



DATA PROTECTION POLICY

The Data Protection Act 1998 (DPA) was passed in order to implement the EU Data Protection Directive (95/46/EC) and applies to all data relating to, and descriptive of, living individuals (defined by the Act as "personal data") which are held either electronically or in a structured manual filing system. The Act came into force on the 1st March 2000, with most of its provisions becoming effective on 24th October 2001. The scope of the Act will be extended to data held in unstructured manual filing systems from 1st January 2005.

NW Academy of English is committed to a policy of protecting the rights and freedoms of individuals with respect to the processing of all data held by it which affects their privacy, whether in their personal or family life, business or professional capacity.

NW Academy of English holds a wide range of personal data about individuals such as employees, clients, and others, defined as *data subjects* in the Act. Such data may only be processed in accordance with this policy. Any breach of the policy may result in the NW Academy of English, as the registered *Data Controller*, being liable in law for the consequences of the breach. This liability may extend to the individual processing the data and the CEO under certain circumstances.

This policy applies regardless of where the data is held and, in respect of automatically processed data, the ownership of the equipment used, if the processing is for NW Academy of English purposes.

Principles

All data users must comply with the eight Data Protection Principles. The Principles define how data can be legally processed. 'Processing' includes obtaining, recording, holding or storing information and carrying out any operations on the data, including adaptation, alteration, use, disclosure, transfer, erasure, and destruction.

Personal data shall be processed fairly and lawfully.

Personal data shall be held only for one or more specified and lawful purposes and shall not be further processed in any manner incompatible with that purpose or purposes.

Personal data shall be adequate, relevant and not excessive in relation to the purpose for which it is processed.

Personal data shall be accurate and where necessary kept up to date.

Personal data processed for any purpose shall not be kept for longer than is necessary for that purpose.

Personal data shall be processed in accordance with the rights of data subject under the DPA.



Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of the data.

Personal data shall not be transferred to a country or a territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

The DPA defines both *personal data* and *sensitive personal data*. Data users must ensure that the necessary conditions are satisfied for the processing of personal data and, in addition, that the extra, more stringent, conditions are satisfied for the processing of sensitive personal data.

"Personal data" has a broad ranging definition and can include not only items such as home and work address, age, telephone number and schools attended but also photographs and other images, if focused on an individual and disclosing information which is biographical in a significant sense. "Sensitive personal data" consists of racial/ethnic origin, political opinion, religious or similar beliefs, trade union membership, physical or mental health or condition, sexual life and criminal record.

Status of the Policy

The policy has been approved by the Board of Directors. Any breach will be taken seriously and may result in action being taken under the appropriate disciplinary code.

Reviewed: 28/02/23

Signed: 

(Chief Executive, North West Academy of English)

Queries relating to this policy should be addressed to

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