

## **8. Information and Data Management Policy**

The purpose of this policy is to ensure that data is collected, stored, processed, and retained in a manner that is ethical and which follows all data protection legislation such as the General Data Protection Regulations (GDPR).

### **8.1 Information Management**

ICD will ensure:

- i. Data is collected, stored, analysed, and retained using processes and systems that are GDPR compliant
- ii. Data is shared internally with staff to ensure they are fully informed of all information pertaining to effectively and efficiently carrying out their duties
- iii. Data will be shared internally with staff to ensure a culture of openness and transparency
- iv. ICD will have dedicated systems for sharing information with staff, which it will ensure are GDPR compliant (e.g. internal email; the Moodle document store for staff)
- v. Reports of committees and minutes of committee meetings will be shared internally using secure systems to ensure staff are fully informed about the operations, decision making, and governance of ICD
- vi. Sensitive information (e.g. student information) will only be stored internally in secured filing and technological systems.

The Head of Quality Assurance is responsible for continuous monitoring and enhancement of the information management system. The Registrar, in consultation with the Head of Quality Assurance, ensures data protection procedures are GDPR compliant, including ensuring that data relating to learner assessment is accurate and complete.

External reporting occurs as necessary and information is only shared in a manner that is GDPR compliant.

## 8.2 Information and Organisational Decision-Making

As part of its quality culture, and for the purpose self-monitoring for continuous improvement, ICD will ensure it periodically collects and analyses data for the purpose of:

- **Tracking the performance of enrolled learners** with respect to attainment, failure rates, attrition, progression, retention, and completion/graduation. Historical analysis of such data permits the college to develop key performance indicators to guide internal quality management and improvement.
- **Profiling the learner population and identifying pastoral and integration needs** (i.e. through Academic Council and student representatives).
- **Surveying enrolled learners** on the quality of provision, learner satisfaction, the college's learning environment, learner workloads, teaching and assessment strategies, and physical resources (both via Academic Council and regular student surveys).
- **Soliciting feedback from key internal and external stakeholders** on the college's programmes, learning environment, and future direction.
- **Staff feedback:** Engaging lecturing staff and programme directors on matters such as module and programme development, learning resource procurement, professional accreditation, technology and physical resources, and assessment strategy (typically via the Academic Council).
- **Receiving feedback from external examiners** as part of the verification and certification of learners' grades and awards.
- **Alumni feedback:** Conducting surveys of past students on graduate career pathways
- **Producing reports as part of its programmatic review and standing committee cycles.**
- **Ensure compliance with QQI reporting requirements:** The historical analysis of key learner statistics also generates data for external regulatory, information, and quality requirements
- **Recording the minutes of standing committees** are also retained for the purpose of informing future planning decisions and objectives.

### **8.3 Data Protection, Storage, and Retention.**

ICD will ensure that:

- ICD learners (as 'data subject') will be provided with transparent information about the processing of their personal data by the college
- Where required, explicit consent is sought before collecting, analysing, storing, or retaining information.
- Information is provided in a concise, transparent, intelligible and easily accessible form, using clear and plain language.
- Learners are also informed of their rights as data subjects under EU law whenever their personal data is collected or processed.

ICD does not employ a dedicated data protection officer owing to its size as an institution (the 'context principle' (QQI 2019a)). In the absence of an appointed DPO, the duties of this role are discharged by the college's Registrar in consultation with the Head of Quality Assurance.

#### **8.3.1 GDPR**

ICD has established a set of data protection policies and procedures which ensure compliance with the EU's General Data Protection Regulation ('GDPR'):

- i. Any information or personal data relating to an identified or identifiable natural person ('data subject') is only to be processed with their full knowledge
- ii. Any information or personal data relating to an identified or identifiable natural person ('data subject') is only to be processed with their consent. This applies to personal data which is processed by automated means (i.e. by computer) and by non-automated means (i.e. paper records) and both to staff and learner records.
- iii. Personal data is only to be processed in a lawful and transparent manner
- iv. Personal data is only to be collected and processed for specified purposes.
- v. Data subjects (including learners and staff) will be made fully aware of the purposes for any collection of personal data
- vi. Data is never to be collected, stored, analysed or retained for any purpose other than those indicated to - and consented to by - subjects

### 8.3.2 Purposes of Data Collection at ICD

ICD collects personal data from its applicants, learners, and staff members for the following purposes:

- Applications for ICD programmes including associated assessments of applicants' prior learning.
- Learners' enrolment on the Moodle learning management system.
- Successful applicants' registration on ICD's programmes.
- The request of next-of-kin details for enrolled learners and staff members.
- Learners' academic appeals; applications of leave of absence due to sickness or extenuating circumstances.
- Visa-related issues; travel and re-entry applications; visa-related attendance record maintenance.
- Placement of students for work-based learning modules.
- The verification and certification of learners' grades and awards.
- Graduate and stakeholder surveys.
- Payroll and HR-related matters, i.e. contracts of employment, the processing of expenses claims, payroll and tax deductions.

Where sensitive personal data is collected and processed by ICD, consent must be sought from subjects. A register of categories of data collected by ICD – including data retention durations - can be found in figure 8.3.2a and a typical pro forma letter of consent in figure 8.3.2b. The register of categories of data collected by ICD must be regularly reviewed and updated to ensure it is accurate. The pro forma letter of consent is to be signed by any data subject whose data is to be collected, stored, analysed, or retained.

Figure 8.3.2a: Register of Categories of Data

	Data Item	Purpose	Rationale	Basis	Duration	Disposal
Application Form Fields	First name	To identify the applicant	ICD must be able to distinguish between applicants in order to assess their suitability for the courses on offer	Consent	Application forms are held for a maximum of 14 months from application date for unsuccessful applicants. For applicants who become students, records are held for a period of 5 Years after graduation.	In accordance with procedures documented in section 8 of the College's Data Protection Procedures
	Surname	To identify the applicant	ICD must be able to distinguish between applicants in order to assess their suitability for the courses on offer	Consent		
	Other Names (if different)	To identify the applicant	ICD must be able to distinguish between applicants in order to assess their suitability for the courses on offer	Consent		
	Nationality	To assess the applicant's visa requirements		Consent		
	Date of Birth	To establish that the applicant is 23 years of age or more		Consent		

Application Form Fields	Gender		An entry in this field is required to comply with Part 9 Chapter 4 of the Social Welfare Consolidation Act 2005	Consent		
	Current Address	To enable ICD to contact the applicant my post.	ICD must be able to contact applicants to notify them of the status of their application	Consent		In accordance with procedures documented in section 8 of the College's Data Protection Procedures
	Phone Number	To enable ICD to contact the applicant by telephone	ICD must be able to contact applicants to notify them of the status of their application	Consent		
	e-Mail address	To enable ICD to contact the applicant by e-mail	ICD must be able to contact applicants to notify them of the status of their application	Consent	Application forms are held for a maximum of 14 months from application date for unsuccessful applicants.	
	Permanent Address	To enable ICD to contact the applicant after they have left Ireland if necessary	Applicants are often living in rented accommodation; their Dublin address can change at short notice. A permanent address can be of assistance for maintaining contact.	Consent	For applicants who become students, records are held for a period of 5 Years after graduation.	In accordance with procedures documented in section 8 of the College's Data Protection Procedures
	Next of Kin	To enable ICD to contact the applicant's family should a serious incident occur	for contact	Consent		

	Next of Kin Contact Number	To enable ICD to contact the applicant's family should a serious incident occur	for contact	Consent		
	Passport Number	Proof of DOB	Proof of DOB, Record in case passport is lost	Consent		
	GNIB Registration Number	This unique identifier is required periodically in connection with correspondence related to the applicant's Visa Status	Required because applicants are not Irish citizens	Consent		
	PPS Number	To enable ICD to register the student with QQI	Required by QQI as a unique identifier for educational awards	Consent		
	Course Applied for	To enable ICD to process applications with regard to the applicant's area of interest	Part of application	Consent		
Supplementary Application Information	Educational Qualifications	Eligibility Check. To help establish if the applicant is suitable for the course of study for which they have applied	Part of application. It is necessary to ensure that the student's education to date will enable them to participate in a course at Level 8 or 9 on the NFQ	Consent	Application forms are held for a maximum of 14 months from application date for	In accordance with procedures documented in section

Grade in English Studies	Eligibility Check. To help establish if the applicant has the appropriate fluency in English to allow them to undertake third level studies through the medium of English	Part of application. Students must have an appropriate facility in English to be able to follow their chosen path of study.	Consent	unsuccessful applicants.  For applicants who become students, records are held for a period of 5 Years after graduation.	8 of the College's Data Protection Procedures
Reference Letters		Part of application	Consent		
Financial Status		Part of the visa application for students making direct application	Consent		
Passport Photocopy	Proof of DOB	Proof of DOB, Record in case passport is lost	Consent		
GNIB PC		Proof of GNIB number and status of visa	Consent		
Record of Work Experience	Suitability for exemption from BABS Year 3	In Year 3 of the BABS Degree, students are expected to complete 6 months' work experience in a field related to their area of study. If a student already has suitable experience, they can proceed directly to Year 4.	Contract		



	Interview notes	Aid de memoire	Part of application	Consent		
Students	Letter of Offer	To inform the student that their application has been successful	Students may need this written acceptance to satisfy Visa requirements with GNIB	Contract	Posted to the student's address, not retained on file	N/A
	Student Number	Unique identifier within the college	Identification to facilitate anonymous marking. Allocation of Fee Payment	Contract	Records are held for a period of 5 Years after graduation.	In accordance with procedures documented in section 8 of the College's Data Protection Procedures
	Modules taken	Academic record	It is necessary to demonstrate that students have met the requirements of their educational award	Contract		
	Grades attained	Academic record	Academic record and for educational award, required by QQI	Contract		
	Attendance Records	Academic record	A specified minimum attendance is required as a condition of the student's Visa	Contract		
	Records of payments	A record of fees paid	College Revenue for account purposes	Contract	Held indefinitely for financial audit purposes.	N/A

	Medical Insurance	To note which students have purchased insurance through the college	As a Visa requirement, International Students are required to have medical insurance. Some students choose to purchase this insurance through the college	Consent		
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**Figure 8.3.2b: Pro Forma letter of consent.**

I \_\_\_\_\_ hereby give my consent to ICD Business School to collect data in all of the fields included on this form, plus supporting documentation, for the purposes of;

- i. processing my application to become a student of ICD,
- ii. recording my academic progress while I am a student at ICD Business School
- iii. conferring my educational award on the completion of my studies at ICD Business School
- iv. enrolling me on ICD's Library Management System
- v. enrolling me on ICD's Moodle, Learning Management System
- vi. enrolling me on ICD's Attendance Management System

I understand that in keeping with ICD's Data Protection Policy, the data above will be retained in a secure manner and that when the appropriate retention time has expired, the data will be disposed of in keeping with the requirements of the GDPR. Under GDPR, you have the right to request a copy of any personal data held on you by ICD. Requests for such data can be made to the college's Registrar.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

### **8.3.3 Data Sub-processors**

ICD will maintain an up to date register of data sub-processors, which will be published using publicly accessible media (e.g. the ICD website).

It is the responsibility of the Registrar to ensure the register of data sub-processors is maintained, accurate, and up to date. See Appendix 8.3.3 for the register of data sub-processors.

ICD must not share any personal data with any sub-processor outside of the EU.

### **8.3.4 Subject Access Rights (SAR) and Privacy Notices**

The right of subjects to be informed about the collection and use of their personal data is a key transparency requirement under the GDPR. As such, ICD will provide learners and staff with privacy notices which detail:

- The college's purposes for processing their personal data and the lawful basis for the processing
- The categories of data collected or obtained
- Subject access rights and the right to withdraw consent (if applicable)
- Data retention periods
- Details of transfers of personal data to any third parties (if applicable)
- Subjects' rights under GDPR

All subjects have a right of access under GDPR that obligates ICD to provide a copy of their personal data, free of charge, upon request. Typically, this would be provided in an electronic format. Such requests will be made to the college's Registrar, who acts as its effective DPO.

### **8.3.5 Data Storage**

In order to ensure the security of personal data, including protection against unauthorised or unlawful processing, only authorised members of administrative staff – fully trained in the principles and

requirements of GDPR – are permitted to access equipment and file systems where subjects' personal data is stored.

ICD will ensure that data is stored securely and that any electronic data is stored using encryption systems.

### **8.3.6 Data Breaches**

ICD is obliged, under GDPR, to notify subjects of any data breach within 72 hours of having become aware of said breach.

### **8.3.7 Data Retention**

In keeping with the GDPR principle of 'data minimisation', ICD must ensure that it does not keep personal data for any longer than is necessary for the purposes for which it is being processed.

\* Notable exceptions include:

- Student transcripts (7 years)
- Assessments (7 years)
- Results (5 years after graduation)
- Employment contracts, Payroll, CV's, Bank Details, and Expenses Claims (7 years)
- Non-successful applications – 14 months
- Financial transactions (kept indefinitely for revenue and auditing purposes).

### **8.3.8 Disposal of Equipment & Data Sanitisation.**

When disposing of computer systems on which sensitive personal data is stored, ICD has a policy of completely 'wiping' all hard drives and electronic storage devices using a data destruction programme which irrecoverably destroys data. ICD will ensure that it uses 'secure erase' firmware commands as a data sanitization method.

### Appendix 8.3.3: Register of Data Sub-Processors (Jan 2020)

Below is a list of third parties with which the college currently shares data. ICD will maintain a full and up to date list of data sub-processors, to be shared internally and externally.

<ul style="list-style-type: none"> <li>• <b>Enovation Solutions Ltd</b>, The Friary, Bow Street, Smithfield, Dublin 7, Ireland: Enovation provides hosting and IT admin services to ICD in relation to its Moodle learning management system. Learners and staff register their names and personal email addresses with ICD's library, which is in turn shared with Enovation for Moodle registration purposes.</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Allied Irish Banks, plc. ('AIB')</b> 7/12 Dame St., Dublin 2, ICD's bank, processes all payments and payroll-related transactions.</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Dublin Business School/KAPLAN INC.</b> 13/14 Aungier Street, Dublin 2, D02 WC04. ICD shares part of its computer network/internet connection with Dublin business school, however no personal data is shared explicitly with them.</li> </ul>
<ul style="list-style-type: none"> <li>• <b>The Revenue Commissioners.</b> ICD shares data with the revenue commissioners for all matters related to taxation.</li> </ul>
<ul style="list-style-type: none"> <li>• <b>ITHAKA/Artstor Inc.</b> ICD students can register voluntarily for ITHAKA's 'JSTOR' digital library using their name and personal email address.</li> </ul>
<ul style="list-style-type: none"> <li>• <b>Quality and Qualifications Ireland ('QQI')</b>, 26/27 Denzille Lane Dublin 2, D02 P266. An independent State agency responsible for programme validation and quality assurance in Irish higher education. QQI has a range of statutory functions detailed in the Qualifications and Quality Assurance (Education and Training) Act 2012. One of those functions is to make awards to learners who complete a programme validated by QQI. To make these awards, QQI requires a Personal Public Service Number (PPSN), name, date of birth and relevant results of each learner. This information is transferred from ICD to QQI through their 'QBS' system. ICD must secure consent from the learner that permits the transfer of this data.</li> </ul>
<ul style="list-style-type: none"> <li>• <b>O'Driscoll O'Neil/ 'Study &amp; Protect'</b>, 17/18 Herbert place, Dublin D02 FP52. O'Driscoll O'Neil provide insurance (learning protection and medical) services to ICD. These are required for ICD to be in compliance with its legal obligations for the protection of enrolled learners (PEL) under the 2012 Qualifications and Quality Assurance (Education and Training) Act 2012.</li> </ul>
<ul style="list-style-type: none"> <li>• <b>The Garda National Immigration Bureau (GNIB)/The Irish Naturalisation and Immigration Service (INIS)/ Department of Justice and Equality.</b> ICD is legally obliged to share certain personal data related to non-EEA/EU learners with the GNIB/INIS. Typically, this would include letters confirming enrolment, attendance records, proof of fee payment etc. The GNIB/ An Garda Síochána may also periodically request information about individual students on a case-by-case basis.</li> </ul>
<ul style="list-style-type: none"> <li>• <b>The Department for Employment Affairs and Social Protection.</b> The department may periodically request information about enrolled students associated with their statutory duties.</li> </ul>

## REFERENCES

QQI (2019a) Re-engagement with QQI: Process Guide for Independent and Private Providers. Quality and Qualifications Ireland, Dublin. Available from:

<https://www.qqi.ie/Downloads/Reengagement%20Application%20Guide%20may%202019.pdf>

Qualifications and Quality Assurance (Education and Training) Act (2012, Revised 2014) Government of Ireland. Available from

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