



## Data Protection Policy

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#### Data Protection Policy for Schools

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### Legal Obligations

Recital 74 of the UK General Data Protection Regulation (UK GDPR) states that.....

*'The responsibility and liability of the controller for any processing of personal data carried out by the controller or on the controller's behalf should be established. In particular the controller should be obliged to implement appropriate and effective measures and be able to demonstrate the compliance of processing activities with the Regulation, including the effectiveness of the measures. Those measures should take into account the nature, scope, context and purposes of the processing and the risk to the rights and freedoms of natural persons'*

To this end, the Board of Trustees has adopted the Policy as specified below.

### Scope

An essential activity within The Trust is the requirement to gather and process information about its pupils, staff, parents and other individuals who have contact with the Trust, in order to enable it to provide education and other associated functions. *Please note that the Data Protection responsibility for the individual academies within the Trust is delegated to the Headteacher and Local Advisory Board.*

In addition, there may be a legal requirement to collect and use information to ensure that the Trust complies with its statutory obligations.

The UK GDPR defines special category information as *'information about an individual's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, sex life or sexual orientation and genetic and biometric data'*.

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Before processing 'special category' information the Trust will identify and document the lawful basis for processing this information. The Trust will only process special categories of personal information in certain situations.

This will be done in accordance with Data Protection Law and other related government legislation.

This policy applies to employees of the Trust. It also applies to temporary staff, volunteers, members and trustees working on behalf of the Trust.

The Trust and the Board of Trustees – acting as custodians of personal data – recognise their moral duty to ensure that it is handled properly and confidentially at all times, irrespective of whether it is held on paper or by electronic means. This covers the whole lifecycle, including:

- The obtaining of personal data;
- The storage and security of personal data;
- The use of personal data;
- The disposal/destruction of personal data.

The Trust and the Board of Trustees also have a responsibility to ensure that data subjects have appropriate access to details regarding personal information relating to them.

## Objectives

By following and maintaining strict safeguards and controls, the Trust and the Board of Trustees will:

- Acknowledge the rights of individuals to whom personal data relate, and ensure that these rights may be exercised in accordance with Data Protection Law;
- Ensure that individuals are fully informed about the collection and use of personal data through the publication of the Trust's Privacy Notice;
- Collect and process personal data which is adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- Ensure that adequate steps are taken to ensure the accuracy and currency of data;
- Ensure that for all personal data, appropriate security measures are taken – both technically and organisationally – to protect against damage, loss or abuse;
- Ensure that the movement of personal data is done in a lawful way – both inside and outside the organisation and that suitable safeguards exist at all times.

## Achieved by

In order to support these objectives, the Trust and the Board of Trustees will:

- Have a “**Senior Information Risk Owner**” (SIRO) to ensure that there is accountability and that Information Risk is recognised at a Senior Level; *This is Cath Kitchen, the CEO of the Trust.*
- Have a designated “**Data Protection Officer**” (DPO) to meet the school's obligations under Article 37 of UK GDPR. *This is James Gray from Dudley Information and Governance*
- Ensure that all activities that relate to the processing of personal data have appropriate safeguards and controls in place to ensure information security and compliance with the Data Protection Law;

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- Ensure that all contracts and service level agreements between the Trust and external third parties (including contract staff – where personal data is processed) include the relevant Data Protection clauses and appropriate Organisational and Technological measures will be put in place to safeguard the data;
- Ensure that all staff (**including volunteer staff**) acting on the Trust's behalf understand their responsibilities regarding information security under the Act, and that they receive the appropriate training/instruction and supervision so that they carry these duties out effectively and consistently and are given access to personal information that is appropriate to the duties they undertake;
- Ensure that all third parties acting on the Trust's behalf are given access to personal information that is appropriate to the duties they undertake and no more;
- Ensure that any requests for access to personal data are handled courteously, promptly and appropriately, ensuring that either the data subject or their authorised representative have a legitimate right to access under Data Protection Law, that their request is valid, and that information provided is clear and unambiguous;
- Ensure that all staff are aware of the Data Protection Policy and Guidance;.
- Review this policy and the safeguards and controls that relate to it annually to ensure that they are still relevant, efficient and effective.
- This Policy and Procedure and the Subject Access Information material will be made available in other formats where necessary.

Please follow this link to the [ICO's website](#) which provides further detailed guidance on a range of topics including individual's rights, exemptions from the Act, dealing with subject access requests, how to handle requests from third parties for personal data to be disclosed etc.

#### Version Control

This policy will be evaluated on a regular basis with The Trust Board, the DPO and the CEO. Date of next review May 2022.

#### Further information

For further information, please contact [\[include details of setting/school administrator / data protection officer\]](#) – If you have purchased the YourIG Data Protection Officer Service use for DPO:

YourIG Data Protection Officer Service  
Dudley MBC, 3-5 St James's Road, Dudley, DY1 1HZ

Email: [YourIGDPOService@dudley.gov.uk](mailto:YourIGDPOService@dudley.gov.uk) tel: 01384 815607