



THE SALTERNS ACADEMY TRUST

POLICY FOR DATA PROTECTION



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The Trust collects and uses personal information (referred to in the Data Protection Act as personal data) about staff, pupils, parents and other individuals who come into contact with the Trust. This information is gathered in order to enable the provision of education and other associated functions. In addition, the Trust may be required by law to collect, use and share certain information.

The Trust is registered as a Data Controller, with the Information Commissioner's Officer (ICO). Details are available on the ICO website. The certificate is held in the office of the Director of HR and Compliance.

The Trust issues a Privacy Notice via its' school websites to all pupils/parents, this summarises the information held on pupils, why it is held and the other organisations to whom it may be passed to. The Trust issues a Privacy Notice in Recruitment packs to all staff, this summarises the information passed to the Local Authority and the Department for Education for employment purposes.

PURPOSE

This policy sets out how the Trust and its' schools deal with personal information correctly and securely and in accordance with the Data Protection Act 1998, and other related legislation. It applies to all schools within the Salterns Academy Trust and its' committees.

This policy applies to all personal information however it is collected, used, recorded and stored and whether it is held on paper or electronically.

All Trust staff, directors and governors involved with the collection, use, processing or disclosure of personal data will be aware of their duties and responsibilities and will adhere to this policy.

WHAT IS PERSONAL INFORMATION/DATA?

Personal information or data is information which relates to a living individual who can be identified from that data, or from that data in addition to other information available to them. Personal data includes (but is not limited to) an individual's name, address, date of birth, photograph, bank details and other information that identifies them.

WHAT IS SENSITIVE PERSONAL INFORMATION AND IT'S SIGNIFICANCE?

Sensitive personal information includes information about an individual's:

- racial or ethnic origin;
- political opinions;
- religious or other beliefs or a similar nature;
- membership of Trade Unions;
- physical or mental health conditions;
- sexual life

It can also include about the commission, alleged or actual, of any offence by someone or any proceedings for an offence committed, or alleged to have been committed by that person, the disposal of such proceedings, or the sentence of any court.

The Data Protection Act sets out specific conditions for the processing of sensitive personal information. To process it, one of the following conditions must be met:

- the individual has given explicit consent for the purpose it is to be processed;
- it is needed as part of the employment relationship;
- it is to protect vital interests of the individual or another person;
- the information has deliberately made public by the individual;

- there is a legal requirement or obligation (guidance must be sought from the Data Protection Officer in all such instances);
- is necessary for medical purposes being undertaken by a health professional, or someone with an equivalent duty of confidentiality;
- the information related to racial or ethnic origin, and is necessary for the monitoring , treating and maintaining of equal opportunities (with appropriate safeguards in place).

DATA PROTECTION PRINCIPLES

The Data Protection Act 1998 establishes eight principles that must be adhered to at all times:

1. Personal data shall be processed fairly and lawfully;
2. Personal data shall be obtained only for one or more specified and lawful purposes;
3. Personal data shall be adequate, relevant and not excessive;
4. Personal data shall be accurate and where necessary, kept up to date
5. Personal data processed for any purpose shall not be kept longer than is necessary for that purpose of those purposes;
6. Personal data shall be processed in accordance with the rights of data subjects under the Data Protection Act 1998;
7. Personal data shall be kept secure, ie protected by an appropriate degree of security;
8. Personal data shall not be transferred to a country or territory outside the European Economic Area.

COMMITMENT

The Trust is committed to maintain the above principles at all times. Therefore the Trust and its' schools will:

- Inform individuals why personal information is being collected.
- Inform individuals when their information is shared, and why and with whom unless the Data Protection Act provides a reason not to do this.
- Check the accuracy of the information it holds and review it at regular intervals.
- Ensure that only authorized personnel have access to the personal information whatever medium (paper or electronic) it is stored in.
- Ensure that clear and robust safeguards are in place to ensure personal information is kept securely and to protect personal information from loss, theft and unauthorized disclosure, irrespective of the format in which it is recorded.
- Ensure that personal information is not retained longer than it is needed.
- Ensure that when information is destroyed that it is done so appropriately and securely.
- Share personal information with others only when it is legally appropriate to do so.
- Comply with the duty to respond to requests for access to personal information, known as Subject Access Requests.
- Ensure all staff and governors are aware of and understand these policies and procedures.

COMPLAINTS

Complaints will be dealt with in accordance with the Trust's complaints policy. Complaints relating to the handling of personal information may be referred to the Information Commissioner at www.ico.gov.uk.

CONTACT

The Data Protection Officer for the Salterns Academy Trust is the Director of HR based at Admiral Lord Nelson School who is the contact point for any subject access requests.