An Daras
Multi Academy Trust

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Data Protection Policy

An Daras Multi-Academy Trust

The An Daras Multi Academy Trust (ADMAT) Company

An Exempt Charity Limited by Guarantee

Company Number/08156955

Status: **Approved**	
Recommended	
Statutory	Yes
Version	v1.0
Adopted v1.0	**May 2015**
Reviewed	**9 June 2017**
Next review	**June 2018**
Advisory Committee	Audit
Linked Documents and Policies	Freedom of Information Policy Privacy Notices Model Publication Scheme

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Introduction

ADMAT recognises and complies with its responsibilities (as set out in the Data Protection Act 1998 and any subsequent relevant legislation) to ensure personal data is treated in a manner that is fair and lawful. The academy trust also acts in accordance with the information and guidance displayed on the Information Commissioner's website.

Compliance with the 1998 Act is the responsibility of all members of the trust. Any deliberate breach of the Data Protection Policy may lead to disciplinary action being taken, or even to a criminal prosecution.

Data Protection Act 1998

The act has eight key principles that ensure personal data is:

Fairly and lawfully processed

To lawfully process information at least one of the conditions in Schedule 2 of the Act must be met and in the case of sensitive data being processed, one of the conditions in Schedule 3 must also be met.

Processed for limited purposes

Information held or obtained will only be used for the purpose of the business and should not be passed on to third party companies, for example, names and addresses should remain secure.

Adequate, relevant and not excessive

The data that is held on an individual should not be excessive and should always be relevant to the purpose for which it is held.

Accurate and up to date

All personal data should be kept up to date and accurate.

Not kept for longer than is necessary

Personal data should not be held longer than necessary, for example, unsuccessful job application forms.

Processed in line with the individual's rights

This principle also covers the right for an individual to access data that is recorded about them.

Secure

All individual's data must be stored securely to safeguard against any un-authorised access, accidental loss or destruction.

Not transferred to other countries without adequate protection

Individual's data should not be transferred to other countries as not all countries are governed by the Data Protection Act.

Companies must comply with The Data Protection Act or could be at risk of being prosecuted.

Policy Status

This policy does not form part of the contract of employment for staff, but it is a condition of employment that employees will abide by the rules and policies made by the academy from time to time. Any failures to follow the policy can therefore result in disciplinary proceedings.

The Data Controller and the Designated Data Controllers

The academy trust as a body incorporates the Data Controller under the 1998 Act, and the directors are therefore ultimately responsible for implementation. However, the Designated Data Controllers will deal

with day to day matters. They are the CEO, Executive Head teacher and the Academy Trust Business Managers.
Any member of staff, parent or other individual who considers that the policy has not been followed in respect of personal data about himself or herself or their child should raise the matter with the appropriate Designated Data Controller.

Rights to Access Information
All staff, parents and other users are entitled to:

Know what information the academy trust holds and processes about them or their child and why
The academy trust will, upon request, provide all staff and parents and other relevant users with a statement regarding the personal data held about them. This will state all the types of data the academy holds and processes about them and the reasons for which they are processed.

Know how to gain access to it
All staff, parents and other users has a right under the 1998 Act to access personal data being kept about them or their child either on computer or in files. Any person who wishes to exercise this right should complete a Subject Access Request Form and submit it to the Designated Data Controller. The academy aims to comply with requests for access to personal information as quickly as possible, but will ensure that it is provided within 40 days, as required by the 1998 Act. There is a £10 charge to process a Subject Access Request to cover photocopying and administration costs incurred by the academy.

Subject Consent
In many cases, the academy trust can only process personal data with the consent of the individual. In some cases, if the data is sensitive, as defined in the 1998 Act, express consent must be obtained. Agreement to the academy processing some specified classes of personal data is a condition of acceptance of employment for staff. This includes information about previous criminal convictions. The academy trust may also ask for information about particular health needs, such as allergies to particular forms of medication, or any medical condition such as asthma or diabetes. The academy will only use this information in the protection of the health and safety of the individual. For example, the academy will need consent to process this data in the event of a medical emergency.

Processing Sensitive Information
Sometimes it is necessary to process information about a person's health, criminal convictions, or race. This may be to ensure that the academy is a safe place for everyone, or to operate other academy policies, such as the Sick Pay Policy or the Equal Opportunities Policy. Because this information is considered sensitive under the 1998 Act, staff (and students where appropriate) will be asked to give their express consent for the academy to process this data. An offer of employment may be withdrawn if individual refuses to consent to this without good reason.

Retention of Data
The academy trust has a duty to retain some staff and student personal data for a period following their departure from the academy trust, mainly for legal reasons, but also for other purposes such as being able to provide references or academic transcripts. Different categories of data will be retained for different periods of time.

Main Provisions
The academy trust is registered with the Information Commissioners Office (ICO) as a Data Controller and, as such, must supply certain information to the ICO. Only relevant personal data may be collected and the person from whom it is collected should be informed of the data's intended use, together with any possible disclosures of the information that may be made.

The academy trust will ensure that:

Personal data will be stored safely and securely.

Electronic data will be password protected and firewall systems will be used.

Admin computers will be positioned so that screens are not visible to people waiting in reception or casual observers in the office.

PCs will be 'locked' when the employee is away from their workstation.

Manual data is stored in locked cupboards and only accessed by those who have a legitimate reason for doing so.

Personal data is secure always.

The academy trust will issue regular reminders to parents and legal carers to ensure that data is up to date and accurate.