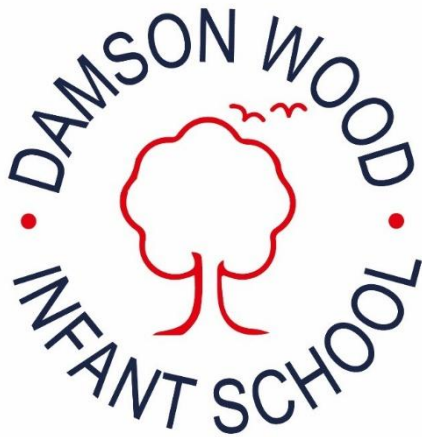


# Central Schools Trust



## INCORPORATING BALSALL COMMON PRIMARY SCHOOL AND DAMSON WOOD NURSERY AND INFANT SCHOOL

### Data Protection Policy



*flourishing together*

#### Document Control

Date of Policy	Policy Version	Approving Body	Approval Date	Review Period
September 2022	1.2	MAT Board	4 October 2022	Autumn Term 2023
May 2023	1.2	MAT Board	23 May 2023	Summer Term 2024
June 2024	2.0	MAT Board	2 July 2024	Summer Term 2025
June 2025	2.0	MAT Board	1 July 2025	Summer Term 2026
May 2026	2.1	MAT Board	12 May 2026	Autumn Term 2027

# Data Protection Policy

## 1. Purpose

- 1.1. This policy sets out how all staff and governors at Central Schools Trust ('the Trust') ensure that personal information<sup>1</sup> is dealt with correctly and securely and in accordance with relevant Data Protection law ('the Law'), including the General Data Protection Regulations (GDPR), as well as related UK Data Protection legislation.
- 1.2. This policy should be read in conjunction with SMBC's Retention Schedule.
- 1.3. A deliberate breach of this Policy will be treated as a disciplinary matter.

## 2. Data Protection Law

- 2.1. The GDPR provides a framework for how organisations use personal information. It protects and enforces the privacy of personal information whilst also allowing for the lawful and appropriate use of this type of information about pupils, staff, parents and others who have contact with the Trust.
- 2.2. The Law applies to many types of organisation processing personal information, including Schools. It covers all personal information regardless of its format or the way it is collected, used, recorded, updated, stored and destroyed.
- 2.3. Personal information relates to an individual who can be identified by that information or along with other information likely to come into a person's possession. The Trust acknowledges that the definition also covers opinions about an individual, information regarding the intentions of the schools within the Trust towards them, and more sensitive 'Special Categories'<sup>2</sup> of information.
- 2.4. The GDPR is underpinned by a set of six straightforward principles; CST is committed to following these principles as set out in this policy.

## 3. Processed Lawfully, Fairly and Transparently

- 3.1. The Trust will inform pupils, staff, parents and any other person why they need their personal information, how it will be used, with whom it may be shared and anything else required. This will be done via clear and easy to understand statements on forms and Fair Processing Notice documents issued when collecting information or as soon as possible afterwards; they will also be published on the Trust website where relevant.
- 3.2. For the majority of personal information, the Trust's lawful basis for processing is if it is necessary for compliance with a legal obligation. Where this is not the case, consent to use personal information will be sought from individuals.
- 3.3. Where necessary, the Trust will conduct Privacy Impact Assessments to ensure the processing of information by the school does not pose a risk to the rights and freedoms of pupils, staff, parents and any other data subjects.

## 4. Collected for Specified, Explicit and Legitimate Purposes

- 4.1. Personal information collected and held for the purposes we have stated will not be used for any other purpose without first informing those individuals whose information it is.

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<sup>1</sup> Inclusive of more sensitive personal information known as 'Special Categories' under the General Data Protection Regulations

<sup>2</sup> This includes more sensitive information and includes information about a person's race, ethnic origin, political opinion, religious and philosophical beliefs, trade union membership, genetics and biometrics, their health, sex life and sexual orientation.

- 4.2. In accordance with UK law, the Trust is registered as a Data Controller with the Information Commissioner's Office and will renew this annually.

## **5. Adequate, Relevant and Necessary**

- 5.1. The Trust will only collect and store personal information that is sufficient for the purpose we have stated and will not ask for more information than is necessary.
- 5.2. The Trust will regularly review its forms and will check personal information already held for missing, irrelevant or seemingly excessive information.

## **6. Accuracy**

- 6.1. Information held by the Trust will be as accurate and up to date as is reasonably possible and steps will be taken to check regularly the accuracy of personal information held; an example is the annual data collection form issued to all parents to check details are up-to-date.
- 6.2. If a pupil, member of staff, a parent or any other person informs the Trust of a change of circumstances, or an error in their personal information, it will be reviewed and updated as soon as is practicable.

## **7. Retention of Information**

- 7.1. The Trust will not keep personal information for longer than is necessary for the stated purpose(s). In order to ensure this, all information held and/or created by the Trust or held on its behalf will be retained according to timescales set out in the Retention Schedule created by the Information Governance Team at Solihull Metropolitan Borough Council. Routine emails, without long-term value, will be deleted as soon as possible, or at least annually, to manage data volumes.
- 7.2. The Trust will ensure that all personal information deleted or physically destroyed is done in a secure and confidential way.

## **8. Access**

- 8.1. The Trust acknowledges that the Law gives specific rights<sup>3</sup> to any person whose details are processed by the School, and will ensure these rights can be exercised where relevant.
- 8.2. These rights include the right to access information held about them.<sup>4</sup> The Trust will ensure clear procedures are in place to allow for this and will supply the information sought within the required timescale of one calendar month from date of written request.
- 8.3. Where a pupil is under the age of 13 years old, or it is clear a pupil does not understand the nature of data protection, a written request from parents/carers in respect of their own child will be processed as requests made on behalf of the child and the copy will be supplied to the parents/carers.
- 8.4. The right to access information held about them applies equally to staff and any other individuals for whom the Trust holds information about.

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<sup>3</sup> Under GDPR these are the right to be informed; the right of access; the right to rectification; the right to erasure; the right to restrict processing; the right to data portability; the right to object; rights in relation to automated decision making and profiling

<sup>4</sup> There are a few exceptions to this rule, but most individuals will be able to have a copy of the information held on them

- 8.5. Any third party information (information about someone other than the requesting individual) found will generally be removed or redacted unless third party permission to disclose is provided or it is reasonable in all circumstances to disclose it.

## **9. Appropriate Security**

- 9.1. To prevent unauthorised or unlawful processing and to protect against accidental loss, destruction or damage to personal information, the Trust will ensure adequate security measures are in place to safeguard all personal information whether held in paper files, on a computer system, laptop/tablet or on portable media storage devices<sup>5</sup>.
- 9.2. Paper records and portable devices are locked away when not in use and are only accessed by those authorised to see the information held on them. Personal information held electronically is kept securely, is protected by passwords, and is only accessed by those authorised to see the information held.
- 9.3. Where it is necessary to store or transport personal information on a portable device such as a laptop/tablet or other storage device, the relevant equipment or portable media will always be encrypted.
- 9.4. The Trust will ensure that staff are aware of the additional precautions they should take when taking personal information, in any format, outside of school for training, meetings or to work from home, such as only taking what is needed, protecting it in transit, never leaving it unattended and storing it securely.
- 9.5. Particular care will be taken by all staff when sending personal information via emails, faxes and letters, etc. to use secure methods where necessary and to confirm addresses/numbers beforehand.
- 9.6. The Trust will undertake a regular review of measures in place to protect personal information taking into consideration developments in technology and ensuring staff receive up to date training and guidance.

### **10.1 Using Data Processors**

- 10.1 The Trust will ensure that any third parties who process personal information on the Trust's behalf will do so under strict written instruction that is binding on the third party, who will also have adequate safeguards in place to protect the information.
- 10.2 Records of checks of adequate security and the written instruction will be maintained by the Trust for reference and regular review.

## **11. Transfers outside of Europe**

- 11.1 Data Protection law applies to all member states within the EU and the UK. The Trust is unlikely to transfer any personal information outside of the UK and Europe, however, if this is necessary, checks will be made to ensure an adequate level of protection for that information and consent will be sought from those affected if necessary.

## **12. School Specific Issues**

### **12.1. Consent**

- 12.1.1 The Trust will seek consent/parental consent to use certain types of personal information where appropriate. Examples of when the Trust will seek consent include using photographs or recordings of children in schools for

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<sup>5</sup> E.g. USB Memory Sticks, CD's, external hard drives, etc

school projects or for display; using photographs of children, staff and parents in school publications such as newsletters; using photographs of children, staff and parents in external publications such as a local newspaper; using photographs/recordings of children, staff and parents to be on any web page or social media site.

- 12.1.2 When collecting consent, the Trust will provide a clear explanation of the use of the information and will ask for a positive written indication of consent for each different use. Consent will not be inferred from a non-response to a communication, for example from a parent's failure to return or respond to a letter.

## **12.2. CCTV**

The Trust utilises CCTV for security and safety purposes. Footage will feature personal information; therefore, the Trust ensures access to the footage and equipment is restricted and makes sure that pupils, staff, parents and visitors to Trust premises are aware that CCTV is in use by displaying clear signage in and around School premises. CCTV footage at CST is stored on a 30-day rolling programme.

## **12.3. Public Displays**

If there is a display of pupils' work to be shown at a public venue, other than the Trust premises, parents will be informed and unless they have consent to publish fuller information, the Trust will only include the minimum of pupil identifiable information, for example "by John, Year 1".

## **12.4. Trust Plays**

Data Protection law does not prevent parents/guardians from capturing their child's performance on camera or video as these instances would be for personal/family use only and therefore Data Protection law does not apply.

## **12.5. Biometric Data**

The Trust uses Biometric data for access to the school library. Biometric data is personal information and must be processed in accordance with Data Protection law. In line with the Protection of Freedoms Act 2012, the Trust will also ensure they have notified parents about their use of an automated biometric recognition system and obtain the required consent from at least one parent of each pupil.

## **13. Complaints**

- 13.1 Complaints will be dealt with in accordance with the Trust's Complaints Policy. Complaints relating to information handling may also be made to the Information Commissioner's Office (the statutory authority).

## **14. Contacts**

- 14.1 If you have any enquires in relation to this policy, please contact the Finance Manager, who will also act as the contact point for any subject access requests.

## **15. Review**

- 15.1 This policy will be reviewed and updated as necessary to reflect best practice or amendments made to Data Protection law.