

DATA PROTECTION POLICY

Issued: May 2016

This Document is a statement of the aims and principles of BDAT, for ensuring the appropriate handling of personal and sensitive information relating to staff, pupils, parents and Governors. This policy take due note of the information and guidance published by the Information Commissioners Office
It is the responsibility of the Trust to ensure registration with the ICO is undertaken.

1. Introduction

- 1.1 All schools in the Trust needs to keep certain information about our employees, pupils and other users to allow us, for example, to monitor performance, achievement, and health and safety.
- 1.2 To comply with the law, information must be collected and used fairly, stored safely and not disclosed to any other person unlawfully. To do this, the Trust and its school must comply with the Data Protection Principles which are set out in the Data Protection Act 1998 (the 1998 Act).
- 1.3 In summary these principles state that personal data shall:
 1. Be obtained and processed fairly and lawfully and shall not be processed unless certain conditions are met.
 2. Be obtained for a specified and lawful purpose and shall not be processed in any manner incompatible with that purpose.
 3. Be adequate, relevant and not excessive for that purpose.
 4. Be accurate and kept up to date.
 5. Not be kept for longer than is necessary for that purpose.
 6. Be processed in accordance with the data subject's rights.
 7. Be kept safe from unauthorised access, accidental loss or destruction.
- 1.4 All staff who process or use personal information must ensure that they follow these principles at all times. In order to ensure that this happens, the Trust has developed this Data Protection Policy. This policy does not form part of the contract of employment for staff, but it is a condition of employment that employees will abide by the policies made by the Trust. Any failures to follow the policy can therefore result in disciplinary proceedings.

2. The Data Controller and the Designated Data Controllers

- 2.1 The Academy Trust as the corporate body is the Data Controller under the 1998 Act, and the Directors are therefore ultimately responsible for implementation. The MAT Business Manager is the Designate Data Controller for the Trust. However, the Designated Data Controllers in each Academy will deal with day to day matters
- 2.2 Each school has two Designated Data Controllers: They are the
 - Headteacher or Principal and the Senior Member of the Office staff.

2.3 Any member of staff, parent or other individual who considers that the Policy has not been followed in respect of personal data about himself or herself or their child should raise the matter with the appropriate Designated Data Controller.

3. Responsibilities of Staff

3.1 All staff are responsible for:

1. Checking that any information that they provide to the School in connection with their employment is accurate and up to date.
2. Informing the School of any changes to information that they have provided, e.g. change of address, either at the time of appointment or subsequently. The School cannot be held responsible for any errors unless the staff member has informed the School of such changes.
3. Handling all personal data (eg – pupil attainment data)

4. Data Security

4.1 All staff are responsible for ensuring that:

1. Any personal data that they hold is kept securely.
2. Personal information is not disclosed either orally or in writing or via Web pages or by any other means, accidentally or otherwise, to any unauthorised third party.
3. No personal data should be held without justifiable reason.

4.2 Staff should note that unauthorised disclosure will usually be a disciplinary matter, and may be considered gross misconduct in some cases.

4.3 Personal information should:

1. If it is a physical document, it should be kept in a locked filing cabinet, drawer, or safe.
2. If it is in digital format, it should be password protected or otherwise encrypted.

5. Rights to Access Information

5.1 All staff, parents and other users are entitled to:

1. Know what information the School holds and processes about them or their child and why.
2. Know how to gain access to it.
3. Know how to keep it up to date.

4. Know what the School is doing to comply with its obligations under the 1998 Act.
- 5.2 The School will, upon request, provide all staff and parents and other relevant users with a statement regarding the personal data held about them. This will state all the types of data the School holds and processes about them, and the reasons for which they are processed.
- 5.3 All staff, parents and other users have a right under the 1998 Act to access certain personal data being kept about them or their child either on computer or in certain files. Any person who wishes to exercise this right should make a request in writing and submit it to the Designated Data Controller.
- 5.4 The School may make a charge of between £10 - £50 on each occasion that access is requested, although the School has discretion to waive this.
- 5.5 The School aims to comply with requests for access to personal information as quickly as possible, but will ensure that it is provided within 40 days, as required by the 1998 Act.
- 6. Retention of Data**
 - 6.1 The School has a duty to retain some staff and pupil personal data for a period of time following their departure from the School, mainly for legal reasons, but also for other purposes such as being able to provide references. Different categories of data will be retained for different periods of time and for a minimum of six years to cover the time limit for bringing any civil legal action.
- 7. Monitoring and Evaluation**
 - 7.1 This policy will be reviewed annual, or if there are changes to relevant legislation.