

## Data Sharing Agreement with other Data Controllers

1. References to 'the college' mean Exeter College Further Education Corporation, Hele Road, Exeter, Ex4 4JS, 01392 400500
2. The responsible person for data protection is the Data Protection Officer (DPO), whose details can be found at <https://exe-coll.ac.uk/dataprotection/>. The DPO Team can be contacted by emailing [DPO@exe-coll.ac.uk](mailto:DPO@exe-coll.ac.uk)
3. Personal data is any information that identifies a data subject (a living person) directly or indirectly. Examples of personal data are name, address, identification number and similar. Some information about a person is called 'special category data'. This includes for example race, ethnic origin, political opinions, religious beliefs, trade union membership, genetic and biometrical information, health, sex life and sexual orientation.
4. 'Processing data' means collecting, recording, filing, organising, storing, amending, retrieving, consulting, using, disclosing, sharing, and destroying information that identifies a living person.
5. A 'data controller' is a person or an organisation who either alone or jointly with another person or organisation decides the purpose for which personal data processed, how it is done, and which information is included.
6. A 'data processor' is any person or an organisation that processes data on behalf of the data controller. The data processor does not make any decisions about the personal data, other than what the data controller tell them to do.
7. The college considers itself to be a data controller when collaborating with another organisation on processing personal data of individuals who study or work here. The purpose of this agreement is to protect the personal data of students and staff.
8. All individuals (data subjects) can find the relevant privacy information at <https://exe-coll.ac.uk/dataprotection>
9. The college makes the following commitments to other data controllers:
  - personal information will only be processed when there is a good reason and a lawful basis for doing so
  - processing of data will be limited to what is needed to make sure that each student receives effective education and pastoral care
  - data processed may include identity, educational attainment, employment, and financial information
  - health information and other special category data will only be processed where there is a legal obligation to do so or where this is necessary to protect the data subject or other people.

10. As a data controller, the college will manage all personal data according to the terms of its Data Protection Policy. The same standards of security will apply to all personal data processed, whether it was collected directly or indirectly. Other controllers will make sure that their processing of personal data shared with or by the college is protected by technical and organisational controls no less effective than those applied by the college. In particular, the college and each other controller will ensure that:
  - the processing of data will be restricted to what is required by the contract to deliver learning and/or related services otherwise an alternative lawful basis will be agreed and documented
  - processing of data is protected by appropriate security
  - the data will not be shared with a sub-processor other than those mentioned in the privacy notice and not without the prior consent of all data controllers.
  
11. Where the use of a processor is agreed by the controllers, the following conditions will apply:
  - all parties involved will assist each other in providing subject access and ensuring that data subjects can exercise their rights under the UK GDPR
  - all parties will meet the obligations of the UK GDPR in relation to the security of processing, the notification of personal data breaches and data protection impact assessments
  - unless there is a lawful reason, all parties must delete or return all personal data to the original controller as requested at the end of the contract
  - both parties must submit to audits and inspections to provide assurance that they are meeting their [Article 28](#) obligations
  - all parties must immediately advise the others if an actual or potential data breach or infringement of data protection law is identified
  - all parties will co-operate with the ICO in accordance with relevant data protection law.
  
12. Partners and third parties working with and for Exeter College and who have, or may have, access to personal data, will be expected to have read and understood Exeter College's Data Protection Policy.
13. The college's Data Protection Policy and the Information Security Policy are available at <https://exe-coll.ac.uk/dataprotection>
14. The college's contracts of employment and staff code of conduct place obligations of confidentiality on all employees
15. The college provides training for every employee who has access and works with personal data
16. The college employs internal auditors to review its data protection compliance and information security practice
17. The college maintains cyber security accreditations as applicable.