. Information & Data Management

<b>Policy Title</b>	<b>Information and Data Management</b>
Date Approved	17/12/2018
Effective From	02/01/2019
Monitor	Dean of Academic Affairs / QA Committee
Summary	This policy details the information that the College retains on its staff and learners, the reasons for this and the duration that it retains such data. It also provides transparency as to how an individual can see what data the College retains about them and, at their request, give them a copy of such data.
<b>Related Policies</b>	
Revision History &	Version 1 – 2019
Commencement Date & Date of Next Review	Commencement Date (Version 1): 02/01/2020 Date of Next Review: Following Independent Assessment from Re-engagement process
Purpose	The purpose of these policies is to provide information and transparency regarding the Data Protection obligations of the College. This includes obligations in dealing with personal data, in order to ensure that the organisation complies with the requirements of the relevant Irish legislation, namely the Data Protection Act(s) 1988 and the Data Protection (Amendment) Act (2003), The Data Protection Act 2018 and the e-Privacy Regulations 2011 and GDPR 2018.
Scope	This policy covers both personal and sensitive personal data held in relation to data subjects by the College. The policy applies equally to personal data held in manual and automated form.
Policy Statement	The College must comply with the Data Protection principles set out in the relevant legislation. This Policy applies to all Personal Data collected, processed and stored by the College in relation to its staff, service providers and clients in the course of its activities. The College makes no distinction between the rights of Data Subjects who are employees, and those who are not. All are treated equally under this Policy.

## 14.1. Information Systems

The College recognises the importance of collecting, and having ready access to, pertinent information about its operations to help inform its decision-making and to allow it to review and improve how it operates. Central to this are the College's Learner Management System, CLASS, and Virtual Learning Environment Moodle, where much of the information that the College collects is either initially recorded or later stored.

### The College will:

- Ensure that both its Learner Management System (LMS) (CLASS) and Virtual Learning Environment (VLE) Moodle are maintained securely, kept up-to-date and remain fit for purpose. Responsibility of this resides with the College's IT Lead (CLASS) and the Head of Library, Information Systems and enhancement (Moodle).
- Ensure that its LMS and/or VLE can produce pertinent statistics, or that these statistics can easily be derived from the LMS or VLE.
- Utilise data-driven reports to inform its decision-making.
- Utilise data-driven reports to inform reviews and improvement to its quality assurance policies and procedures.
- Produce annual data-driven reports (Annual Monitoring Reports) for each programme.

### 14.1.1. These reports will contain:

- Learner satisfaction rates.
- Learner progression/attrition/dropout rates.
- Learner completion rates.
- Learner graduation/certificate rates.
- Grade analysis of learner performance (benchmarked to best available national statistics)
- Career paths of graduates.
- Produce reports on learners as required by external regulatory bodies.

### 14.1.2. Management Information Systems

Although the ability to generate a breadth of learner data is important, the College is cognisant that without embedding the use of this data within its quality assurance structures, then its usefulness is limited.

Therefore, the College will embed the use of statistics and data-driven reports in the following ways:

- The Academic council will consider the Annual Monitoring Reports for each programme and will action follow-ups that arise from these. The Academic Council will also assign ownership to these actions.
- The Academic Management Group will consider, and action follow-ups that arise from, statistics related to the ongoing performance of learners and this will typically be in conjunction with the relevant Programme Board. This will include:
  - Learner attendance.
  - Learner assessment performance (to date).
  - Learner feedback.

- The College’s Senior Management Group, Academic Council as well as the Risk Management Committee will consider, within their respective capacities, learner attendance, academic performance and learner attrition when forecasting its capacity for future academic years. This will inform decisions such as whether it should seek additional capacity and its minimum and maximum number of learners per programme.
- The statistics and reports outlined above will be monitored by the Dean of Academic Affairs and will be produced collaboratively by the Quality Lead, Admissions Lead, IT Lead, Academic Operations Lead and various departments if required.
- The Academic Council will annually review the usability of the College’s LMS and VLE and how easily these facilitate the generation of relevant statistics and data-driven reports. The Academic Council will then determine whether these systems require further investment or if they should be replaced by a system that is more fit-for-purpose.

### 14.1.3. Records Maintenance and Retention

When determining the data retention periods, the College has been guided by employment and other law, as well as the statutory retention periods arising from these and associated laws. Furthermore, limitation periods, needs of the College, and the GDPR principles have been taken into account. The data retention periods implemented by Dorset College for HR data are as follows:

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<b>Type of Personal Data</b>	<b>Duration</b>
Annual Leave and Public Holiday records	6 years
Carer’s Leave records	8 years
Parental Leave records and Force Majeure Leave records	8 years (Parental Leave Acts, section 27)
Hours Worked and related information such as breaks, annual leave and public	6 years (3 years required of The Organisation of Working Time Act, 1997, Section 25, and the Organisation of Working Time (Records) Prescribed Form and Exemptions, Regulations 2001). 6 years in line with College policy.
Payslips	6 years (3 year required of National Minimum Wage Act, Section 22). 6 years in line with College policy.
Employment Permit records	5 years or for the duration of the employment (whichever is the longer)
Employment records of young persons under 18	6 years
Collective redundancy information	6 years



Taxation Records	6 years (Companies Acts and Taxes Consolidation Act)
Accidents	10 years from date of an accident (the Safety health and Welfare at Work; General Applications Regulation 1993, section 60)
Employee contract	6 years from the date of termination of the employment
CV and interview notes of unsuccessful interviewees	6 years (3 year required of National Minimum Wage Act, Section 22). 6 years in line with College policy.
Signed Documents	6 months
Other HR details (not included above)	1 year

The data retention periods implemented by Dorset College for learner data are as follows:

<b>Type of Personal Data</b>	<b>Duration</b>
Records relating to summative assessment results	Permanently retained – whether a reward has been recommended or not (level of detail of permanently retained data should be at least sufficient to facilitate the issue of a Europass Diploma Supplement (Assessments and Standards, 2013, section 4.5.2))
Records which contribute towards module Grade	Duration of Studies + 1 year after graduation (benchmarked to University of Limerick and cognisant of Assessment and Standards, 2013, section 4.6.2)
Research theses	Permanently retained
Broadsheets	Permanently retained
Records of successful student applicants	Duration of Studies + 3 years
Garda Vetting records	Duration of Studies + 1 year
External Examiners' reports	Permanently retained
Deferral, withdrawal and applications for Transfer	Duration of Studies + 1 year





## 14.5 Data Protection Policy

In the course of its daily organisational activities, Dorset College acquires, processes and stores personal data in relation to:

- Employees of Dorset College.
- Learners of Dorset College.
- Third party service providers engaged by Dorset College.

In accordance with the Irish Data Protection legislation, this data must be acquired and managed fairly. Not all staff members will be expected to be experts in Data Protection legislation. However, the College is committed to ensuring that its staff have sufficient awareness of the legislation in order to be able to anticipate and identify a Data Protection issue, should one arise. In such circumstances, staff must ensure that the designated staff member with responsibility for Data Protection is informed, in order to ensure that appropriate corrective action is taken.

Due to the nature of the services provided by the College, there is regular and active exchange of personal data between the College and its Data Subjects. In addition, the College exchanges personal data with Data Processors (e.g. external regulatory bodies) on the Data Subjects' (learners) behalf.

This is consistent with the College's obligations under the terms of its contract with its Data Processors.

This policy provides the guidelines for this exchange of information, as well as the procedure to follow in the event that a College staff member is unsure whether such data can be disclosed.

In general terms, the staff member should consult with the designated staff member with responsibility for Data Protection to seek clarification.

Dorset College operates within the education industry. Given the nature of the service it provides, the College collects significant amounts of personal data on learners and staff (its Data Subjects), including, but not limited to, names, email addresses, physical addresses, financial information and health information. Dorset College also interacts with other institutes as part of its processing of personal data.

The General Data Protection Regulation states that data must be processed in a lawful manner. Specifically, it outlines six criteria, one of which must apply for an organisation or institute to have a lawful basis to process data.



These six criteria for lawful data processing are:

1. Consent                      Where students have given full, free and explicit consent.
2. Contract                     Where processing is necessary to satisfy a contract with the student.
3. Legal Obligation          Where processing is required to comply with an EU or member state legal obligation to which the HEI is subject.
4. Vital Interests              Where processing is needed to protect the life of the data subject.
5. Public Interest             Where processing is necessary for the public interest or in the exercise of an official authority vested in the data controller.
6. Legitimate Interests      Where processing is necessary for the legitimate interests of the HEI, in other words where data processing is required to enable the HEI to carry out its core functions. This basis is only lawful if it does not override the fundamental rights and freedoms of the student.

To effectively provide its core functions, the College has a legitimate interest to process some personal information of its Data Subjects. For example, the College must process personal data relating to assessment results to ensure that it fulfils a core function of facilitating its learners with the opportunity to receive an official certificate, such as a Degree, with the evidence that the learner has successfully fulfilled the requirements of a validated programme.

The data processing activities for which the College can claim legitimate interest are:

- Processing of assessment information.
- Appeals of assessment results.
- Incidents of academic impropriety.
- Ensuring accessibility to course content.
- Informing students of developments relevant to their programme of study.
- Recording minutes of formal meetings that are specified within the College's quality assurance structures.
- Maintenance of the learner record (to provide insights on a student during the studies with Dorset College)

However, it is not sufficient to claim that legitimate interest can cover all aspects of the data processing done by the College. For example, the College may periodically use learner data for statistical analysis of academic performance, to alert them to other programmes of study that the College may think a learner might be interested in. This example would not be covered by the legitimate interest criteria and could not be considered critical to the effective provision of the College's core functions. In such instances, the College will seek consent for the processing of data from its data subjects.



The data processing activities for which the College can claim legitimate interest are:

- Use of personal, anonymised data for statistical analysis purposes.
- Use of personal data for communication purposes outside those that are core for the successful participation on an academic programme.
- Use of personal comments or feedback on the programmes or services provided by the College, with a view to using these in reports or as a basis for future improvements.

Furthermore, in certain instances, the College does process data in compliance with legal obligations. This is typically to ensure compliance with regulatory specifications, such as retention of data for specified periods, but is also required for its provision of international (non-EEA) students.

The data processing activities for which the College can claim legitimate interest are:

- Retention of personal information of staff in line with regulatory requirements (see Data Retention Periods document).
- Providing personal information of non-EEA learners (who require a student visa) as requested by Garda National Immigration Bureau.

#### 14.5. Subject Access Requests Policy

The protection of one's personal data is an EU fundamental right for all individuals. Dorset College, as a data controller, is obliged to ensure that the data it collects is obtained in a fair and transparent manner, stored securely, and is not retained for any longer than is necessary for the purpose of its collection or than the period outlined in the College's data retention periods.

Complementing this fundamental right of individuals is their right of access of information that is a retained about them by a data controller. This allows an individual transparency regarding the kinds of data that is processed about them, and to verify that the information is accurate and up to date.

An individual is entitled to make a formal application to the College, asking if the College holds any personal information about them. This request is limited to just clarifying if data is held or not and a description of the personal data and does not include details of the type of scope of the data held, if that is the case. There is no fee for this request.

An individual is entitled to make a formal application to the College, asking to clarify if the College has personal data held about them and to request a copy of any personal data held about them. The outcome of this request is to provide a full copy of the personal data that the College retains about an individual. Specifically, the following will be provided to the individual:

- A copy of their personal data.
- The purposes for processing the data.
- The categories of personal data concerned.
- To whom the data has been or will be disclosed.



- Whether the data has been or will be transferred outside of the EU.
- The period for which the data will be stored, or the criteria to be used to determine retention periods.
- The right to make a complaint to the Data Protection Commissioner.
- The right to request rectification or deletion of the data.
- Whether the individual has been subject to automated decision making.

	<b>Procedure Stage</b>	<b>Responsibility</b>	<b>Evidence</b>
<b>1</b>	<p><b>Written Application:</b> Formal, written application is made to the designated person in charge of Data Protection. This form of this application can be either a typed document submitted in hard copy or sent via email.</p>	Quality Assurance Lead	Written Application
<b>2</b>	<p><b>Response:</b> The College will respond in 21 days from the date it receives this request with confirmation and a description of the personal data held, if this is the case. If a subject access request is made thereafter, the College has a further 28 days to respond.</p> <ul style="list-style-type: none"> <li>• The right to request rectification or deletion of the data.</li> </ul> <p>Whether the individual has been subject to automated decision making.</p>	Quality Assurance Lead	Confirmation Communication
<b>3</b>	<p><b>Appeal</b>  There shall be an appeal to the Dean of Academic Affairs.</p>		



#### 14.6. Review of Information and Data Management Policies and Procedures

The College will review these Information and Data Management policies and procedures on an annual basis. This review will assess the adequacy and effectiveness of the support services offered, as well as the learning environment.

The following individual(s) will be involved in this review:

- Dean of Academic Affairs
- Admissions Lead
- Operations Lead
- Quality Assurance Lead
- Academic Operations Lead
- IT Lead
- 1 Lecturer
- Head Librarian
- Information Systems and Enhancement
- 1 Learner