



Data Protection Policy – June 2016

Legal Obligations

Under the Conduct of Employment Agencies and Employment Businesses Regulations 2003, and the Agencies and Employment Business Regulations (Northern Ireland) 2005, Top Up Teachers Ltd will not disclose confidential information to clients (such as details of the candidate's marital status, age or sexual orientation) without the consent of the candidate. Contracts between Top Up Teachers Ltd and the candidate or client will provide warranties that information will be kept confidential. The Regulations also require that Top Up Teachers Ltd keep all candidate and client records for at least 12 months, or for a year after the date when they last provide their services.

Top Up Teachers Ltd will also ensure that their Terms and Conditions provide for compliance with the Data Protection Act 1998 (DPA) in terms of dealing with personal information disclosed by candidates, warranties covering Top Up Teachers Ltd data protection policies and measures used to prevent unauthorised or unlawful processing of candidates' and clients' private and confidential data or sensitive commercial information about the client's business affairs.

Top Up Teachers Ltd processes, stores and shares personal and confidential information from both candidates and clients, and is therefore required to notify and register with the Information Commissioner's Office (ICO) as a data controller. The ICO can be notified online for a fee of £35 and notification must be renewed yearly. Go to <https://ico.org.uk/for-organisations/register> for more information.

Objectives

By following and maintaining strict safeguards and controls, Top Up Teachers Ltd will:

- Acknowledge the rights of individuals to whom personal data relate, and ensure that these rights may be exercised in accordance with the Act;
- Ensure that both the collection and use of personal data are done in a way that recognises the Fair Processing Code, i.e. that personal data is obtained fairly and lawfully.
- Ensure personal data will only be obtained and processed for the purposes specified in Top Up Teachers Ltd Terms and Conditions of Business.
- Collect and process personal data on a “need to know” basis, ensuring that they are fit for the purpose, are not excessive, and are disposed of at a time appropriate to their purpose.
- Ensure that adequate steps are taken to ensure the accuracy and currency of data;
- Ensure that for all personal data, appropriate security measures are taken – both technically and organisationally – to protect against damage, loss or abuse;
- Ensure that the movement of personal data is done in a lawful way – both inside and outside the organisation and that suitable safeguards exist at all times.



Achieved by:

In order to support these objectives, Top Up Teachers Ltd will:

- Have a “Designated Data Protection Officer” to ensure that there is accountability and that Information Risk is recognised at a Senior Level;
- Ensure that all activities that relate to the processing of personal data have appropriate safeguards and controls in place to ensure information security and compliance with the Act;
- Ensure that all contracts and service level agreements between Top Up Teachers Ltd and external third parties make reference to the Data Protection Act and appropriate Organisational and Technological measures will be put in place to safeguard the data;
- Ensure that all staff acting on Top Up Teachers Ltd behalf understand their responsibilities regarding information security under the Act, and that they receive the appropriate training/instruction and supervision so that they carry these duties out effectively and consistently and are given access to personal information that is appropriate to the duties they undertake;
- Ensure that all third parties acting on Top Up Teachers Ltd behalf are given access to personal information that is appropriate to their specific requirements and no more;
- Ensure that any requests for access to personal data are handled courteously, promptly and appropriately, ensuring that either the data subject or their authorised representative have a legitimate right to access under the Act, that their request is valid, and that information provided is clear and unambiguous;
- Ensure that all staff are aware of the Data Protection Policy and Guidance;
- Review this policy and the safeguards and controls that relate to it annually to ensure that they are still relevant, efficient and effective.
- This Policy and Procedure and the Subject Access Information material will be made available in other formats where necessary.

Please follow this link to the ICO’s website www.ico.gov.uk which provides further detailed guidance on a range of topics including individual’s rights, exemptions from the Act, dealing with subject access requests, how to handle requests from third parties for personal data to be disclosed etc.