RVC DATA PROTECTION POLICY

POLICY and PROCEDURES

Responsibility of	**Data Protection Officer:** **Head of Governance and Risk**
Review Date	**July 2026**
Approved by	**Audit & Risk Committee**
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1. Policy Statement

The Royal Veterinary College (RVC) holds and processes information about employees, students, clients, suppliers and other Data Subjects for various academic, administrative and commercial purposes. The RVC is committed to protecting the rights and freedoms of all our data subjects and to processing their data securely in accordance with our legal obligations. To do this, the RVC commits that:

- We process our data fairly and legally in accordance with the six data protection principles
- We support and comply with the rights of individuals
- We keep our personal data secure
- We design privacy into our systems and processes

2. Scope

The RVC is subject to the General Data Protection Regulation (GDPR) and associated data protection legislation. The RVC is required to register as a Data Controller with the Information Commissioner's Office (ICO), our registration number is Z6779018. The RVC is an exempt charity and a 'public authority' according to the definitions of the regulation.

3. Definitions

General Data Protection Regulation (GDPR)	European Regulation that governs the processing of Personal Data.
Data Protection Act 2018	UK Act of Parliament that updates data protection laws in the UK and complements the European Union's GDPR.
Data Controller	For the purpose of this Policy, RVC is the Data Controller. A natural or legal person, public authority, agency or other body that, alone or jointly with others, determines the purposes and means of the processing of personal data as determined by law.
Data Processing	Any operation or set of operations that is performed on Personal Data or on sets of Personal Data, whether or not by automated means, such as (but not limited to) collection, recording, organization, structuring, storage, adaption or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.
Data Processor	A natural or legal person, public authority, agency or other body that processes personal data on behalf of the Data Controller.
Data Protection Officer (DPO)	The DPO assists with monitoring the RVC's compliance with Data Protection Law and serves as a liaison for both Data Subjects and the regulatory body overseeing data protection, specifically the Information Commissioner's Office (ICO).
Data Protection Impact Assessments (DPIA)	This is an impact assessment undertaken in conjunction with the DPO in cases where the type of Personal Data processing carries a high risk of infringing the rights, freedom and interests of an individual(s).
Data Subject	Please see under Personal Data
Personal Data	This is any information relating to an identified or identifiable natural person (the Data Subject).
Personal Data Breach	A breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, Personal Data. This includes breaches that are the result of both accidental and/or deliberate causes.
Privacy Notice	Information provided to a Data Subject to advise that their data is being collected / processed. This is provided in a concise, transparent, easily accessible form, using clear and plain language. Data Subjects must be advised that their data is being collected and / or processed.
Special Category Data	The type of data that could create more significant risks to a Data Subject's fundamental rights and freedoms, for example by putting them at risk of unlawful discrimination. Such data includes religious beliefs; ethnicity; political opinions – more details can be found in §20.
Supervisory Authority / Regulator	For RVC this is the Information Commissioner's Office (ICO), which is the Government-authorized body that ensures that processing of personal data complies with current UK Data Protection law.

4. Principles

The RVC is required to process personal data according to the following six principles:

Data Protection Principles	Context for the RVC
Lawfulness, fairness and transparency	The RVC provides clear explanations to its staff, students and customers regarding how it processes personal data at the point of collection and the specific purposes for which it does so
Purpose limitation	The RVC only uses personal data it has for the purposes it was collected for
Data minimisation	The RVC ensures that it collects only relevant personal data necessary for the specific purposes it is required to fulfil
Accuracy	The RVC ensures the data that is collected is correct, up to date and mistakes are rectified quickly
Storage limitation	The RVC does not retain personal data for longer that it is needed
Integrity and confidentiality	The RVC employs a variety of security measures to safeguard personal data, preventing unauthorised access, loss or destruction

5. Accountability

As a data controller, the RVC is governed by the provision for accountability under the current UK data protection law. As such, it will provide evidence through its documented records of compliance if requested by the Information Commissioners Office. Such evidence will reflect the lawful basis (bases) for processing data, show that due consideration has been given to the lawful basis applicable to each data processing purpose and that decisions on data processing are justified.

The responsibility for monitoring compliance with the GDPR / current UK Data Protection law will rest with the Data Protection Officer (DPO) with the support of the Governance Team. This means the DPO and the Governance Team will:

a) Inform and advise the RVC of its obligations under data protection law
b) Monitor compliance with the regulations and related policies, including promoting a culture of data protection through training and awareness activities
c) Provide procedures, guidance and advice in support of this policy, including advising on Data Protection Impact Assessments
d) Monitoring and reporting on compliance to the Audit and Risk Committee and other relevant committees and boards
e) Act as RVC's first point of contact with the Information Commissioner's Office (ICO)
f) Comply with subject access and other rights based requests made by individuals
g) Investigate and respond to complaints in relation to data privacy
h) Keep records of personal data breaches and notify the ICO of any significant breaches

An annual report also is presented to the College Executive Committee (CEC) by the DPO to update them on the RVC's compliance with data protection law. The report assesses the RVC's performance in information compliance and outlines action plans including:

- Activities and updates
- Key performance indicators
- Freedom of Information Act
- Data Protection including data subject rights, data breaches and data protection impact assessment forms.
- Priority activities for the upcoming year

6. Legal basis for processing – personal data

Under the GDPR and Data Protection Act, it is mandatory for the RVC to determine the lawful basis for processing different categories of data. The lawful basis will differ based on the nature of the data, with the most frequently applied bases for the RVC being as follows:

Legal basis	Context for the RVC
Necessary for the performance of a contract	The majority of processing for our students, staff and clients.
Data subject has given consent to the processing	Such as mailing lists, marketing and other optional services for staff, students and clients
Processing is necessary for RVC to perform a task in the public interest	The RVC relies on the public task basis for many of its activities as a public authority
Necessary for the purposes of the legitimate interests, and it has been established that the need to protect individuals' personal data does not override those interests	Such as activities around alumni, charitable works and marketing of commercial services
Processing is necessary to enable RVC to comply with the law	Processing can be justified in order to comply with common law or a statutory obligation

7. Legal basis for processing – special category data

In addition to establishing the appropriate lawful basis (or bases) for processing listed in Section 6, the RVC Is also required to have an additional legal basis for processing special category data, including:

- The data subject has given explicit consent
- Processing is necessary to comply with the law and in the interests of the data subject
- Processing is necessary to protect the vital interests of the data subject and the data subject is incapable of giving consent
- Processing is related to personal data which have been made public by the data subject

The DPO should be contacted for advice about processing special category data.

8. Criminal offence data

Personal Data relating to criminal convictions and offences, or related security matters must only be processed by anyone responsible for processing data when they are acting in an official capacity or under specific legal authorization. Advice should be sought from the Data Protection Officer before processing any such data within their area and all decisions must be fully documented.

9. Rights

The RVC recognises that data subjects are afforded certain rights under the GDPR and Data Protection Act. These include:

Right	Context for RVC
Right of Access	Data subjects have the right to find out about what we are doing with their data, check we are holding it correctly and to obtain a copy of what we hold.
Right to Rectification	The RVC make every effort to ensure the data we hold is accurate. If a data subject thinks something we hold about them is incorrect, they have the right to ask for this to be corrected.
Right to Erasure	Data subjects have the right to ask us to remove or delete data we hold on them. The RVC will assess the request against the criteria in Article 17 and respond accordingly.
Right to restriction of processing	Data subjects have the right to request the restriction or suppression of their personal data. This is not an absolute right and only applies in certain circumstances.
Right to data portability	Data subjects have the right to ask the RVC to provide them with a reuseable electronic copy of their data to allow them to transfer it to another provider. This only covers data submitted to the RVC by the subject or data observed from the subject's use of a service.
Right to object	Data subjects have the right to object to processing based on legitimate interests, legal obligation or for the purpose of direct marketing or for "scientific or historical research purposes or statistical purposes". The RVC will assess requests for erasure and respond accordingly
Automated decision making, including profiling	If the RVC is making decisions about data subjects through purely automated means, such as a computer algorithm, data subjects can appeal against this decisions.

For more information on exercising your rights, please contact the DPO via email: data@rvc.ac.uk

10. Data Protection by design

The RVC is committed to ensuring privacy is built into its processes and outcomes. New projects involving personal data are required to undertake a Data Protection Impact Assessment (DPIA). A DPIA is a process that guides the identification and minimisation of data protection risks and plan appropriate mitigation.

11. Security

The RVC's comprehensive IT security policy aligns with the integrity and confidentiality principle of the GDPR and Data Protection Act. This ensures that appropriate technical measures are implemented to safeguard all personal data. This includes protection against unauthorised or unlawful processing and against accidental loss, destruction or damage. The RVC have established a personal data breach notification procedure in accordance with Article 33 of the regulation.

Further details on the activities and procedures relating to RVC IT systems and data loss prevention can be found in the following related policies:

- IT Acceptable Use Policy (ITPOL001)
- Information Handling Policy (ITPOL002)
- Encryption Policy (ITPOL003)
- Data Storage – Backup, Restore, Retention and Cloud Policy (ITPOL008)

12. Personal Data Breaches

A personal data breach is a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, *Personal Data*. This includes breaches that are the result of either accidental and/or deliberate causes.

Staff and students should report any actual or suspected loss or unauthorised disclosure of personal data without undue delay to their line manager and to the DPO using the data breach report form.

The DPO will determine whether there is a need to report the breach to the ICO. If it is necessary to report the breach, this will be done within 72 hours of becoming aware of the breach, wherever feasible.

If the breach is likely to result in a high risk of adversely affecting individual's rights and freedoms, the Data Subject(s) concerned must also be advised without due delay.

The DPO will keep a record of any personal data breaches, regardless of whether they were notified to the ICO.

13. Privacy Notices

A privacy notice is a statement that discloses some or all of the ways the RVC as a Data Controller gather, use, disclose and manage personal data.

The RVC's privacy notices can be found on the RVC website here

14. Retention of personal data

The RVC is committed to creating, keeping and managing its records in a manner that accurately documents its activities and that meet its statutory obligation. Further information on data retention can be found in the RVC's Records Management Policy.

15. The Data Protection Officer

In accordance with Article 37-39 of the Regulation, the RVC have appointed a Data Protection Officer who is responsible for advising on and facilitating compliance with the GDPR and data protection legislation. The DPO contact details are as follows:

Data Protection Officer

The Royal Veterinary College

Hawkshead Lane

Brookmans Park

Hatfield AL9 7TA

E: data@rvc.ac.uk

16. Training and awareness

The RVC prioritises staff training and awareness relation to data protection. All employees are required to complete mandatory training in data protection and IT security. Additional resources and training materials are accessible via the staff intranet and can be requested from the Data Protection Officer and Information Compliance Officer. Annual refresher training is also provided by the Governance team, as well as bespoke training for staff on request.

17. Using data processors

The RVC may engage external contractors or data processors to handle data storage and management. These entities process data solely for purposes specified by the RVC and are contractually obligated to meet the RVC's obligations under the GDPR and Data Protection Act. When data is transferred outside of the EEA, the RVC takes necessary measures to ensure adequate protection.

18. Academic research

Conducting academic research that involves processing personal data, is subject to the GDPR and Data Protection legislations. All academic projects that involve human participants are considered by the Social Science Research Ethical Review Board (SSRERB). Specific guidance on such research can be found on the intranet.