



## QA 8.1 Data Privacy Statement

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## 1. Data Privacy

### 1.1 Policy Owner

The policy owner is the Board of Directors.

### 1.2 Purpose

This Data Privacy statement is issued as partial fulfilment of Cenit College’s obligation under the General Data Protection Regulation (GDPR) 2018. It will seek to inform all Cenit College current and potential data subjects of how it processes personal data and the legal basis for this processing. It will also outline how Cenit College complies with the principals of Data Privacy.

### 1.3 Scope

This statement is for the benefit and rights of all Cenit College Data Subjects and Potential Data Subjects.

Specifically, this statement is applicable to:

- Any individual who receives, handles, or processes personal data on behalf of Cenit College. This cohort includes direct employees (full and part time) and tutors.
- Third party organisations that receive, handle or process personal data on behalf of Cenit College. This cohort is often referred to as the data processors or sub-processors.

### 1.4 Responsibilities

The following personal are responsible for Data Management within Cenit College

| <b>Role</b>          | <b>Responsibility</b>  |
|----------------------|--|
| Board of Directors   | Overall responsibility for Data Management within Cenit College.   |
| Managing Committee   | Responsibility to execute the policy.  |
| Financial Controller | Maintaining all financial records  |
| Staff                | Ensuring compliance in their respective roles and duties.  |
| IT Manager           | <ul style="list-style-type: none"> <li>● maintaining our server where data is held i.e., security, configuration, and maintenance.</li> <li>● Back-up(s)</li> <li>● LMS and storage of data</li> </ul> The IT Manager will monitor the IT environment and perform regular maintenance checks |
| Training Manager     | Responsible for preparing reports  |
| Examinations Officer | Transferring results into the awarding body’s system   |

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|-------------------------|---|
| Quality Manager         | Responsible for all data in relation to the quality assurance of Cenit College’s activities.  |
| Data Protection Manager | <p>The Data Protection Manager has the following responsibilities in accordance with article 39 of GDPR.</p> <ul style="list-style-type: none"> <li>● to inform and advise Cenit College and the employees who carry out processing of their obligations pursuant to GDPR and to other data protection legislation.</li> <li>● to monitor compliance with the GDPR, with other data protection legislation and with the policies of Cenit College in relation to the protection of personal data, including the assignment of responsibilities, awareness-raising and training of staff involved in processing operations, and the related audits.</li> <li>● To provide advice, where requested, as regards data protection impact assessment (DPIA) and to monitor their performance pursuant to Article 35 of the GDPR.</li> <li>● To cooperate with the Office of the Data Protection Commissioner.</li> <li>● To act as a contact point for the Office of the Data Protection Commissioner on issues relating to processing, including the prior consultation referred to in Article 36, and to consult, where appropriate regarding any other matter.</li> <li>● To act as a liaison with the Office of the Data Protection Commissioner in connection with personal data breaches, when requested by Cenit College.</li> <li>● in the performance of his/her tasks have due regard to the risk associated with processing operations, considering the nature, scope, context, and purposes of processing.</li> </ul> |

## 2. Data Privacy

From the 25<sup>th</sup>May 2018, organisations within the EU, or processing data of EU data subjects, are governed by the European Data Protection Regulation, known as the GDPR. Cenit College has before

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then and will continue from that date to maintain security of personal data and protect the privacy of data subjects in accordance with legislation. This statement will seek to explain.

- Definition of key terms from the GDPR legislation
- Principles of GDPR
- Cenit College in the context of GDPR
- The Cenit College contact in relation to personal data
- What personal data Cenit College collects and how it is used
- How Cenit College shares personal data
- How Cenit College safeguards personal data
- How Cenit College stores and destroys personal data
- The rights of the Data Subjects
- The process for changes to this privacy statement

### 2.1 Definitions and Key Terms

The following definitions and key terms are based on the GDPR Ireland information and are contained in the General Data Protection Act 2018.

**Personal Data:** this refers to *any information about a living person, where that person either is identified or could be identified* (Data Subject). This person can be identified either directly or indirectly through an identification number. Personal data can cover various formats of data such as manual or electronic. Examples of “identifiers” include name, date of birth, email address, phone number, address, PPS number, physical characteristics (such as photographs, video or fingerprints), or location data – it must be clear to whom that information relates, or it is reasonably easy to discover the identity.

**Data subject:** refers to a person whose personal data is processed by a controller or processor. The Data Subjects within Cenit College include staff, learners, those who make an enquiry regarding our programmes or apply for our programmes, individuals who apply for positions of employment, graduates, former employees, and other such parties Cenit College may engage with from time to time in the normal course of conducting its organisational duties. Data Subjects also includes external examiners and those third parties to whom Cenit College makes payment for the provision of goods, services, and expertise.

**Data Controller:** this refers to *a person, company, or other body that decides how and why a data subject’s personal data are processed*. As a legal entity Cenit College is the data controller. If two or more persons or entities decide how and why personal data are processed, they may be Joint



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controllers, and they would both share responsibility for the data processing obligations. In certain circumstances Cenit College may act as a joint controller. Examples of this within Cenit College are QQI, ILM, Contracted Training, Pitman Training.

**Data Processor:** this refers to *a person, company, or other body which processes personal data on behalf of a controller*. They carry out processing on the orders of the Data Controller and thus it is not up to them to decide how or why processing takes place. Cenit College acts as a Data Processor for Bright HR to process our HR information.

## 2.2 Principles of GDPR

There are seven key principles that are set out in Article 5 of the GDPR legislation. Cenit College must follow these principals. Under these principals, personal data must be.

1. Processed *fairly* and *lawfully* and in a manner which is *transparent* in relation to the data subject.
2. Subject to *purpose limitation* i.e., collected for explicit, legitimate, and specified purposes and not further processed in a manner that is incompatible with those purposes.
3. In accordance with the *data minimisation* principal. This means the data must be adequate, relevant, and limited to what is necessary in relation to the purposes for which it is processed.
4. *Accurate* and, where necessary, kept up to date.
5. Kept for a period deemed necessary (*storage limitation* principal).
6. Subject to *integrity* and *confidentiality*. Data must be processed in a manner that ensures the rights of the data subjects. Data must also be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction, or damage to that personal data.
7. *Accountable*. This is a new principle of data protection law. Cenit College as a data controller is responsible for, and must be able to demonstrate compliance with, the other principles of data protection. Under this principal Cenit College will ensure compliance with the principles and have appropriate processes and records in place to demonstrate compliance.

Data must be kept within the EU and not be transferred to any area outside the EU 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.

Further information of how the Cenit College fulfils these obligations are contained in **QA8.3 Data Protection Policy**.

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### 2.3 Cenit College position within the GDPR framework

Cenit College is a data controller under the GDPR legislation and under the definition of a data controller is thus responsible for deciding how to process personal data of the data subjects with compliance to the GDPR legislation. Cenit College will publish its privacy statement on its website and will include it within the learner and staff handbooks.

### 2.4 Data Queries Contact Information

All personal data enquires should be made to the Cenit College Data Protection Manager at the following email address: [dataprotection@cenitcollege.ie](mailto:dataprotection@cenitcollege.ie)

If a data subject is not satisfied with the information provided by Cenit College or you believe that your rights as a data subject have not been addressed, then that data subject can make a formal complaint to the Data Protection Commissioners (Ireland), who can be contacted as follows.

Post: Office of the Data Protection Commissioner, Canal House, Station Road, Portarlinton, Co. Laois, R32 AP23, Ireland.

Phone: +353 (0761) 104800, or

Email: [info@dataprotection.ie](mailto:info@dataprotection.ie)

### 2.5 The Purpose of Data Collection

Personal data may be collected for the following purposes.

- Staff recruitment, selection, and employment
- Register learners so that Cenit College can administer learners for their programme of study.
- Record learner achievements
- Health Information needed to provide learner supports.
- Record learner payments (bank details – this is held for 1 month only and not on Cenit Colleges records permanently)
- Communication (email, phone, web communication)
- Monitor and evaluate learner experiences and provide feedback.
- Internal and external audits
- Disciplinary matters, appeals, complaints, and other grievances
- To respond to any information requests made under the Data Protection legislation.
- Marketing (website activity such as IP address, geo-location, page activity). Google analytics and Hotjar are examples of such mechanisms for data collection.
- Some programmes require the submission of CVs for the purpose of engaging employers.

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### 2.6 Types of Personal Data Collected.

The type of personal data that Cenit College collects from its data subjects depends on the interaction between Cenit College and the Data Subject and the relationship between them. Cenit College will collect personal data but only when voluntarily submitted. Non-personal information (such as demographic data regarding user IP addresses that have been clipped) is collected from all of our website users on a cumulative basis. This type of anonymous statistical data cannot be used to identify or contact the user.

Having user's information is essential for Cenit College to properly identify customers' needs so Cenit College can provide the best service. When Cenit College processes user information, it may be used for the following reasons:

- To provide the user with the service
- To contact the user in relation to the service
- To send promotional emails about new offers or services
- To customise the website in accordance with chosen preferences
- To respond to any communications Cenit College may have received from the users.
- For internal record keeping
- Prospective employment
- To supply customers with any certifications or awards
- To ensure we meet our obligations to our clients.

### 2.7 Data Collection

Under the Data Protection Acts 1988-2018, the College is obliged to update or remove user's personal information if informed of any changes. Cenit College retains personal data only for as long as is necessary to fulfil the purpose it was collected. It will not be used for purposes beyond that. Retention periods, deletion, archiving, or destruction methods are documented in the Cenit College Record of Processing.

For the website user's personal information can be updated or removed by emailing the Data Protection Manager at [dataprotection@cenitcollege.ie](mailto:dataprotection@cenitcollege.ie)

Where any potential learner contacts Cenit College about any programme of study in the College, Cenit College will collect personal data to respond to that enquiry or request for service. This information permits Cenit College to respond to the respective enquiry. Cenit College may also acquire data from their clients in order to subprocess data and provide the required service to the client.





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This information is collected on a legal basis that is within the legitimate interests of both Cenit College and the Data Subject to provide a response to requests for information. The primary sources of most learner data collected is the information submitted during the application, enrolment, or registration process, the information your manager or supervisor supplies, and your academic data, such as assessments and grades.

Where learners apply and register for programmes of study further information such as the following is collected, this is dependent on the programme of study. Our Company may collect some or all the following data for the below programmes listed:

**QQI Programmes:** All certificates granted by QQI (the Irish National awarding body) necessitate the student to possess an Irish or UK PPS number (Personal Public Service Number) and other data. The lack of a PPS number renders learners ineligible to receive an award from QQI, as it is a certification requirement by QQI, for our programs. Learners without a PPS number will only receive a completion certificate from Cenit College.

| <b>QQI Programmes</b>                              |   |
|--|---|
| Personal Information                               | Full legal name<br>Date of birth<br>Gender<br>Nationality   |
| Contact Details                                    | Address (including postal code)<br>Email address<br>Phone number  |
| Educational Background                             | Previous qualifications and academic history  |
| Employment Information (if applicable)             | Current employment status (if applicable)<br>Relevant work experience (if applicable)   |
| PPS Number   | Personal Public Service Number  |
| Photographic Identification                        | A valid photo ID (e.g., passport, driver's license) - We "sight" this information to prove identity.                                      |
| Disability or Special Requirements (if applicable) | Information about any disabilities or special requirements the learner may have to ensure proper accommodations can be made if necessary. |
| Payment Information                                | Financial details for course fees (We will only hold what is required by law)   |
| Declaration of Consent:                            | Agreement to terms and conditions<br>Consent for the processing of personal data  |

**ILM Programmes:** Requires specific learner information to complete the registration process.

| <b>ILM Programmes</b> |   |
|-----------------------|---|
| Personal Information  | Full legal name<br>Date of birth<br>Gender<br>Nationality |
| Contact Details       | Address (including postal code)                           |

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|                            |   |
|----------------------------|---|
|                            | Email address<br>Phone number   |
| Employment Information     | Current employer<br>Job title<br>Industry sector  |
| Educational Background     | Name of educational institutions attended.<br>Highest level of education completed.<br>Qualifications obtained. |
| ILM Membership Information | ILM membership number (if applicable)   |
| Payment Information:       | Financial details for course fees (We will only hold what is required by law)                                   |
| Declaration of Consent     | Agreement to terms and conditions<br>Consent for processing personal data                                       |

**PRINCE/SCRUM/Agile/ACCA/Green Project Management:** Requires specific learner information to complete the registration process. Please review the information required in our privacy policy.

| <b>PRINCE/SCRUM/Agile/ACCA/Green Project Management</b> |   |
|---|---|
| Personal Information:                                   | Full legal name   |
| Contact Details   | Email address<br>Phone number   |
| Employment Information (if applicable)                  | Job title<br>Current employer<br>Industry sector  |
| Educational Background (if applicable)                  | Highest level of education completed.<br>Name of educational institutions attended.<br>Qualifications obtained. |
| Payment Information:                                    | Financial details for course fees (We will only hold what is required by law)                                   |
| Declaration of Consent                                  | Agreement to terms and conditions<br>Consent for processing personal data                                       |

**Funded Programmes:** If learners enter via a funded route, we may be required to collect specific data, this will be detailed in the course application process. In this process, we are deemed to be a data processor and the client is the controller. Depending on the programme we may be required to collect some or all of the following data:

- Personal identification information (Created by Cenit College)
- Full legal name
- Email address
- Phone number
- Registration Number(s) - If applicable to the vendor
- Address (including postal code)
- Gender
- Date of Birth
- Personal Public Service (PPS) Number or National Insurance Number
- Next of kin/emergency contact details
- Financial information (including details of funding and fees paid and outstanding)
- Previous educational details

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- Previous employment details
- Details of disabilities (optional) and/or medical records (may be necessary for the application for reasonable accommodation)
- Criminal Convictions (Required for some vendors/UK)
- Ethnicity (Required for some vendors /UK)
- Residency & citizenship details (Required for some vendors /UK)
- Current employment information (Required for some vendors /UK)
- Employment and Salary Information (Required for some vendors /UK)
- Agreement to use visual images for marketing (Required for some vendors /UK) (Not mandatory)

The following may also be collected on all programmes to allow us to provide the relevant service:

- Correspondence sent to Cenit College or its tutors.
- Correspondence that is sent to the client about the learner.
- Activity information on course progress
- Disciplinary, grievance procedures data
- Certificates awarded.
- Information about examinations, assessments, and results, repeat examinations, and learner progression.
- Engagement with Cenit Colleges Training's virtual learning environment activity
- Image (for online platform) and proof of identification where necessary

This information is collected on the basis that registering as a learner on Cenit College Programmes the data subject is entering into a contract to study with Cenit College. The above information is also collected to fulfil Cenit College's legal obligation for Protection of Enrolled Learners (PEL) should that clause have to be activated.

Non-Personal Information Cenit College Ltd collects non-personal information (such as demographic data regarding a user IP address (that have been clipped) from all of our website visitors on a cumulative basis. This type of anonymous statistical data cannot be used to identify or contact users.

### 2.7.1 Sign in Log

All visitors to the Cenit College premises must sign the visitors log at reception. On this log, they will record the following information:

- Name
- Date and Time of entering the premises.
- Date and Time of leaving the premises.

Sign in Logs are shredded once a week.

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### 2.7.2 Closed-Circuit Television (CCTV)

Cenit College utilises Closed-Circuit Television (CCTV) and recording systems within its premises for security, safety, and contractual purposes. These systems may capture visual and auditory data for the protection of individuals and property. The following guidelines outline our practices regarding CCTV and recording data retention:

- **Retention Period:** Recordings captured by CCTV and other recording systems will be retained for a specific duration, as mandated by applicable laws and regulations, or for a period necessary to fulfil the purpose for which they were collected. The specific retention periods may vary depending on the nature of the recorded data and the applicable legal requirements.
- **Access and Security:** Access to CCTV and recorded data will be restricted to authorised personnel with a legitimate need, such as security personnel and law enforcement agencies, as required by law. Access controls and security measures will be in place to safeguard the integrity and confidentiality of such data.
- **Purpose:** CCTV and recording systems are primarily used for security, safety, and operational purposes within Cenit College. Recordings may also be used for investigating incidents, addressing security concerns, and ensuring compliance with the law.
- **User Rights:** Individuals whose images or voices are captured by our CCTV and recording systems may have certain rights concerning their data, including the right to request access, rectification, erasure, or restriction of processing, as provided by applicable data protection laws. Requests related to CCTV and recording data should be directed to our Data Protection Manager [dataprotection@cenitcollege.ie](mailto:dataprotection@cenitcollege.ie).

### 2.8 Exam Vendors Data Collection and Processing

For some programmes learners may be required to register with the examination vendor (e.g. QQI, ILM, ACCA, PeopleCert) to complete your examinations and/or obtain certification, these vendors operate their own retention policy and will require the user or us to supply details to them such as:

|                             |  |
|-----------------------------|--|
| Personal Information        | Full legal name<br>Date of birth<br>Gender<br>Nationality                                  |
| Contact Details             | Address (including postal code)<br>Email address<br>Phone number                           |
| Photographic Identification | A valid photo ID (e.g., passport, driver's license)  |
| Recordings                  | Vendors may record the exam process, and an authorised proctor will invigilate your exams. |

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### 2.9 Registered Learners

As a registered learner Cenit College will use the personal data it may collect from the learners for the following purposes.

- To provide the user with the service requested
- To contact the user in relation to the service requested
- To send promotional emails about new offers or services that Cenit College believes may be of benefit.
- To customise the website in accordance with chosen preferences
- To respond to any communications Cenit College may receive from the user.
- For internal record-keeping
- Prospective employment
- To supply customers with any certifications or awards
- To ensure we meet our obligations to our clients.

Cenit College will process this data for the following reasons.

- Communication: Cenit College will collect personal data to communicate with learners to advise them of learner supports and services, timetables, assessments, and any other communication required to fulfil the learner journey within the college.
- Certification: Cenit College will collect personal data to allow us to process any relevant certifications with the relevant vendors (such as QQI, ILM etc)
- Quality Assurance and Monitoring: Cenit College will collect personal data for the purpose of quality assurance and monitoring and reporting in respect of evaluating the learner journey and experience within Cenit College along with learner satisfaction, progression, completion, and achievement.
- Attendance: Cenit College will collect personal data to monitor the attendance of learners in programmes (online and in the classroom) and for attendance at examinations. This is collected in order to fulfil the Cenit College obligation to funding agencies or awarding bodies, along with the legitimate interest in providing the best possible learner support for programmes of study.
- Webinar Software: Cenit College may record webinars for future access by the class.
- Photographs: These are collected in the legitimate interest of Cenit College to verify the identity of learners for examinations and assessments or access to services that may require photo identity.



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- Using CCTV Cenit College captures images of individuals entering our premises. This is the legitimate interest of the security, health and safety of all visitors, learners and staff attending the Cenit College premises.

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### 2.10 How will we process and use your data.

Data Protection law requires that Cenit College must have a valid lawful basis to process personal data.

Cenit College relies on several such bases as follows:

- The provision of a contract (core services) – much of the personal information processes are necessary to meet its commitments to you, for example, processing your data in relation to teaching, assessment, and associated administration. The following sets out the main purposes for which we may process your data in the provision of a contract:
  - Dealing with enquiries/recruitment and admission of learners
  - Provision of teaching and academic services including examinations,
  - Progression and related administration
  - Recording and managing learner conduct (including disciplinary procedures)
  - Maintaining learner records
  - Management and administration of learner finance (including fees and funding)
  - Delivering plagiarism checking and academic validation services
  - Providing services necessary for the learner experience (including IT and communication services)
  - Safeguarding and promoting the welfare of learners.
  - Dealing with grievances and disciplinary actions
  - Dealing with complaints and enquiries
  - Providing careers and placement advice and services
  - Service improvement via feedback and surveys
  - Internal reporting and record keeping
  - Responding to data access requests
  - Providing learner support services

An opt-out option is not permitted for these operations and core services.

- The fulfilment of a legal obligation – Cenit College must process your personal data when required to do so under Irish/EU law, for instance:
  - Sharing information with statutory bodies
  - Monitoring equal opportunities
  - Providing safety and operational information
  - Performing audits
  - Preventing and detecting crime
  - Administration of insurance and legal claims
  - Garda vetting

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3. To protect the vital interest of you or another person – under extreme circumstances  
Cenit College would share your personal data with third parties to protect your interests or those of another person, for example:
  - Providing medical or emergency contact information to emergency services personnel
  - Contacting you or your next of kin, in case of an emergency
4. Consent – under certain circumstances, Cenit College will only process your personal data with your explicit consent. Explicit consent requires you to make a positive, affirmative action and be fully informed about the matter to which you are consenting, for example:
  - Providing information on Cenit College courses and other programmes of study that may be of interest and benefit to you.
  - References: We may agree to provide a reference for you if you apply for a job or further study.
  - To send promotional emails about new offers or services that Cenit College believes may be of benefit.
  - To customise the website in accordance with chosen preferences

### 2.11 Cenit College and the sharing of personal data

Under Article 6 of the GDPR Cenit College can share learner information with third parties if it is lawful to do so. According to Article 6 these lawful means are as follows.

| Lawful principal | Details  |
|------------------|--|
| Consent          | the data subject has given consent to the processing of his or her personal data for a specified purpose   |
| Contract         | the processing is necessary in order to perform a contract where both the Cenit College and the data subject are parties to or because the data subject has requested Cenit College to take steps to obtain certain information prior to entering into the contract e.g. reference checks or revenue checks. |
| Legal Obligation | the processing is necessary for Cenit College to comply with legislation   |
| Vital Interests  | the processing is necessary to protect the vital interests of the data subject or another person.  |



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|                      |   |
|----------------------|---|
| Public Task          | the processing is necessary for Cenit College for the performance of a task carried out in the interest of the public or for Cenit College’s official functions which have a legal basis.   |
| Legitimate Interests | the processing is necessary for Cenit College’s legitimate interests or the legitimate interests of a third party, except where this interest overrides the protection of the data subject’s fundamental rights and freedom of their personal data. |

Generally, within Cenit College, data (especially sensitive data) is not shared with third parties.

However, the following instances may give rise to the sharing of personal or sensitive data.

- Where Cenit College has a legitimate reason or obligation to share the data (for example, to awarding bodies, tutors, or external companies/bodies).
- Data subject consents to sharing the data.
- Cenit College enters a contract with a third party to act as the data processor (for example employee benefits). In such instance there must be a clear written contract with the roles and responsibilities clearly defined.

### 2.12 Protection of Data

We follow industry standards on information security management and safeguarding sensitive information. Our information security systems apply to people, processes, and information technology systems on a risk management basis.

Your personal data may be shared between members of staff within Cenit College for us to fulfil its functions and objects. Cenit College will employ reasonable and appropriate administrative, technical, personnel, procedural, and physical measures to safeguard your information against loss, theft and unauthorised users’ access, uses or modifications.

The GDPR principles apply:

- **Confidentiality:** only people who are authorised to use the data will be authorised to access it. Staff are required to maintain the confidentiality of any of your data to which they have access.
- **Integrity:** All reasonable efforts are made to ensure that your personal data is maintained accurately and remains suitable for the purpose for which it is processed.
- **Availability:** Only authorised users should be able to access the data if they need it for authorised purposes.

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- Security: We are committed to ensuring that your personal data is secure with us and with the data processors who act on our behalf. We are continuously taking technical and organisational steps to better protect your information.

User's personal information is stored on secure servers. Although Cenit College is committed to ensuring that data is secure, Cenit College cannot guarantee the security of any information sent to them via the internet, as no internet data transmission can be guaranteed to be absolutely secure. To prevent unauthorised access, Cenit College have taken all reasonable physical, electronic and managerial steps to protect personal information.

Cenit College has a range of measures that it implements to safeguard the personal data of the data subject. These include.

- Access to data is restricted to certain roles that are relevant to the purpose for which the data is collected.
- Technical security measures such as password protections, encryption, firewalls, back-ups etc.
- Regular security audits and penetration testing
- The creation of policies and procedures to protect personal data. These are published and implemented and monitored on an organisation wide basis.
- Use of physical storage which is locked and has limited access and electronic storage that is password protected with limited access.
- Staff training
- Data Protection audits
- Risk assessments of any third-party data processing on behalf of Cenit College
- Procedure for acting on data breaches to minimise impact
- Retention and destruction schedule of personal data

### 2.13 Employment

When prospective employees contact Cenit College and voluntarily email a copy of their CV, it may be kept on file for 1 year after submission for the purposes of job vacancies that may arise within the College that we consider them potentially suitable for. The CV is kept in a secure electronic format and destroyed after 1 year from submission date.

Similarly, when an enquiry is made regarding prospective employment in Cenit College, Cenit College will collect personal data such as name, address and contact details (phone/email) to respond to that enquiry.



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This information is collected on a legal basis that is within the legitimate interests of both Cenit College and the Data Subject to provide a response to requests for information.

Where individuals are employed by Cenit College, the college may collect the following information, additional to the information contained in a typical CV.

- PPS number, bank details and next of kin; These are collected out of contractual necessity. The information on the next of kin will only be used in the case of an emergency and it is assumed that prior consent has been sought by the employee for this purpose from that next of kin.
- Information on health; This may be collected in relation to employee absenteeism or to respond to employee requests. Health information may also be collected in response to government surveys where Cenit College has a legal obligation to fulfil. In relation to COVID all staff have a legal obligation to provide Cenit College with details of any symptoms they have been experiencing (if attending the premises) and if they have contacted COVID (whether they are working from home or the Cenit College premises).
- Personal Development: Cenit College will collect all data in relation to the personal development of their employees. This includes but is not limited to; Programmes of education and training attended, certifications achieved, career aspiration and so forth. This is collected on a contractual basis to ensure employees personal development is appropriately taken care of and employees are trained to be the best they can be in their respective roles.
- CCTV. Using CCTV Cenit College captures images of individuals entering the premises. This is the legitimate interest of the security, health and safety of all visitors, learners and staff attending the Cenit College premises.

Personal data from employees will only be used for the effective operation of Cenit College's business. Names will not be used except for legitimate purposes and in those cases, this generally means with that employee's manager.

### **Termination of employment**

- Upon termination of employment Cenit College will retain only information from employees that it is legally required to retain (for example for revenue or payroll purposes). Cenit College will also retain contact information for a period of 12 months after the termination of employment. This is for the legitimate purpose of following up on any contracts or business interests that the employee may have been a part of but whose employment terminated before completion.

## QA8.1 DATA PRIVACY

- Passwords will be changed on the former employee's email addresses with effect from the date of termination with a message being displayed to contact another employee for all those individuals who continue to send emails to that email account.
- Information on personal development, performance management, appraisals, health, annual leave will be destroyed one year from the date the employee is terminated.
- Cenit College will retain the following data of former employees; Name, Address, phone number, email, DOB, PPSN, payroll history, dates of employment and positions held. This is only held while there is a legal basis for doing so, which is currently 6 years. Cenit College will conduct an annual review (or frequently if so required) into the changing of legal basis's for holding information on former employees.

### 2.14 Rights of the Data Subject

Under articles 12 to 23 of the GDPR legislation, data subjects have increased rights and data controllers are required to notify data subjects of their rights. Individuals have the right to:

|   |  |
|---|--|
| Transparency of information   | Cenit College provides individuals with privacy information at the time that it collects personal data from them. The privacy notice is available on the Cenit College website. Furthermore, Cenit College representatives will provide data subjects with a link to the privacy statement, a hardcopy of the privacy statement or give verbal information to the data subject on the privacy statement.   |
| Access their personal information where consent has been given  | This includes information as to whether their personal data has been processed and information about that processing. Prior to releasing any personal data Cenit College requires verification of the identity of the applicant. Where the request has been made in electronic form the data will subsequently be provided in electronic form. Where a large amount of data is involved Cenit College may ask the data subject to specify the precise data they wish to access.  |
| Withdraw consent  | Where consent is the legal basis for data processing.  |
| Rectification, erasure, and restriction of data processing and be notified when this has taken place. | Rectification, erasure, and restriction of data processing and be notified when this has taken place. <ul style="list-style-type: none"> <li>a. Rectification: Where a data subject requests rectification of their personal data, the controller must inform recipients to whom that data has been disclosed, where possible. The controller must also inform the data subject about the recipients to whom the data has been disclosed if he/she requests it.</li> <li>b. Erasure: This applies in the following instances: <ul style="list-style-type: none"> <li>i. Where the personal data is no longer necessary in relation to the purpose for which it was collected.</li> <li>ii. The data subject withdraws consent and there are no other legal grounds for processing the data.</li> </ul> </li> </ul> |

QA8.1 DATA PRIVACY

|   |   |
|---|---|
|   | <ul style="list-style-type: none"> <li>iii. The data subject objects to the processing and there are no overriding legitimate grounds for the processing.</li> <li>iv. The personal data have been unlawfully processed.</li> <li>v. The personal data has to be erased to comply with an EU or Member State legal obligation; or</li> <li>vi. The personal data has been collected in relation to the offer of information society services (online business) to a child. Cenit College does not offer information society services to children.</li> </ul> <p>Where the controller complies with this request, reasonable attempts must be made to inform other controllers regarding the right to erasure. Often this is difficult for online processing such as on social network sites.</p>  |
| <p>Request the restriction or suppression of their personal data, in certain circumstances. A data subject’s right to restrict processing applies in four scenarios</p> | <ul style="list-style-type: none"> <li>1. The accuracy of the personal data is contested by the data subject, for a period enabling the controller to verify its accuracy.</li> <li>2. The processing is unlawful, and the data subject opposes erasure and requests restriction instead.</li> <li>3. The controller no longer needs the personal data, but the data subject requires the data to exercise or defend a legal claim; or</li> <li>4. The data subject has objected to the processing. It should be restricted pending verification of whether the legitimate interest’s grounds or public interest tasks of the controller override those the rights of the data subject.</li> </ul> <p>When processing is restricted, Cenit College will store the personal data but not further process it. Where the data are processed automatically, the restriction will be affected through technical methods and Cenit College will make a note on the IT system.</p> |
| <p>Data portability</p>   | <p>Allowing individuals to reuse their data across different services, where feasible</p>   |
| <p>Object to personal data processing</p>   | <p>In certain circumstances (such as marketing). Cenit College requires consent from the individual to use their personal data for marketing purposes.</p>  |

2.15 [Cenit College Website](#)

Where a data subject interacts with the Cenit College websites, Cenit College will collect personal data that relates to their browsing activity. This is collected through Cookies and other web technologies such as Vimeo, Google Font and Adobe Typekit, Tidio. Specifically, Cenit College will collect:

- IP Address & geo-location
- Session information
- Device information (type, brand, operation system name)
- Browser name and version, language, and protocol
- Unique numbers assigned to a device (e.g. IDFA on an iPhone, google adID on Android)

#### QA8.1 DATA PRIVACY

- Details of pages visited and activity on those pages (typically the courses viewed and purchased along with the time and date of these activities)
- Activities relating to advertisements displayed from Cenit College to the data subject. Information typically collected includes the number of such advertisements and if the data subject clicked on these ads.
- Generation of user activity through the website and collection of user information using forms on specific pages. This is collected using AgileCRM. Visitors to the Cenit College website can opt out of this by using the Privacy Toolbar when they first enter the website.
- The website utilises Hotjar Behaviour Analytics to collect data on how Cenit College users use the Cenit College website. Visitors can opt-out by using the Privacy Toolbar when they first enter the website.
- Vimeo: The website uses videos hosted on Vimeo.com which uses cookies for data collection. Visitors can opt-out by using the Privacy Toolbar when they first enter the website.
- Google Font and Adobe Typekit: The Cenit College website uses Google Fonts and Adobe Typekit to display custom fonts. Visitors can opt-out by using the Privacy Toolbar when they first enter the website.
- Tidio: The Cenit College website uses the live chat service Tidio which is completely optional to use. To use the service, visitors click on 'chat with us' on the side.

#### 2.16 Marketing

Cenit College will collect personal data for the purpose of marketing. This is used to inform the data subjects of programmes, information and events that may be of interest to them. The website utilises Google Analytics to generate reports and insights of users visiting the Cenit College website. Visitors to the Cenit College website can opt out of this by using the Privacy Toolbar when they first enter the website. Alternatively, visitors may opt out by contacting the Cenit College Data Protection Officer. The college would like to send users information about products and services that we think they might like. If you have agreed to receive marketing, you may always opt-out later. You have the right at any time to stop Our Company from contacting you for marketing purposes or giving your data to other members of our Company Group. If users no longer wish to be contacted for marketing purposes, they can unsubscribe here <https://www.cenitcollege.ie/unsubscribe>.

### 3. Process for Changes to this Privacy Statement

Should any modifications to this privacy statement be undertaken, a notification will be placed under the terms and conditions section of our website, so all users are fully aware of what data Cenit College collect, how that data is used, and if and why it is disclosed.

If Cenit College ever decide to use personal information in a considerably different manner to that described in this privacy policy, or otherwise stated to the user when details were provided, Cenit College will inform users by email and the user will consequently be able to choose whether to permit Cenit College to use the information in the amended manner.

### 4. Monitoring of this Statement

The Statement will be reviewed annually by the Board of Directors with consideration to changes in legislation, legal advice and where relevant new technologies. The Board of Directors, in conjunction with the Data Protection Manager (DPM) will on an annual basis:

- Review ongoing accuracy of the Statement.
- Review complaints, requests, withdrawals of consent
- Review audit outcomes
- Compliance with legislative changes with respect to the associated policies – subject access request policy, website / cookies policy, records retention policy, data protection policy.
- Approve the statement as required.

## 5. Version Control and classification

### 2.1 Version

| VERSION | DATE       | REVISION AUTHOR  | SUMMARY OF CHANGES  |
|---------|------------|--|---|
| 1       | 11/08/2020 | Perri Williams (QA)  | New QA system   |
| 2       | 01/10/2022 | Judy deCastro (Commsec)                                    | Review of the full document – changes made to ensure compliance |
| 3       | 28/08/2023 | Barbara Forde (DPM)  | General Review to ensure compliance                             |
| 4       | 22/11/2023 | Judy De Castro (Commsec)<br>Approved by Academic Committee | General Review to ensure compliance, minor changes              |

### 2.2 Classification

*\*Use the information fields on MS word to auto update these fields.*

|                         |                           |
|-------------------------|---------------------------|
| DOCUMENT CLASSIFICATION | Public                    |
| PRINTING                | Uncontrolled when printed |
| DOCUMENT REF            | QA 8.3                    |
| VERSION                 | 4                         |
| LAST APPROVAL DATE      | 28/11/2023                |

### 2.3 Distribution

| NAME                     | TITLE                  |
|--------------------------|------------------------|
| All Staff/External sites | QA 8.3 Data Privacy V1 |
| All Staff/External sites | QA 8.3 Data Privacy V2 |
| All Staff/External sites | QA 8.3 Data Privacy V3 |
| All Staff/External sites | QA 8.3 Data Privacy V4 |

### 2.4 Approval

| NAME               | POSITION           | SIGNATURE       | DATE       |
|--------------------|--------------------|-----------------|------------|
| Board of Directors | Board of Directors | VMCD/SM/KMCD/CG | 11/10/2022 |
| Board of Directors | Board of Directors | VMCD/SM/KMCD/CG | 05/09/2023 |
| Board of Directors | Board of Directors | VMCD/SM/KMCD/CG | 28/11/2023 |