



CASTLEMAN ACADEMY TRUST

POLICY :

Data Protection

Author: Chief Executive Officer

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Please note that this policy is one of the suite of CAT Policies for School Standards Boards to acknowledge.

CASTLEMAN ACADEMY TRUST

Data Protection Policy

Our policies refer to Senior Leaders. This can mean Executive Head Teacher, Head Teacher or Head of School.

Introduction

The Castleman Academy Trust has the overall responsibility for ensuring the records are maintained, including security and access arrangements, in accordance with Education Regulations and all other statutory provisions. The Trust, School Standards Boards (SSBs) and Trust Schools are intent to comply fully with the requirements and principles of the Data-Protection Act 2018 and General Data Protection Regulations 2016. Further information about the Data Protection Act can be obtained from the Information Commissioner's Office (<https://ico.org.uk/>).

The DPA stipulates that anyone processing personal data must comply with eight principles of good practice. The principles require that personal data:-

1. Shall be processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met
2. Shall be obtained only for one or more specified and lawful purposes and shall not be further processed in any manner incompatible with that purpose or purposes
3. Shall be adequate, relevant and not excessive in relation to the purpose or purposes for which it is processed
4. Shall be accurate and where necessary, kept up-to-date
5. Shall not be kept for longer than is necessary for that purpose or those purposes
6. Shall be processed in accordance with the rights of data subjects under the Act
7. Shall be kept secure i.e. protected by an appropriate degree of security
8. Shall not be transferred to a country or territory outside the European Economic Area, unless that country or territory ensures an adequate level of data protection

Data Gathering

Data is gathered in accordance with GDPR law and guidance. All personal data ('data which relates to a living individual who can be identified' e.g. address, telephone numbers, names, photographs) relating to staff, pupils or other people with whom we have contact, whether held on computer or in paper files, is covered by the Act. Only relevant personal data may be collected and the person from whom it is collected should be informed of the data's intended use and any possible disclosures of the information that may be made. The School will check annually that the data collected is still adequate, relevant and not excessive in relation to the purpose for which the data is being held. Likewise data will not be kept for longer than is necessary and follow the Information Records Management Society Retention Guidelines. It is the responsibility of Senior Leaders of Trust Schools to ensure that obsolete data is properly erased. This is usually delegated to senior Office Staff.

Computer printouts, as well as source documents, are shredded before disposal.

Privacy Notices for School Workforce, Parent/Carers and pupils can be found on individual school websites and the Trust website.

Our Recruitment Privacy Notice can also be found on Trust and school websites.

The Trust's Data Protection Officer is Handsam Limited.

Data Storage

All personal data will be stored in a secure and safe manner. Electronic data will be protected by standard password systems. Computer workstations in administrative areas are positioned so that they are not visible to casual observers waiting either in the office or reception area. No personal data (except names) will be held on teaching staff laptops. Manual data will be stored where it is not accessible to anyone who does not have a legitimate reason to view or process the data.

Data Checking

Data held will be as accurate as is reasonably possible. Regular reminders will be issued to staff and parents to ensure that data held is up-to-date and accurate. If a parent ('a person having parental responsibility or care of a child', Education Act 1996) informs the school of a change in circumstances the computer record will be updated as soon as is possible. A print out of the data is provided to parents and carers every twelve months so that they can check its accuracy and make any amendments.

Access to Records

Access to records is provided under GDPR law and guidance. Requests for access to personal data must be made in writing to the Senior Leaders. It must include key information (e.g. full name, address and telephone number) in order for the school to verify the request. Pupils, parents and staff may request access to the personal data held about them by the school. Provided that there is sufficient information to process the request this will be done within one month of the request. In the case of any written request from a parent regarding their own child's record, access to the record will be provided within 15 school days in accordance with the current Education (Pupil Information) Regulations. All personal data will be replied in the medium in which the request was made.

Data Disclosures

All data is managed in accordance with GDPR law and guidance. Trust Schools will, in general, only disclose data about individuals with their consent. However, there are circumstances under which the Senior Leaders may need to disclose data without explicit consent for that occasion. These circumstances are strictly limited to:

- Pupil data disclosed to authorised recipients related to education and administration for the school to perform its statutory duties and obligations.
- Pupil data disclosed to authorised recipients in respect of the child's health, safety and welfare.
- Pupil data disclosed to parents in respect of their child's progress, achievements, attendance.
- Staff data disclosed to relevant authorities e.g. payroll and administration
- Disclosures to Police Officers if they are able to supply a written request which notifies the school of a specific and legitimate need to have access to specific information

Transfer agreements should be secured for receiving third parties.

Personal Data

All data is managed in accordance with GDPR law and guidance. A record should be kept (within the personal data file) of any personal data disclosed so that the recipient can be informed if the data is later found to be inaccurate. Data is not used in newsletters, websites or other media without prior consent. This includes the use of photographs. All parents are asked to give consent for this on admission to a Trust school. A list of children who do not have permission is held by centrally by the School Office.

Data and Computer Security

All Trust Schools undertake to ensure the security of personal data by the following general methods (exact details, cannot, of course, be listed):

Physical Security

Appropriate building security measures are in place (alarm, lockable office). All data storage devices and printouts are locked away securely when not in use. Data storage devices must be password-protected and information should not be taken off site without the express permission of your line manager. Visitors to the school are required to sign in, to wear identification badges and, where appropriate, are accompanied.

Logical Security

Only authorised users are allowed to access the computer files and password changes are undertaken regularly. Computer files are backed up regularly to multiple sites.

Procedural Security

All staff are aware of their Data Protection responsibilities and the procedures in place for accessing personal data. These procedures are monitored and reviewed on a regular basis, especially if a security loophole becomes apparent. A log is kept by the Office Manager of any data breaches. The Senior Leaders review these regularly.

Responsibility

Individual members of staff can be personally liable in law under the terms of Data Protection Acts. They may also be subject to claims for damages from persons who believe that they have been harmed as a result of inaccuracy, unauthorized use or disclosure of their data. A deliberate breach of this policy will be treated as a disciplinary matter. Any queries or concerns about the security of data in Trust Schools should, in the first instance, be referred to the Senior Leaders.

Equality Impact Assessment

The Trust does all it can to ensure that its policies do not discriminate against pupils or others, either directly or indirectly, in line with any Equality Act 2010 protected characteristics.