



Gulval School Data Protection Policy

September 2014

Policy Review Audit

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1. Mission Statement

Adventure Learning Academy Trust (ALAT) brings a new energy and approach to providing the best education for our pupils. Through proven practices, ALAT will transform the learning of pupils, raise standards and provide the highest quality learning environments, enabling pupils and teaching staff to thrive and be the best. ALAT's aim is to break down the barriers that limit educational progress. We do this through adopting a personal learning pathway for every child – one that takes account of individual needs, aspirations and talents.

ALAT's values:

Learn	Grow	Prosper
Provide the best education for every pupil.	Grow our pupils' futures.	Lead the way in education.
Ensure the highest quality teaching and learning.	Develop the best teaching staff.	Realise the opportunities.
Work with the family, parent or carer.	Provide the best learning environment and supporting technology.	Be connected to the community.

2. Principles

ALAT is required to keep personal data about its staff and pupils in order to fulfil its purpose and to meet its legal obligations to funding bodies and government. The Governing Body and the Principal intend to comply fully with the requirements and principles of the Data Protection Act 1988. All staff involved in the collection, processing and disclosure of personal data are aware of their duties and responsibilities within these guidelines.

To comply with the Data Protection Act 1988, information must be collected and used fairly, stored safely and not disclosed to any other person unlawfully. The Data Protection Act, 1998 are set out below.

3. The legal framework

The Data Protection Act 1998 states:

Personal data will be obtained and processed fairly and lawfully for specified purposes and shall not be processed in any manner incompatible with those purposes of:

- Education
- Educational support and ancillary purposes
- Academy administration
- Staff, agent and contractor administration
- Advertising, marketing, public relations, general advice services
- Crime prevention and prosecution of offenders

The Data Protection Act controls how your personal information is used by organisations, businesses or the government.

Everyone who is responsible for using data has to follow strict rules called 'data protection principles'. They must make sure the information is:

- used fairly and lawfully
- used for limited, specifically stated purposes
- used in a way that is adequate, relevant and not excessive
- accurate
- kept for no longer than is absolutely necessary
- handled according to people's data protection rights
- kept safe and secure
- not transferred outside the UK without adequate protection.

Further advice and information is available from the Information Commissioner's Office, www.ico.gov.uk or telephone 01625 545745.

4. Fair Obtaining and Processing of data

ALAT undertakes to obtain and process data fairly and lawfully by:

- 1 Informing all data subjects of the reasons for data collection
- 2 The purposes for which the data are held
- 3 The likely recipients of the data and
- 4 The data subjects' right of access.

Information about the use of personal data is printed on the appropriate collection form. If details are given verbally, the person collecting will explain the issues before obtaining the information.

- **Processing** means obtaining, recording or holding the information or data or carrying out any or a set of operations on the information or data
- **Data subject** means an individual who is the subject of personal data or the person to whom the information relates
- **Personal data** means data, which relates to a living individual who can be identified. Addresses and telephone numbers are particularly vulnerable to abuse, but so are names and photographs, if published in the press, Internet or media
- **Parent** has the meaning given in the Education act 1996, and includes any person having parental responsibility or care of a child

5. Registered Purposes

The Data Protection Registration entries for ALAT are available for inspection, by appointment, at the academy reception. Explanation of any codes and categories entered is available from the academy Performance Manager who is the person nominated to deal with Data protection issues in the academy. Registered purposes covering the data held at the academy are listed on the academy's registration and data collection documents. Information held for these stated purposes will not be used for any other purpose without the data subject's consent.

6. Data Integrity

ALAT undertakes to ensure data integrity by the following methods:

Data accuracy

Data held will be as accurate and up to date as is reasonably possible. If a data subject informs the ALAT academy of a change of circumstances their computer record will be updated as soon as is practicable. A printout of their data record will be provided to data subjects every twelve months so they can check its accuracy and make any amendments.

Where a data subject challenges the accuracy of their data, the ALAT academy will immediately mark the record as potentially inaccurate, or 'challenged'. In the case of any dispute, we shall try to resolve the issue informally, but if this proves impossible, disputes will be referred to the Governing Body for their judgement. If the problem cannot be resolved at this stage, either side may seek independent arbitration. Until resolved the 'challenged' marker will remain and all disclosures of the affected information will contain both versions of the information.

Data adequacy and relevance

Data held about people will be adequate, relevant and not excessive in relation to the purpose for which the data is being held. In order to ensure compliance with this principle, the ALAT academy will check records regularly for missing, irrelevant or seemingly excessive information.

Length of time

Data held about individuals will not be kept for longer than necessary for the purposes registered. It is the duty of Performance Manager to ensure that obsolete data are properly erased. The ALAT academy has a Records Retention Schedule.

Subject access

The Data Protection Acts extend to all data subjects a right of access to their own personal data. Requests for access must be made in writing.

Subjects may only receive information about themselves: to ensure this, there is a formal system of requests in place. Where a request for subject access is received from a pupil, the ALAT academy policy is that:

- Requests from pupils will be processed as any subject access request as outlined below and the copy will be given directly to the pupil, unless it is clear that the pupil does not understand the nature of the request.
- Requests from pupils who do not appear to understand the nature of the request will be referred to their parents or carers.
- Requests from parents in respect of their own child will be processed as requests made on behalf of the data subject (the child) and the copy will be sent in a sealed envelope to the requesting parent.

Processing subject access requests

Pupils, parents or staff may ask for a Data Subject Access form, available from the academy reception. Completed forms should be submitted to Performance Manager. Provided that there is sufficient information to process the request, an entry will be made in the Subject Access electronic log book, showing the date of receipt, the data subject's name, the name and address of requester (if different), the type of data required (eg Pupil Record, Personnel Record), and the planned date of supplying the information, normally not more than 40 days from the request date.



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.

Authorised disclosures

The ALAT academy will, in general, only disclose data about individuals with their consent. However there are circumstances under which the academies authorised officer 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 necessary for the ALAT academy to perform its statutory duties and obligations.
- Pupil data disclosed to authorised recipients in respect of their child's health, safety and welfare.
- Pupil data disclosed to parents in respect of their child's progress, achievements, attendance, attitude or general demeanour within or in the vicinity of the academy.
- Staff data disclosed to relevant authorities eg in respect of payroll and administrative matters.
- Unavoidable disclosures, for example to an engineer during maintenance of the computer system. In such circumstances the engineer would be required to sign a form promising not to disclose the data outside the ALAT academy. Officers and IT personnel writing on behalf of the local authority(LA) or IT liaison/data processing officers, for example in the LA, who are contractually bound not to disclose personal data.
- Only authorised and trained staff are allowed to make external disclosures of personal data. Data used within the ALAT academy by administrative staff, teachers and welfare officers will only be made available where the person requesting the information is a professional legitimately working within the ALAT academy who needs to know the information in order to do their work. The academy will not disclose anything on pupil's records which would be likely to cause serious harm to their physical or mental health or that of anyone else – including anything where suggests that they are, or have been, either the subject of or at risk of child abuse.
- A legal disclosure is the release of personal information from the computer to someone who requires the information to do his or her job within or for the ALAT academy, provided that the purpose of that information has been registered.
- An illegal disclosure is the release of information to someone who does not need it, or has no right to it, or one which falls outside the academy's registered purposes.

Data and computer security

The ALAT academy undertakes to ensure security of personal data by the following general methods.

Physical security

Appropriate building security measures are in place, such as alarms, window bars, deadlocks and computer hardware cable locks. Only authorised persons are allowed in the computer room. Disks, tapes and printouts are locked away securely when not in use. Visitors to the academy are required to sign in and out, to wear identification badges whilst in the academy and are, where appropriate, accompanied.

Electronic security

Security software is installed on all computers containing personal data. Only authorised users are allowed access to the computer files and password changes are regularly undertaken. Computer files are backed up regularly.

Procedural security

In order to be given authorised access to the computer, staff will have to undergo checks and will sign a confidentiality agreement. All staff are trained in their Data Protection obligations and their knowledge updated as necessary. Computer printouts as well as source documents are shredded before disposal.

Overall security policy for data is determined by the Governing Body and is monitored and reviewed regularly.

Any queries or concerns about security of data in the academy should in the first instance be referred to the Performance Manager. Personal information is not disclosed either orally, in writing, electronically, or otherwise to any unauthorised third party.

A deliberate breach of this Data Protection Policy will be treated as disciplinary matter; serious breaches could lead to dismissal. Any member of staff or pupil who considers that the policy has not been followed in respect of personal data about themselves should raise the matter with the Data Manager in the first instance.

7. Notification of Data Held and Processed

Staff and pupils have the right to access any personal data that is being kept on them on electronically and in manual filing systems. Any person who wishes to exercise this right should make the request in writing to the Performance Manager.

All staff, pupils and other users are entitled to:

- Ask what information the academy holds about them and why.
- Ask how to gain access to it.
- Be informed how to keep it up to date.
- Be informed what the ALAT academy is doing to comply with its obligations under the 1998 Data Protection Act.

The need to process data for normal purposes has been communicated to all staff and pupils. In some cases, if the data is sensitive, for example information about health, race or gender, express consent to process the data must be obtained.

8. Roles and Responsibilities of Staff and Pupils

All staff and pupils are responsible for:

- Checking that any personal data that they provide to the academy is accurate and up to date.
- Informing the academy of any changes to information which they have provided. If, as part of their responsibilities, staff collect information about staff and/or pupils, they must comply with the policy.
- Staff must ensure that personal data or images relating to pupils (or staff) are processed in line with the Data Protection Act 1998. Personal data or images relating to pupils must not be sent via email, over the internet or via other messaging systems. Personal data or images relating to pupils (or staff) may only be held on the academy network and must not be saved to an external drive without prior permission from the Data Manager.
- The Data Manager should be consulted prior to commencing any activity or process relating to pupil personal data or images.

- Personal data or images relating to pupils (or staff) may only be removed from the academy premises using an encrypted, password protected USB device supplied by the IT Support department. Personal data or images relating to pupils (or staff) should not be removed from the academy premises using any other method.

9. Publication of School Information

Information that is already in the public domain is exempt from the 1998 Act. This would include, for example, information or images of staff contained within externally circulated publications such as the School Prospectus. Any individual who has good reason for wishing details in such publications to remain confidential should contact the Data Manager.

10. The Data Controller

The ALAT academy is the Data Controller under the Act and is therefore ultimately responsible for implementation. However, day to day matters will be dealt with by the Data Manager.

11. Complaints

Complaints will be dealt with in accordance with the academy's complaints policy. Complaints relating to information handling may be referred to the Information Commissioner (the statutory regulator).





CMA House - 2nd Floor - Newham Road - Truro - TR1 2SU

T 01872 858 161 E enquiries@alat.org.uk

www.alat.org.uk