

## **CREAT-ED Consulting Policies October 2023**

### **Diversity, Inclusion and Equality Mission Statement**

CREAT-ED is committed to providing and upholding academic and educational excellence that fosters best practice and learning, centred around equal access to industry- leading tuition, facilities, professional networks, mentoring and career pathway progression.

### **CREAT-ED Consulting Equality, Diversity and Inclusivity Manifesto Pledges 2023**

**CREAT-ED Consulting** commit to the following manifesto for Equality, Diversity and Inclusivity:

We are committed to cultivating a transparent, safe and consciously inclusive culture for all staff, faculty, students and alumni. We will provide and uphold academic and educational excellence that fosters best practice and learning, centred around equal access to industry-leading tuition, facilities, professional networks, mentoring and career pathway progression.

We will build diverse new partnerships and continue to develop coalition partnerships with national and international institutions that broaden and increase participation and accessibility of educational opportunities to a diverse audience.

We will upskill our staff and tutors through externally delivered continued professional development that is specifically designed to foster an increasingly transparent and consciously inclusive workplace, and to celebrate the diversity of our student body by prioritising platforms for celebrating diversity.

We will annually review our internal policies and procedures to ensure that equality, diversity and inclusion are embedded into every policy decision we make. **CREAT-ED Consulting** acknowledge that marginalised groups experience barriers to entry and commit to investigating the nature of these barriers and legislating to mitigate them in a sustained and meaningful way.

We will continue to identify barriers to entry and inclusion within Education and the creative industry workplace and will lobby and action for wider awareness and inclusion wherever possible.

Our senior leadership commit to raising awareness of EDI reviews and outcomes through internal communications and via external marketing channels to increase transparency and highlight the actions we are taking to forefront the importance of equality, diversity and inclusion to the institution.



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**CREAT-ED Consulting** renew our commitment to ensuring all of our education services, including guest lecturers, speakers, mentors and events personnel represent true diversity, and that staff and students have an opportunity to suggest developmental training opportunities and events that deepen their sense of belonging and foster inclusivity.

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## **DATA PROTECTION POLICY AND MANUAL**

**Policy Owner: Director, CREAT-ED Consulting**

**Last Reviewed: October 2023**

**Next Review Date: October 2024**

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#### **FOREWORD**

This Data Protection Manual is the means by which **CREAT-ED Consulting Limited** trading as **CREAT-ED** satisfies the requirements of GDPR regulations, its stakeholders with particular regard to management responsibility for Data Protection, Employee Data Protection, Management Information, Data Security and Freedom of Information.

**CREAT-ED** is obliged to ensure that this Data Protection Manual is fully and completely understood by its employees, and that its procedures are implemented and maintained at all times. This Data Protection Manual has been produced in accordance with the

requirements of the Data Protection Act 1998 (including EU Directive 95/46/EC). All of the components of the Data Protection system shall be periodically and systematically reviewed by both internal and external Quality Audit procedures.

The CREAT-ED Director is responsible for the control of all matters relating to the implementation of this Data Protection Manual; however, data protection compliance is fundamental to all the work undertaken by CREAT-ED and, as such, all personnel at every level shall practice the procedures herein established.

## DATA PROTECTION POLICY

The Data Protection Act 1998 requires CREAT-ED to maintain this Data Protection Policy, and to register as a Data Controller with the Information Commissioner's Office in order to guarantee compliance with the provisions of the Act.

Schedule 1 of the Data Protection Act 1998 sets out eight principles of Data Protection with which any party handling personal data must comply. To this end CREAT-ED will ensure all personal data:

- Will be processed fairly and lawfully and, in particular, shall not be processed unless at least one of the conditions in Section 9.0 is met and, in the case of sensitive personal data, at least one of the conditions in Schedule 9.1 is also met (see Conditions for Processing, below)
- Will be obtained only for specified and lawful purposes and shall not be processed in any manner which is incompatible with those purposes Will be relevant and not excessive with respect to the purposes for which it is processed
- Will be accurate and, where appropriate, kept up-to-date
- Will be kept for no longer than is necessary in light of the purpose(s) for which it is processed
- Will be processed in accordance with the rights of data subjects under the Act
- Shall be protected against unauthorised or unlawful processing, accidental loss, destruction or damage through appropriate technical and organisational measures
- Shall not be transferred to a country or territory outside of the European economic area 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

## PROCEDURE

CREAT-ED's designated **Data Controller** is the CREAT-ED Director. They exercise the following responsibilities:

- Ensuring that staff, students and authorised third parties comply with the data protection principles, and GDPR requirements as set out in legislation, in respect of personal data under their control
- Ensuring that the CREAT-ED Data Protection Manual is appropriate for the types of personal data being processed

- Ensuring that CREAT-ED maintains an up-to-date notification of its use of personal data with the Information Commissioner's Office.

CREAT-ED's designated **Data Protection Officer** is the CREAT-ED Director. They are responsible for:

- Training and advising staff on the implementation of CREAT-ED Data Protection Manual and GDPR requirements
- Monitoring compliance with CREAT-ED's Data Protection, Employee Records Data Protection, Data Security and Freedom of Information policies.
- Serving as the focal point for the administration of all subject access requests relating to personal data held by CREAT-ED

**A Data Owner** is defined by the Act as a member of staff given authorised access to data which relates to a living individual who can be identified from that data or from that data as well as other information which is in the possession of, or is likely to come into the possession of, the data controller (including any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual).

Data Owners are responsible for:

- Ensuring that the data is kept up-to-date and that amendments are made promptly following notification of changes
- Ensuring that the security measures are appropriate for the types of personal data being processed

**Data Subjects**, whether staff, students or authorised third parties are responsible for:

- Ensuring that any personal information that they provide to CREAT-ED in connection with their employment, registration or other contractual agreement is accurate to the best of their knowledge
- Informing CREAT-ED of any changes to any personal information which they have provided, e.g. changes of address
- Responding to requests to check the accuracy of the personal information held on them and processed by CREAT-ED details of which will be sent out from time to time, and informing CREAT-ED of any errors that need amending
- As a Data Controller, T CREAT-ED is required to notify the Information Commissioner's Office that it is processing personal data
- Data Controllers must renew their notification with the Information Commissioner's Office on an annual basis. Failure to notify is a criminal offence.
- Any changes to the register must be notified to the Information Commissioner's Office within 28 days of taking place.
- The Director, shall be responsible for notifying and updating the Information Commissioner's Office.



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## Data Types

**Personal data** is defined by the Act as data which relates to a living individual who can be identified from that data or from that data and other information which is in the possession of the data controller and includes any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual.

The Act also defines “**sensitive personal data**” as personal data relating to the racial or ethnic origin of the data subject; their political opinions; their religious (or similar) beliefs; their physical or mental health condition; their sexual life; the commission or alleged commission by them of any offence; or any proceedings for any offence committed or alleged to have been committed by them, the disposal of such proceedings or the sentence of any court in such proceedings.

CREAT-ED only holds personal data which is directly relevant to its dealings with a given data subject.

The following data may be collected, held and processed by CREAT-ED from time to time.

- **Staff, Agent and Contractor Administration;** Personal Details, Salary, contractor’s fees and remuneration details, Family, Lifestyle & Social Circumstances, Education & Training Details, Employment Details, Financial Details, Goods or Services Provided, Racial or Ethnic Origin, Trade Union Membership, sexual orientation, Physical or Mental Health Conditions and disabilities and how they may affect individuals, Offences (Including Alleged Offences)
- **Advertising, Marketing, Public Relations;** General Advice Services, Personal Details, Family, Lifestyle & Social circumstances, Education & Training Details, Employment Details, Physical or Mental Health Conditions, Text of Magazine Articles Processing Personal Data, photographs
- **Accounts & Records;** Personal Details, Employment Details, Financial Details, Goods or Services Provided
- **Education and Personal details;** Family, Lifestyle & Social Circumstances, previous education & training Details, Employment Details
- **Financial Details;** Racial or Ethnic Origin, Religious or Other Beliefs of a Similar Nature, Physical or Mental Health Condition, Offences (Including Alleged Offences), Student Records
- **Student & Staff Support Services;** Personal details, Family, Lifestyle & Social Circumstances, Education & Training Details, Employment Details, Financial Details, Goods or Services Provided, Racial or Ethnic Origin, Religious or Other Beliefs of a Similar Nature, Trade Union Membership, Physical or Mental Health Conditions or disabilities and how they may affect individuals
- **Crime Prevention and Prosecution of Offenders;** Personal Details, Goods of Services Provided, Offences (Including Alleged Offences)
- **Criminal Proceedings, Outcomes & Sentences,** Visual Image, Personal Appearance & Behaviour

All personal data held by CREAT-ED is collected in order to ensure that CREAT-ED can facilitate efficient transactions with third parties including, but not limited to, its customers, partners, associates and affiliates and efficiently manage its employees, contractors, agents and consultants. Personal data shall also be used by CREAT-ED in meeting any and all relevant obligations imposed by law.

Personal data may be disclosed within CREAT-ED. Personal data may be passed from one department to another in accordance with the data protection principles. Under no circumstances will personal data be passed to any department or any individual within CREAT-ED that does not reasonably require access to that personal data with respect to the purpose(s) for which it was collected and is being processed.

### **Processing Personal Data**

CREAT-ED shall ensure that:

- All personal data collected and processed for and on behalf of T CREAT-ED by any party is collected and processed fairly and lawfully
- Data subjects are made fully aware of the reasons for the collection of personal data and are given details of the purpose for which the data will be used
- Personal data is only collected to the extent that is necessary to fulfil the stated purpose(s)
- Data subjects are informed of their responsibility to ensure that their personal data is accurate at the time of collection and kept accurate and up-to-date while it is being held and / or processed
- Personal data is held for no longer than necessary in light of the stated purpose(s)
- Sensitive Personal data is held in a safe and secure manner (and not on the Shared Drive), taking all appropriate technical and organisational measures to protect the data
- Personal data is transferred using secure means, electronically or otherwise
  - Personal data is not transferred outside of the UK or EEA (as appropriate) without first ensuring that appropriate safeguards are in place in the destination country or territory
- Data subjects can exercise their rights (as set out more fully in the act), to request any information or kept by CREAT-ED

### **Conditions for Processing**

At least one of the following conditions must be met whenever CREAT-ED processes personal data:

- The individual to whom the personal data refers has consented to the processing
- The processing is necessary in relation to a contract which the individual has entered into or because the individual has asked for something to be done so they can enter into a contract

- The processing is necessary because of a statutory obligation that applies to an individual
- The processing is necessary to protect the individual's "vital interests"; this condition only applies in cases of life or death, such as where an individual's medical history is disclosed to a hospital's A&E department treating them after a serious road accident
- The processing is necessary for administering justice, or for exercising statutory, governmental, or other public functions.
- The processing is in accordance with the "legitimate interests" condition

In addition to the conditions described, at least one of the following conditions must also be met whenever CREAT-ED processes sensitive personal data:

- The individual who the sensitive personal data refers to has given explicit consent to the processing
- The processing is necessary to comply with employment law
- The processing is necessary to protect the vital interests of the individual (in a case where the individual's consent cannot be given or reasonably obtained), or another person (in a case where the individual's consent has been unreasonably withheld)
- The processing is carried out by a not-for-profit organisation and does not involve disclosing personal data to a third party, unless the individual consents
- The individual has deliberately made the information public
- The processing is necessary in relation to legal proceedings; for obtaining legal advice; or otherwise for establishing, exercising or defending legal rights
- The processing is necessary for administering justice, or for exercising statutory or governmental functions
- The processing is necessary for medical purposes, and is undertaken by a health professional or by someone who is subject to an equivalent duty of confidentiality
- The processing is necessary for monitoring equality of opportunity, and is carried out with appropriate safeguards for the rights of individuals

### **Organisational Measures**

CREAT-ED shall ensure that the following measures are taken with respect to the collection, holding and processing of personal data:

- A Data Protection Officer will be appointed with the specific responsibility of overseeing data protection and ensuring compliance with the Act
- All employees, contractors, agents, consultants, partners or other parties working on behalf of CREAT-ED will be furnished with a copy of this Data Protection Manual
- All employees, contractors, agents, consultants, partners or other parties working on behalf of CREAT-ED will be made fully aware of both their individual responsibilities and CREAT-ED responsibilities under the Act
- All employees, contractors, agents, consultants, partners or other parties working on behalf of CREAT-ED handling personal data will be appropriately trained to do so
  - All employees, contractors, agents, consultants, partners or other parties working on behalf of CREAT-ED handling personal data will be appropriately supervised





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- Methods of collecting, holding and processing personal data will be regularly evaluated and reviewed
- The performance of those employees, contractors, agents, consultants, partners or other parties working on behalf of CREAT-ED handling personal data will be regularly evaluated and reviewed
- All employees, contractors, agents, consultants, partners or other parties working on behalf of CREAT-ED handling personal data will be bound to do so in accordance with the principles of the Act and this Data Protection Manual by contract; failure by any employee to comply with the principles or this Data Protection Manual shall constitute a disciplinary offence; failure by any contractor, agent, consultant, partner or other party to comply with the principles or this Data Protection Manual shall constitute a breach of contract; in all cases, failure to comply with the principles or this Data Protection Manual may also constitute a criminal offence under the Act
- All contractors, agents, consultants, partners or other parties working on behalf of CREAT-ED handling personal data must ensure that any and all of their employees who are involved in the processing of personal data are held to the same conditions as those relevant employees of CREAT-ED arising out of this Data Protection Manual and the Act
- Where any contractor, agent, consultant, partner or other party working on behalf of CREAT-ED handling personal data fails in their obligations under this Data Protection Manual that party shall indemnify and hold harmless CREAT-ED against any costs, liability, damages, loss, claims or proceedings which may arise out of that failure

### **Rights of Data Subjects** [SEP]

Under the Act, Data Subjects have:

- The right to be informed that their personal data is being processed
- The right to access any of their personal data held by CREAT-ED within 40 calendar days of making a request
- The right to prevent the processing of their personal data in limited circumstances
- The right to rectify, block, erase or destroy incorrect personal data

### **Access by Data Subjects**

A Data Subject may make a subject access request (SAR) at any time to see the information which CREAT-ED holds about them. SARs must be made in writing, accompanied by the correct fee; CREAT-ED currently requires a fee of £10.00 (the statutory maximum) for all SARs excluding credit file requests (which attract a fee of £2.00).

Upon receipt of a SAR CREAT-ED shall have a maximum period of 40 working days within which to respond. The following information will be provided to the data subject:

- Whether or not CREAT-ED holds any personal data on the data subject
- A description of any personal data held on the data subject
- Details of what that personal data is used for





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- Details of any third-party organisations that personal data is passed to
- Details of any technical terminology or codes

## **DATA SECURITY POLICY**

CREAT-ED collectively, and its staff and students individually, are responsible for ensuring that appropriate technical and organisational measures are taken against the unauthorised or unlawful processing of personal data as well as against accidental loss or destruction of, or damage to, personal data.

## **PROCEDURE**

CREAT-ED staff and students must ensure that they employ safeguards for personal data that is proportional to the risks presented in their processing activities.

Any staff or students who discover a potential or actual security breach must immediately inform the Director.

CREAT-ED will ensure that all of its employees, contractors, agents, consultants, partners or other parties working on behalf of CREAT-ED comply with the following when processing and / or transmitting personal data:

- All emails containing personal data will be encrypted
- Personal data may only be transmitted over secure networks; transmission over unsecured networks is not permitted under any circumstances
- Personal data contained in the body of an email, whether sent or received, should be copied from the body of that email and stored securely; the email itself, and any temporary files associated therewith, should be deleted
- Where personal data is to be transferred in hardcopy form it should be passed directly to the recipient; the use of an intermediary is not permitted
- All hardcopies of personal data should be stored securely in a locked box, drawer, cabinet or similar
- All electronic copies of personal data should be stored securely using passwords and suitable data encryption, where possible on a drive or server which cannot be accessed via the internet; the use of portable storage devices is not permitted.
- All passwords used to protect personal data should be changed regularly and should not use words or phrases that can be easily guessed or otherwise compromised

## **FREEDOM OF INFORMATION POLICY**

The Freedom of Information Act 2000 imposes upon all public sector institutions an obligation to provide the public with wider rights of access to their records and guarantees the public a statutory right to:

- Obtain (either from CREAT-ED's website or in some other form) all the information covered by the organisation's Publication Scheme



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- Request (within the limitations outlined in the Data Protection Act 1998) any information held by the organisation, regardless of when it was created, by whom, or the form in which it is now recorded

As a private sector institution with quasi-public sector functions, CREAT-ED is not bound by the Freedom of Information Act 2000; however, CREAT-ED is committed to being open and honest in the conduct of its operations. To this end, CREAT-ED will be open with the general public and the media and will place in the public domain as much information about its activities as is practicable

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### E-SAFETY POLICY AND PROCEDURES

**Policy Owner:** Creat-Ed Director

**Last Reviewed:** October 2023

**Next Review Date:** October 2024

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### AIM AND SCOPE

### E-SAFETY OFFICER

### RISKS AND ISSUES

## AIM AND SCOPE

CREAT-ED (CREAT-ED) E-Safety policy and procedures apply to all staff, contractors, tutors, volunteers, trustees, children, young people and anyone working on behalf of CREAT-ED.

The aim of the policy is to:

- Protect children and young people who receive CREAT-ED's services and who make use of information and communication technology (such as mobile phones, games consoles and the internet) as part of their involvement with CREAT-ED.
- Provide staff and volunteers with the principles that guide CREAT-ED's approach to E-Safety.
- Protect professionals
- Ensure that, as an organisation, CREAT-ED operate in line with our values and within the law in terms of how we use information technology.

CREAT-ED recognises that the welfare of the children/young people who come into contact with our services is paramount and governs our approach to the use and management of information and communication technologies (ICT).

CREAT-ED will promote E-Safety by:



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- Appointing an E-Safety Coordinator – Harry Leckstein
- Having procedures that provide clear and specific directions to staff and volunteers on the appropriate use of ICT.
- Supporting and encouraging the children and young people using our service to use the opportunities offered by mobile phone technology and the internet in a way that keeps them safe and shows respect for others.
- Educating and providing information for parents on e-safety.
- Supporting and encouraging parents and carers to keep their children safe online and when using their computers, mobile phones and game consoles.
- Incorporating statements about safe and appropriate ICT use into the codes of conduct for staff and volunteers and for children and young people.
- Having an e-safety agreement with children and young people.
- Using our procedures to deal with any inappropriate ICT use, complaints and/or allegations by anyone working for or using CREAT-ED's services.
- Informing parents and carers of incidents of concern as appropriate.
- Regularly reviewing and updating the security of our information systems.
- In the event of a suspected breach of E-Safety, the E-Safety coordinator to investigate.
- Ensuring that images of children, young people and families are only used after their written permission has been obtained from their parents or guardians, and only for the purpose for which consent has been given.

CREAT-ED will handle complaints regarding E-Safety by taking all reasonable precautions to ensure E-Safety and giving staff/volunteers, contractors and children/young people information about infringements in use and possible sanctions.

Sanctions include:

- Interview with a member of staff or contractor
- Informing parents/carers
- Removal of mobile phone, internet or computer access for an agreed period of time
- Referral to local authority/police

The E-Safety coordinator Creat-Ed Director will be the first point of contact for any complaint. Any complaint about staff/volunteer's misuse will be referred to the relevant E-Safety lead and may result in formal disciplinary proceedings. Any complaint about the E-Safety coordinator will be referred to the Company Secretary and may result in formal disciplinary proceedings.

## **E-SAFETY OFFICER**

Harry Leckstein ([harry@creat-ed.co.uk](mailto:harry@creat-ed.co.uk) / tel +44 (0)7796 950 406)

The responsibility of this role is to:

- Develop an E-Safety culture.
- Be the named points of contact on all E-Safety issues.



- Monitor E-Safety.
- Ensure that everyone: staff/volunteers, children/young people, management committee members and Trustees know what to do if they are concerned about an E-Safety issue.
- Keep abreast of developing E-Safety issues via <http://www.islingtonscb.org.uk/key-practice-guidance/Pages/E-Safety.aspx>
- Ensure that E-Safety is embedded within continuing professional development (CPD) for staff/volunteers.
- Co-ordinate training as appropriate.
- Ensure that E-Safety is embedded across all activities as appropriate.
- Ensure that E-Safety is promoted to parents/carers, other users and children/young people.
- Ensuring that the infrastructure and technology provide a safe and secure environment for children/young people.
- Maintain an E-Safety incident log to record incidents and concerns.
- Monitor and report on E-Safety issues to the management team and management committee
- Review and update E-Safety policies and procedures on a regular basis and after an incident.

## RISKS AND ISSUES

The following are the range of technologies children/young people and staff/volunteers use positively but which can also put them at risk:

- Internet
- E-mail
- Instant messaging Blogs
- Podcasts
- Social networking sites
- Chat rooms
- Gaming Sites
- Mobile phones with camera and video functionality
- Mobile technology (eg games consoles) that are internet ready and include webcams
- E-smart phones with e-mail, web functionality, camera and video functionality and secure text network