



# Data Protection Policy

POL-NWH-002

Lead Officer (Post):	Head of Performance and Planning
Responsible Office/ Department:	Performance and Planning
Responsible Committee:	Audit and Risk Management Committee
Review Officer (Post):	Compliance and Information Governance Manager
Date policy approved:	01/08/2023
Date policy last reviewed and updated:	New Policy
Date policy due for review:	01/08/2026
Date of Equality Impact Assessment:	01/07/2023
Has a Data Privacy Impact Assessment been completed:	Completed

Accessible versions of this policy are available upon request. Please contact UHI North, West and Hebrides for further details.

Policy Summary

Overview	To demonstrate compliance with UK GDPR and the Data Protection Act 2018 and summarise the roles and responsibilities within UHI North, West and Hebrides around data protection.
Purpose	The policy sets out UHI North, West and Hebrides' commitments to protecting personal data and complying with relevant legislation and describes how that commitment is implemented.
Scope	The policy applies to all personnel whether staff, contractor, other third party, or members of partnership organisations with access to UHI North, West and Hebrides data or information systems.
Consultation	UHI North, West and Hebrides IT Services and UHI North, West and Hebrides System Integration teams, UHI North, West and Hebrides Data Protection Officer and Partnership Board.
Implementation and Monitoring	Data Protection Officer and Vice-Principal Operations.
Risk Implications	Failure to comply with data protection legislation including but not limited to EU GDPR (2016), UK GDPR and the Data Protection Act (2018).
Link with Strategy	n/a
Impact Assessment	Equality Impact Assessment: Completed August 2023, no further action.
	Privacy Impact Assessment: n/a

## 1. Policy Statement

- 1.1 UHI North, West and Hebrides has educational and business requirements to maintain certain personal data about living individuals in pursuit of its legitimate activities as a partner in the UHI partnership.
- 1.2 The college recognises that the correct and lawful treatment of personal data maintains confidence in the organisation and provides for successful and compliant operations.
- 1.3 Personal information, whether held on paper, on computer or other media, is subject to the legal safeguards specified in the Data Protection Act 2018 and the UK General Data Protection Regulations (The EU GDPR Regulation (EU) 2016/679, as retained and amended after Brexit).
- 1.4 UHI North, West and Hebrides fully endorses and adheres to the data processing principles of the UK General Data Protection Regulation. These principles specify the legal conditions to be satisfied in relation to obtaining, handling, processing, transporting, storing and delete personal data. Employees, students and any others who obtain, handle, process, transport, store or delete on behalf of UHI North, West and Hebrides must adhere to these principles.
- 1.5 UHI North, West and Hebrides is committed to ensuring that this policy and any associated procedures are updated to reflect any future legislative changes and updates in a timely manner.

## 2. Definitions

- 2.1 **UHI North, West and Hebrides:** UHI North, West and Hebrides is a partner of the University of the Highlands and Islands (UHI). UHI is an integrated university, made up of a distinctive partnership of independent colleges and research institutions. The partners are: UHI Argyll, UHI Inverness, UHI Moray, UHI North, West and Hebrides, UHI Perth, UHI Shetland, Highland Theological College UHI, Orkney College UHI, Sabhal Mòr Ostaig, and Scottish Association for Marine Science (SAMS). UHI North, West and Hebrides was formed in 2023 with the merger of UHI North Highland, UHI West Highland and UHI Outer Hebrides.
- 2.2 **The / This Policy:** The / This Policy refers to the Data Protection Policy within this document.
- 2.3
 

Act:	Data Protection Act 2018
EU:	European Union
GDPR:	General Data Protection Regulation
UK GDPR:	The EU GDPR as retained and amended by the UK after exit from the EU.
ICO:	Information Commissioner's Office
University:	UHI (University of Highlands and Islands)
College:	UHI North, West and Hebrides
UK:	United Kingdom

## 3. Purpose

- 3.1 This policy sets out the college's commitment to protecting personal data and complying with relevant legislation and describes how that commitment is implemented.

## 4. Scope

- 4.1 This policy applies to all personnel who process personal data or have access to information processing systems operated by the college and to all personal data whether stored electronically on systems, applications or paper copy.

## 5 Exceptions

- 5.1 The policy applies without exceptions, exclusions, or restrictions.

## 6 Notification

- 6.1 The policy will be available on the college website and the UHI North, West and Hebrides SharePoint site.

## 7 Roles and Responsibilities

- 7.1 The college Board of Management is responsible for ensuring the legal compliance of this policy.
- 7.2 The Data Controller has overall responsibility for setting the Data Protection Policy and outlining expectations of all staff with regard to data protection. The Data Controller is the Principal of the college.
- 7.3 The Data Protection Officer (DPO) is responsible for providing information and advice to staff on data protection compliance and for monitoring the College's compliance with legislation and its policies, the DPO is also the main contact between the College and ICO on all matters related to data protection.

The DPO can be contacted on: [dpo.nwh@uhi.ac.uk](mailto:dpo.nwh@uhi.ac.uk) TBC

The DPO service is provided through Universities and Colleges Shared Services, offering access to a team of professionals if the named DPO is absent.

- 7.4 Departmental Heads/Managers and Curriculum Area Leads are responsible for ensuring that all personal data being processed within their area of responsibility complies with legislation and college procedures, seeking advice as appropriate from the DPO. They should ensure that staff within their department have completed the relevant training and have the relevant levels of knowledge of data protection and related issues sufficient to fulfil their roles.
- 7.5 All members of staff are responsible for ensuring that they comply with college policies and procedures, participate in relevant training, process data in accordance with the requirements set, and seek advice from their line manager where appropriate. All staff are expected to comply with requests from the DPO to locate personal data within given timescales where required, normally when an individual has exercised a right in relation to their personal data.

All staff who are involved in the processing of data have a duty of care to ensure that data is processed in accordance with data protection principles. Processing includes obtaining, recording, holding and storing information and carrying out any operations on the data including adaption, alteration, use, disclosure, transfer, erasure and destruction. Allegations of a breach with regard to this duty of care will be taken seriously and may lead to the staff disciplinary procedure being invoked.

## 8 Legislative Framework

- UK General Data Protection Regulations
- Data Protection Act 2018
- Where personal data of persons resident in the EU is processed the EU GDPR may also apply.

## 9 Related Policies, Procedures, Guidelines and Other Resources

- UHI Data Protection Policy and Procedures
- UHI North, West and Hebrides Freedom of Information Policy
- UHI North, West and Hebrides Records Management Policy
- UHI North, West and Hebrides Records Retention and Disposal Policy
- The UK Information Commissioner's Office provides a comprehensive guide to data protection on its website at <https://ico.org.uk>

## 10 Version Control and Change History

Version	Date	Endorsed / Approved	Amendment(s)	Author
0	August 2023		New policy for UHI NWH	Graham Francis
1				
2				
3				
4				