



**DATA PROTECTION ACT 2018: APPROPRIATE POLICY
DOCUMENT**

Calderdale College

Appropriate Policy Document

1 PURPOSE OF THIS DOCUMENT

In the course of its activities, Calderdale College is required to process special category data and criminal offence data in accordance with the requirements of Article 9 and 10 of the General Data Protection Regulation ('GDPR') and Schedule 1 of the Data Protection Act 2018 ('DPA 2018').

The college needs to maintain an 'Appropriate Policy Document' to set out how it fulfils its compliance obligations in regard to this data.

2 DESCRIPTION OF DATA PROCESSED

2.1 Special Category Data

Special Category Data is defined as Personal data relating to:

- racial or ethnic origin
- political opinions
- religious or philosophical beliefs
- trade union membership
- the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person,
- data concerning health
- data concerning a natural person's sex life or sexual orientation

2.2 What the college collects

As set out in the Staff and Students Privacy Notice, the college collects:

- information about ethnicity
- information about health, including any medical condition, which may include details of any health issues (both physical and/or mental) which require us to make adjustments to our delivery of education or workplace
- details of any benefits owing to such health issues
- information regarding pregnancy where we are required to conduct an expectant mother's risk assessment to make adjustments to education or workplace
- information relating to an accident or first aid provision on college premises

2.3 Criminal Convictions Data

Criminal convictions data is defined as personal data relating to criminal convictions and offences or related security measures.

2.4 What data do we collect

As set out in the Staff and Students Privacy Notice, the college collects:

- information about criminal convictions and offences provided to us by the data subject, or provided to us by a third party during the course of an individual's studies or employment with Calderdale

- details of unspent convictions, criminal acts committed on Calderdale premises or criminal acts disclosed to us voluntarily and which will have an impact on education or employment

3 SCHEDULE 1 CONDITION FOR PROCESSING

The College is required to process data according to one of six available legal bases (consent, contract, legal obligation, vital interests, public task, legitimate interests). For Special Category Data, the College needs to find an appropriate additional condition in the GDPR and, in some cases, a substantial public interest condition from the Data Protection Act 2018.

3.1 GDPR Article 9 conditions

The College processes special categories of personal data under the following GDPR Articles:

- Article 9(2)(b) – where processing is necessary for the purposes of performing or exercising obligations or rights which are imposed or conferred by law on the ICO or the data subject in connection with employment, social security or social protection.
- Article 9(2)(g) - reasons of substantial public interest.
- Article 9(2)(f) – for the establishment, exercise or defence of legal claims.
- Article 9(2)(a) – explicit consent
- Article 9(2)(c) – where processing is necessary to protect the vital interests of the data subject or of another natural person.

3.2 Data Protection Act 2018 conditions

The College relies on the following Schedule 1, Part 2 conditions:

- Paragraph 1 (1) employment, social security and social protection.
- Paragraph 6 (1) and (2)(a) statutory, etc. purposes
- Paragraph 8 (1) equality of opportunity or treatment
- Paragraph 10 (1) preventing or detecting unlawful acts
- Paragraph 11 (1) and (2) protecting the public against dishonesty

3.3 Criminal offence data

The College relies on the following Schedule 1 conditions:

- Paragraph 1 – employment, social security and social protection
- Paragraph 6(2)(a) – statutory, etc. purposes

4 DATA PROTECTION PRINCIPLES

The seven data protection principles are set out in the UK GDPR:

Lawfulness, fairness, and transparency - The College explains to its student, staff, and other data subjects how it processes their personal data at the point of collection, what the legal basis is for processing and for what purposes the data will be used. In circumstances where the data is not sourced from the individual, information is made available which explains how the data is used.

Purpose limitation - The College only uses the personal data it has for the purposes it was collected for unless certain safeguards around re-use apply.

Data Minimisation - The College only collects personal data which is relevant to the purposes for which it is collected.

Accuracy - The College ensures that personal data is correct, up to date and it is able to rectify any mistakes quickly.

Storage Limitation - The College does not retain personal data for longer than is needed unless certain safeguards around long term or permanent storage apply.

Integrity and Confidentiality - The College protects their personal data against unauthorised access, loss, or destruction by a range of security measures.

Accountability - The College will be responsible for its data processing and be able to demonstrate compliance with the other data protection principles.

The College's data protection policy is available at the following link:

<https://www.calderdale.ac.uk/about-us/data-protection/>

5 RETENTION AND ERASURE

Personal data is retained and deleted according to the College's Record Retention Management Policy and the 'storage limitation' data protection principle.

6 FURTHER INFORMATION

Please contact the Data Protection Officer for further information on

dpo@calderdale.ac.uk

7 APPROVAL AND REVIEW

This document has been approved by the GDPR Working Group as a related procedure to the College's Data Protection Policy, approved by the Finance & Resources Committee in July 2022.

Version	Author	Comments
1.0	Senior Data Protection Advisor, Naomi Korn Associates Ltd	Initial draft – February 2023
	Reviewed by Data Protection Officer, Naomi Korn Associates Ltd	No changes or updates necessary – April 2025