



Data Protection Policy

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| Responsible: | School Business Manager |
| Responsible Committee: | Finance & Audit |
| Implementation Date: | June 2018 |
| Date of Review: | June 2022 |
| Date of next Review: | June 2023 |

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| Any Associated Policies: | Finance Policy |
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1. Introduction

The Data Protection Act 1998 (the “Act”) is the law that governs the **processing of personal information** (data). **Personal information:**

- is any information that relates to a living individual who can be identified from the information;
- includes any expression of opinion about an individual;
- includes all information, whether it is held in paper files or electronically; and
- includes data held visually in photographs or video clips (including CCTV) or as sound recordings.

The academy processes a large amount of personal data every year including: staff records, names and addresses of those requesting prospectuses, admissions, examination marks, references, fee collection as well as the many different types of research data used by the academy. In addition, it may be required by law to collect and use certain types of information to comply with statutory obligations of Local Authorities, government agencies and other bodies.

The academy also sometimes processes **sensitive personal data**. **Sensitive personal data** is personal data relating to a person’s racial or ethnic origin, political opinions, religious (or other similar) beliefs, trade union membership, physical and mental health, sex life or criminal offences.

References to ‘**processing data**’ in this policy includes collecting, obtaining, accessing, handling, recording, holding and using information in any way. Anyone who processes people’s personal data (including sensitive personal data) must comply with the provisions of the Act.

2. Scope of the policy

The academy has a legal responsibility to comply with the Act and to establish workplace practices and policies that are in line with the Act.

Every member of staff that processes personal information has to comply with the Act when processing that information.

This policy is intended to ensure that personal information is dealt with by the academy in accordance with the Act.

3. The Eight Principles

The Act is based on eight data protection principles that must be complied with when processing personal data, with particular care to be taken when processing sensitive personal data. The principles are as follows;

Personal data shall be processed fairly and lawfully;

- Have a good reason for collecting and using the data;
- Have a legal justification for collecting and using the data, e.g. the consent of the person;
- Be transparent – tell people how and why you are collecting their data;
- Provide appropriate privacy notices when collecting the data;

- Avoid surprises – only use personal data for purposes people would reasonably expect.

Personal data shall be obtained and processed only for one or more specific and lawful purposes

- Be clear and specific from the outset about why you are collecting personal data and what you intend to do with it, including in the privacy notice;
- Process data only in line with the specified purpose;
- If you wish to use the personal data for any other purpose, make sure that the new use is fair on the individual and compatible with the original purpose. If in doubt, ask the person for his or her consent.

Personal data shall be adequate, relevant and not excessive in relation to the purpose(s) for which they are processed

- Collect enough personal data for the specific purpose;
- But don't collect more data than is absolutely necessary for the specific purpose;
- Don't collect data on the off chance that it might be useful in the future.

Personal data shall be accurate and, where necessary, kept up to date:

- Take reasonable steps to verify the accuracy of any personal data you obtain;
- Make sure that the source of any personal data is clear;
- Update the information when relevant

Personal data processed for any purpose(s) shall not be kept for longer than is necessary for such purpose(s)

- Regularly review what personal data you are holding;
- Securely dispose of any data you no longer need.

Personal data shall be processed in accordance with the rights of data subjects under the Act

- People whose data we hold ("**Data Subjects**") have certain rights under the Act, for example, access to the data the academy holds about them. See below for more information about **Data Subject Access Requests**.

Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data

- Always make sure that personal data is securely stored and only accessed by people who have a legitimate need to do so;
- Do not allow personal data to be shared with, or accessed by, anyone who is not authorized to receive it;
- Respond to any breach of security swiftly;
- Take these practical steps to keep personal data secure:
 - Never leave people's personal details displayed open on a computer screen when it is not in use;
 - Never make and leave notes of passwords on or around your desk;

- Ensure that waste paper and printed documents containing personal data are disposed of securely and not left in ordinary waste bins;
- Never leave laptops unattended or visible to passers-by;
- If transmitting personal data files (such as in an e-mail attachment) make sure that the file is adequately secured to ensure it cannot be intercepted and/or accessed in transit by someone not authorised to view the data.

Personal data shall not be transferred to a country outside the EEA, 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

- If possible, avoid transferring personal data outside the EEA;
- Don't allow personal data to be accessed via a website;

4. Data subject access requests (principle 7 of the Act)

Any person can ask, at any time, what data the academy is holding about him or her. This is called a “**data subject access request**”. A data subject access request should be in writing – this includes by email and social media.

When someone makes a data access request, first:

- Notify the person straight away if an admin fee is going to be charged (max £10);
- Verify the person’s identity – if you are not sure, ask the person for more information;
- Ask for more information if you need it to help you locate all the data the academy is holding about the person

Once you have established what data needs to be sent:

- Tell the person whether the academy is processing any of his or her personal data;
- Give a description of the personal data, the reasons it is being processed, and whether it will be given to any other organisations or people;
- Give a copy of the information (you are not obliged to give documents containing the information, only the information itself) and details of the source of the data (where this is available);
- Send the data that is held by the academy at the time you send the response without changing the data held at the date of the request in order to correct or update it and don’t delete any data;
- Provide the data in a way that is easy to understand;
- Don’t provide data if it would also mean sharing another person’s information unless it is appropriate to share this data;
- Respond within 40 calendar days of receiving the request

5. Other responsibilities

The academy is required to register annually to 'notify' the Information Commissioner (i) that it processes personal data and (ii) of the nature of the personal data it processes. This information is included in a public register which is available on the Information Commissioner's website at the following link: <https://ico.org.uk/ESDWebPages/Entry/ZA186086>

The academy is required to review this policy annually and, in addition, shall update this policy as necessary to reflect best practice or amendments to the Act.

For further information, please follow this link to the ICO's website (www.ico.org.uk) which provides detailed guidance on a range of topics including individuals' rights, exemptions from the Act, dealing with subject access requests, how to handle requests from third parties for personal data disclosed, etc. In particular, you may find it helpful to read the Guidance to Data Protection which is available on the website.