

Data Protection Policy

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SLT Liaison: G Wright

Wardle Trust Policy



Wardle
Trust

1. Introduction

The Data Protection Act 1998 is the law that protects personal privacy and upholds individual's rights. It applies to anyone who handles or has access to people's personal data.

This policy is intended to ensure that personal information is dealt with properly and securely and in accordance with the Data Protection Act. It will apply to information regardless of the way it is used, recorded and stored and whether it is held in paper files or electronically.

This policy is supplemented by addition policies on

Freedom of Information (updated January 2016, next review no later than January 2019)

and the Wardle Academy school policy on the use of

Closed Circuit Television (updated November 2015, next review no later than November 2018)

2. Scope of the Policy

Personal information is any information that relates to a living individual who can be identified from the information. This includes any expression of opinion about an individual and intentions towards an individual. It also applies to personal data held visually in photographs or video clips (see CCTV policy) or as sound recordings.

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

3. The Eight Principles

The Act is based on eight data protection principles, or rules for 'good information handling'.

1. Data must be processed fairly and lawfully.
2. Personal data shall be obtained only for one or more specific and lawful purposes.
3. Personal data shall be adequate, relevant and not excessive in relation to the purpose(s) for which they are processed.
4. Personal data shall be accurate and where necessary kept up to date.

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

6. Personal data shall be processed in accordance with the rights of data subjects under the 1998 Data Protection Act.

7. 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.

8. 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.

4. Responsibilities

4.1 Schools within the Trust must:

Manage and process personal data properly
Protect individuals' right to privacy
Provide an individual with access to all personal data held on them.

4.2 The schools have a legal responsibility to comply with the Act. Dr Wright, Senior Executive Officer, is named as the Data Controller under the Act.

Data Controllers are people or organisations who hold and use personal information. They decide how and why the information is used and have a responsibility to establish workplace practices and policies that are in line with the Act.

4.3 Every member of staff that holds personal information has to comply with the Act when managing that information.

4.4 Schools within the Trust are committed to maintaining the eight principles at all times. This means that the schools will:

- inform Data Subjects why they need their personal information, how they will use it and with whom it may be shared (This is known as a Privacy Notice);
- check the quality and accuracy of the information held;
- apply the records management policies and procedures to ensure that information is not held longer than is necessary;
- ensure that when information is authorised for disposal it is done appropriately;
- ensure appropriate security measures are in place to safeguard personal information whether that is held in paper files or on a computer system;
- only share personal information with others when it is necessary and legally appropriate to do so;

- set out clear procedures for responding to requests for access to personal information known as subject access in the Data Protection Act;
- train all staff so that they are aware of their responsibilities and of the schools' relevant policies and procedures.

5. Requests Made Under the Data Protection Act

The Data Protection Act 1998 entitles an individual to his or her 'personal data', as defined in that Act, where the information is held on an automated system, such as a computer and also manual files, where they amount to what the Data Protection Act describes as an "accessible record" or in a structured filing system, defined in the Data Protection Act as a "relevant filing system".

The parental right to receive information pertaining to the "educational record" of their child should continue to be administered under the Education (Pupil Information) (England) Regulations 2000. Whenever a request for personal data is received and is not covered by these regulations, the request will be administered in accordance with the relevant section of the Trust's Freedom of Information Act operating procedures.

Whenever a request is made under the Data Protection Act for personal data, the Trust will provide the applicant with the relevant information contained within files relating to that individual that is accessible under both the Data Protection Act and Freedom of Information Act, subject to any exemptions.

Where it is not possible to remove third party information without rendering the response useless to the individual, the provision of third party information will be considered in line with section 7 of the Trust's Freedom of Information Policy regarding the disclosure of third party information.

The Data Protection Act contains the provision for numerous types of exemption. Therefore, a member of staff is considering applying an exemption, he/she will seek the opinion of the Data Controller who also acts as the Freedom of Information Officer.

Please follow this link to the ICO's website (www.ico.gov.uk) which provides further 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 to be disclosed etc. In particular, you may find it helpful to read the Guide to Data Protection which is available from the website.

6. Review

Next review January 2019

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