



THE HOUSE OF RADHA



2024 DATA PROTECTION AND DATA SECURITY POLICY

Date: 1st June 2024

THE HOUSE OF RADHA
THE CREATIVE INDUSTRIES MASTERCLASS PROGRAMME (TCIMCP)
DATA PROTECTION AND DATA SECURITY POLICY 2024

1. STATEMENT AND PURPOSE OF POLICY

THE HOUSE OF RADHA LTD is committed to complying with the General Data Protection Regulation as a company, an employer and as a service provider. We use Personal Data provided by applicants or third parties acting for the applicant and learner (including Personal Data from application forms) for the following purposes (the Authorised Purposes):

- a.** Administer applications and admissions processes and procedures and attendance records after admissions;
- b.** Deliver and facilitate your programme session(s) of study and provide you with teaching, research and educational learning services and support;
- c.** Monitor your performance and attendance;
- d.** Enable effective communication with you including without limitation, providing you with information relating to services and products;
- e.** Identify ways to enhance learning, teaching and assessment.

We are committed to ensuring that all personal data handled by us will be processed according to legally compliant standards of data protection and data security. We confirm for the purposes of the data protection laws, that THE HOUSE OF RADHA LTD is a data controller of the personal data in connection with The Creative Industries Masterclass Programme and Service that we provide. This means that we determine the purpose for which, and the manner in which, your personal data is processed.

The purpose of this Policy is to help us achieve our data protection and data security aims by:

- a.** Notifying our staff of the types of personal information that we may hold about them, our customers, suppliers and other third parties and what we do with that information;
- b.** Setting out the rules on data protection and the legal conditions that must be satisfied when we collect, receive, handle, process, transfer and store personal data and ensuring staff understand our rules and the legal standards; and
- c.** Clarifying the responsibilities and duties of staff in respect of data protection and data security.

This is a statement of policy only and does not form part of your contract of employment. We may amend this Policy at any time, in our absolute discretion.

2. DATA PROTECTION PRINCIPLES

Staff whose work involves using personal data relating to others must comply with this Policy and with the following data protection principles which require that personal information is:

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- a.** Processed lawfully, fairly and in a transparent manner. We must always have a lawful basis for personal data, as set out in the data protection laws. Personal data may be processed as necessary to perform a contract with the data subject, to comply with a legal obligation which the data controller is the subject of, or for the legitimate interest of the data controller or the party to whom the data is disclosed. The data subject must be told who controls the information (us), the purpose(s) for which we are processing the information and to whom it may be disclosed;
- b.** Collected only for specified, explicit and legitimate purposes, Personal data must not be collected for one purpose and then used for another. If we want to change the way we use personal data, we must first tell the data subject;
- c.** Processed only where it is adequate, relevant and limited to what is necessary for the purposes of processing. We will only collect personal data to the extent required for the specific purpose notified to the data subject;
- d.** Accurate and the Employer takes all reasonable steps to ensure the information that is inaccurate is rectified or deleted without delay. Checks to personal data will be made when collected and regular checks must be made afterwards. We will make reasonable efforts to rectify or erase inaccurate information;
- e.** Kept only for the period necessary for processing. Information will not be kept longer than it is needed and we will take all reasonable steps to delete information when we no longer need it. For guidance on how long particular information should be kept, contact the management programme team at contact@thehouseofradha.co.uk;
- f.** Secure, and appropriate measures are adopted by the Employer and Service provider.

3. DEFINITIONS AND THEIR MEANINGS:

The General Data Protection Regulation governs the processing of personal data. The following definitions are used:

CONTROLLER, PERSONAL DATA, PROCESSING AND PROCESSOR

Means set out in the Data Protection Act 2018 (the DPA) and the UK GDPR and Process and Processed shall be construed accordingly.

DATA PROTECTION LAWS

Means all legislation and regulatory requirements in force from time to time in the UK relating to the processing of personal data and the privacy of electronic communications.

SPECIAL CATEGORY DATA

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

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PERSONAL DATA	Means data which can identify living individuals. As well as images, names and contact details it can also include numerical or statistical information from which an individual's identity can be derived.
PURPOSE LIMITATION	Means the personal data it has for the purposes it was collected for.
INTEGRITY AND CONFIDENTIALITY	Means protecting personal data against unauthorised access, loss or destruction by a range of security measures.
DATA PROJECT LAWS	Means all applicable laws relating to the processing of personal data, including, for the period during which it is in force, the UK General Data Protection Regulation.
SPECIAL CATEGORIES OF PERSONAL DATA	Means information about an individual's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, sex life or sexual orientation and biometric data.
DATA CONTROLLER	Means the purposes for which personal data are processed. The controller is ultimately responsible for the personal data, whether they pass the data to a data processor or not. This includes the responsibilities of responding to Subject Access Requests and complaints from data subjects.
DATA PROCESSING	Means any use that is made of data, including collecting, storing, amending, disclosing, or destroying it.
LAWFULNESS, FAIRNESS AND TRANSPARENCY	Means staff, students and customers how it process personal data at the point of collection and for what purposes.

4. PERSONAL DATA AND ACTIVITIES

The Service Provider shall only Process Personal Data to the extent reasonably required to enable it to supply the Services as mentioned in these Terms and Conditions or as requested by and agreed with the Customer, and shall not retain any Personal Data longer than necessary for the Processing and refrain from Processing any Personal Data for its own or for any third party's purposes.

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4.1. THIS POLICY COVERS PERSONAL DATA:

- a.** Which relates to a natural living individual who can be identified either from that information in isolation or by reading it together with other information we possess;
- b.** Is stored electronically or on paper in a filing system;
- c.** In the form of statements of opinion as well as facts;
- d.** Which relates to Staff (present, past or future) or to any other individual whose personal data we handle or control;
- e.** Which we obtain, is provided to us, which we hold a store, organise, disclose or transfer, amend, retrieve, use, handle, process, transport or destroy;
- f.** This personal data is subject to the legal safeguards set out in the data protection laws.

The Services Provider shall not disclose Personal Data to any third parties other than employees, directors, agents, sub-contractors or advisers on a strict 'need-to-know' basis and only under the same (or more extensive) conditions as set out in these Terms and Conditions or to the extent required by applicable legislation and regulations. The Service Provider shall implement and maintain technical and organisation security measures to protect Personal Data Processed by the Service Provider on behalf of the Customer. For any enquiries or complaints regarding data privacy, you can email contact@thehouseofradha.co.uk.

4.2. WHAT PERSONAL DATA DO WE PROCESS:

The types of personal data that we may collect, store and use about you include records relating to your:

- a.** Home address, contact details and contact details for your next of kin;
- b.** Recruitment (including your application form or curriculum vitae, references received and details of your qualifications);
- c.** Pay records, national insurance number and details of taxes and any employment benefits such as pension and health insurance (including details of any claims made);
- d.** Telephone, email, internet, fax or instant messenger use;
- e.** Performance and any disciplinary matters, grievances, complaints or concerns in which you are involved.

When supplying the Services to the Customer, the Service Provider may gain access to and acquire the ability to transfer, store or process personal data of employees of the Customer. The parties agree that where such processing of personal data takes place, the Customer shall be the 'data controller' and the Service Provider shall be the 'data processor' as defined in the General Data Protection Regulation (GDPR) as may be amended, extended and re-enacted from time to time.

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5. INDIVIDUAL RIGHTS:

You have the following rights about your data and can request the team, and we will tell you:

- a.** Whether or not your data is processed and so why the categories of personal data concerned and the source of the data if it is not collected from you;
- b.** To whom your data is or may be disclosed;
- c.** For how long your data is stored (or how that period is decided);
- d.** Your rights of rectification or erasure of data, or to restrict or object to processing;
- e.** Your right to complain to the Information Commissioner if you think we have failed to comply with your data protection rights;
- f.** Whether or not we carry out automated decision-making and the logic involved in any such decision-making;
- g.** We will provide you with a copy of the personal data undergoing processing. This will normally be in electronic form if you have made a request electronically unless you agree otherwise;
- h.** We may need to ask for proof of identification before your request can be processed. We will let you know if we need to verify your identity and the documents we require;
- i.** We will normally respond to your request within 28 days from the date your request is received. In some cases, e.g. where there is a large amount of personal data being processed we may respond within three months of the date your request is received. We will write to you within 28 days of receiving your original request if this is the case;
- j.** If your request is manifestly unfounded or excessive, we are not obliged to comply with it.

6. OTHER RIGHTS:

You have number of other rights about your data. You can require us to:

- a.** Rectify inaccurate data;
- b.** Stop processing or erase data that is no longer necessary for processing;
- c.** Stop processing or erase data if your interests override our legitimate grounds for processing the data (where we rely on our legitimate interests as a reason for processing data);
- d.** Stop processing data for a period if data is inaccurate or if there is a dispute about whether or not your interests override legitimate grounds for processing the data

To request that we take any of these steps, please send the request to Management team contact@thehouseofradha.co.uk.

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7. DATA SECURITY:

Maintaining appropriate standards of data protection and data security is a collective task shared between us and you. This Policy and the rules contained in it apply to all staff of the Employer, irrespective of seniority, tenure and working hours, including all employees, directors and officers, consultants and contractors, casual or agency staff, trainees, home workers and fixed-term staff and any volunteers (Staff). We will use appropriate technical and organisational measures to keep personal data secure and to protect against unauthorised or unlawful processing and accidental loss, destruction or damage.

Maintaining data security means making sure that:

- a.** Only people who are authorised to use the information can access it;
- b.** Where possible, personal data is optimised or encrypted;
- c.** Information is accurate and suitable for the purpose for which it is processed; and
- d.** Authorised persons can access information if they need it for authorised purposes.

By law, we must use procedures and technology to secure personal information throughout the period that we hold or control it, from obtaining to destroying information. Personal information must not be transferred to any person to process (e.g. while performing services for us on or on our behalf) unless that person has either agreed to comply with our data security procedures or we are satisfied that other adequate measures exist.

8. SECURITY PROCEDURES INCLUDE:

- a.** Any desk or cupboard containing confidential information must be kept locked;
- b.** Computers should be locked with a strong password that is changed regularly or shut down when they are left unattended, and discretion should be used when viewing personal information on a monitor to ensure that it is not visible to others;
- c.** Data stored on CDs or memory sticks must be encrypted or password-protected and locked away securely when they are not being used;
- d.** The management team must approve of any cloud used to store data;
- e.** Data should never be saved directly to mobile devices such as laptops, tablets or Smartphones;
- f.** All servers containing sensitive personal data must be approved and protected by security software;
- g.** Servers containing personal data must be kept in a secure location, away from general office space;
- h.** Data should be regularly backed up in line with the Employer's backup procedure.

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9. TELEPHONE PRECAUTIONS:

Particular care must be taken by Staff who deals with telephone enquiries to avoid inappropriate disclosures. In particular:

- a.** The identity of any telephone caller must be verified before any personal information is disclosed;
- b.** If the caller's identity cannot be verified satisfactorily then they should be asked to put their query in writing;
- c.** Do not allow callers to bully you into disclosing information. In case of any problems or uncertainty, contact the Management team at contact@thehouseofradha.co.uk.

Methods of disposal. Copies of personal information, whether on paper or on any physical storage device, must be physically destroyed when they are no longer needed. Paper documents should be shredded and CDs or memory sticks or similar must be rendered permanently unreadable.

10. STORAGE AND RETENTION:

Personal data (and sensitive personal information) will be kept securely by our. The periods for which we hold personal data are contained in our Privacy Notices. THE HOUSE OF RADHA LTD does not retain personal data for longer than it is needed.

11. INDIVIDUAL RESPONSIBILITIES:

Staff are responsible for helping the Employer keep their data up to date. Staff should let the Employer know if personal data provided to the Employer changes, e.g. if you move house or change your bank details.

Individuals who have access to personal data are required to:

- a.** Access only personal data that they have authority to access and only for authorised purposes;
- b.** Disclose personal data except to individuals (whether inside or outside of the Employer) who have appropriate authorisation;
- c.** Keep personal data secure (e.g. by complying with rules on access to premises, computer access, including password protection, and secure file storage and destruction);
- d.** Not to remove personal data, or devices containing or that can be used to access personal data, from the Employer's premises without adopting appropriate security measures (such as encryption or password protection) to secure the data and the device;
- e.** Not to store personal data on local drivers or on personal devices that are used for work purposes.

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12. SENSITIVE PERSONAL DATA:

We may need to process sensitive personal information (sometimes referred to as special categories of personal data). We will only process sensitive personal information if:

- a.** We have a lawful basis for doing so, e.g. it is necessary for the performance of the employment contract and as a service provider;
- b.** Data subject has given explicit consent;
- c.** Processing is for exercising the employment law rights or obligations of the Company or the data subject;
- d.** Processing is to protect the data subject's vital interests, and the data subject is physically incapable of giving consent
- e.** Processing related to personal data is manifestly made public by the data subject
- f.** Processing is necessary for the establishment exercise and defence of legal claims
- g.** Processing is necessary for reasons of substantial public interest

Sensitive personal information will not be processed until the assessment above has taken place and the individual has been properly informed of the nature of the processing, the purposes for which it is being carried out and the legal basis for it.

13. TRAINING AND AWARENESS:

We are committed to ensuring that all individuals have training about their data protection responsibilities as part of the induction process and at regular intervals thereafter. Individuals whose roles require regular access to personal data, or who are responsible for implementing this Policy or responding to subject access requests under this Policy will receive additional to help them understand their duties and how to comply with them. As referenced in the staff terms and conditions, a breach of data protection law due to unauthorised access, misuse or loss may result in disciplinary action, up to and including dismissal.

All Staff have a personal responsibility to ensure compliance with this Policy, to handle all personal data consistently with the principles set out here and to ensure that measures are taken to protect the data security. Managers have a special responsibility for leading by example and monitoring and enforcing compliance. THE HOUSE OF RADHA LTD must be notified if this Policy has not been followed, or if it is suspected this Policy has not been followed, as soon as reasonably practicable.

14. HOW WE USE YOUR DATA:

We will tell you the reasons for processing your data, how we use such information and the legal basis for processing in our Privacy Policy. We will not process Staff or Learner personal information for any other reason. In general, we will use information to carry out our business, to administer your employment or engagement and deal with any problems or concerns you may have, including, but not limited to:

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15. SENSITIVE PERSONAL DATA:

We may need to process sensitive personal information (sometimes referred to as special categories of personal data). We will only process sensitive personal information if:

- a.** Monitoring IT systems: to monitor your use of e-mails, internet, telephone and fax, computer or other communications or IT resources.
- b.** Disciplinary, grievance or legal matters: in connection with any disciplinary, grievance, legal, regulatory or compliance matters or proceedings that may involve you.
- c.** Performance reviews: to carry out performance reviews.
- d.** Analysis: reporting of equality and diversity information
- e.** Sickness records: to maintain a record of your sickness absence and copies of any doctor's notes or other documents supplied to us in connection with your health, to inform your colleagues and others that you are absent through sickness, as reasonably necessary to manage your absence, to deal with unacceptably high or suspicious sickness absence, to inform reviews for appraisal purposes of your sickness absence level, to publish internally aggregated, anonymous details of sickness absence levels.

16. FURTHER INFORMATION

16.1. DATA BREACHES:

If we discover that there has been a breach of personal data that poses a risk to the rights and freedoms of individuals, we will report it to the Information Commissioner within 72 hours of discovery. If the breach is likely to result in a high risk to your rights and freedoms, we will tell affected individuals that there has been a breach and provide them with more information about its likely consequences and the mitigation measures it has taken.

Any breach of this Policy will be taken seriously and may result in disciplinary action up to and including dismissal. Significant or deliberate breaches, such as accessing Staff or customer personal data without authorization or a legitimate reason to do so, may constitute gross misconduct and could lead to dismissal without notice.

16.2. DATA PROTECTION BY DESIGN:

The University is committed to ensuring privacy in its processes and outcomes. New projects involving personal data must carry out a privacy impact assessment to identify risks and plan appropriate mitigation.

16.3. DATA IMPACT ASSESSMENTS:

Where processing would result in a high risk to staff rights and freedoms, the Employer will conduct a data protection impact assessment to determine the necessity and proportionality of processing. This will include considering the purposes for which the activity is carried out the risks for individuals and the measures that can be put in place to mitigate those risks.

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16.4. THIRD PARTIES:

Third parties to whom the company is under a duty to disclose or share your Data to comply with any legal regulatory obligation, to protect the company's rights, property, or the safety of our employees and students, and protection of your physical, mental or emotional well-being.

16.5. ACCURACY AND RELEVANCE:

THE HOUSE OF RADHA LTD ensures that the data is correct, up to date and able to rectify any mistakes quickly.

We will:

- a.** Ensure that any personal data processed is up to date, accurate, adequate, relevant and not excessive, given the purpose for which it was collected;
- b.** Do Not process personal data obtained for one purpose for any other purpose unless you agree to this reasonably expect this.

If you consider any information held about you is inaccurate or you have any questions relating to the Data Protection Act out of date then you should contact the Programme Management Team at contact@thehouseofrdha.co.uk. If they agree that the information is inaccurate or out of date, then they will correct it promptly. If they do not agree with the correction, they will note your comments.