



**TRENT  
ACADEMIES  
GROUP**

**Data Protection  
Policy**

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## Contents

Aims of the Policy .....	2
Relationship to other Trust/Academy Policies .....	2
Application .....	3
Responsibilities .....	3
Definitions .....	3
Notification .....	4
Data Gathering.....	4
Data Storage.....	4
Data Checking .....	5
Data Disclosure.....	5
Data Subject Access Requests.....	5
Destroying Data.....	6
Breach of the Policy.....	6
Enforcement .....	6
Data Retention Schedule.....	6

## Aims of the Policy

In order to operate efficiently the Trent Academies Group (TAG) has to collect and use information about people. This may include current, past and prospective pupils, parents, members of the public, staff and suppliers.

Trent Academies Group (TAG) is committed to ensuring personal data is properly managed and the Data Protection Act 1998 (DPA) is complied with. The Trust will make every effort to meet its obligations under the legislation.

This policy was informed by the Information Commissioners Office official guidance for public sector organisations concerning Data Protection in Education ([www.ico.gov.uk](http://www.ico.gov.uk)).

## Relationship to other Trust/Academy Policies

This policy relates to all the Trust/Academy policies which involve the collection and storage of information about people. There is also a separate publication schedule relating to Freedom of Information.

## Application

This policy applies to all staff, Governors, contractors, agents and representatives working for or on behalf of the Trust.

This policy applies to all personal data processed by the Trust and held electronically or manually.

Images captured by individuals for personal or recreational use with a mobile phone, digital camera or camcorder are exempt from the DPA (i.e. parents are allowed to take photos of pupils in an academy production).

## Responsibilities

The Trust is the Data Controller for the purposes of the Act. All staff have a duty to observe the principles of the Data Protection Act. These guidelines are intended to assist staff to understand the aims and principles of the Act and to set out the main areas in which staff are likely to be affected by data protection issues in the course of their work.

## Definitions

**Personal Data:** Information which relates to an identifiable living individual that is processed as data. Examples would be names of staff and pupils, dates of birth, addresses, national insurance numbers, academic marks, medical information, exam results, SEN assessments and staff development reviews.

**Sensitive Personal Data:** Information that relates to race and ethnicity, political opinions, religious beliefs, membership of trade unions, physical or mental health, sexuality and criminal offences.

**Processing Data:** Collecting, using, disclosing, retaining, or disposing of information.

The DPA stipulates that anyone processing Personal Data must comply with eight principles of good practice. The principles require that Personal Data:

The Trust shall, so far as is reasonably practicable, comply with the Data Protection Principles (“the Principles”) contained in the Data Protection Act to ensure all data is:

- fairly and lawfully processed
- processed for a lawful purpose
- adequate, relevant and not excessive
- accurate and up to date
- not kept for longer than necessary

- processed in accordance with the data subject's rights
- secure
- not transferred without adequate protection

## Notification

As required under the DPA, the Trust will ensure that the ICO is notified that the Trust is processing Personal Data and in what ways. The Trust shall ensure that this notification is kept up to date and renewed annually.

## Data Gathering

Whenever the Trust collects new information about individuals we will ensure individuals are made aware:

- that the information is being collected,
- of the purpose that the information is being collected for,
- of any other purposes that it may be used for,
- with whom the information will or may be shared,
- how to contact the Data Controller.

The Trust will only obtain relevant and necessary Personal Data for lawful purposes and will only process the data in ways which are compatible with the purpose for which it was gathered.

Data Protection statements will be included in the prospectus and on forms that are used to collect personal data.

## Data Storage

Personal Data will be stored in a secure and safe manner. The following measures are taken to help ensure this:

- Electronic data will be protected through secure password, encryption software and firewall systems operated by the Trust.
- Computer workstations in administrative areas will be positioned so that they are not visible to casual observers.
- Manual Personal Data will be stored securely where it is not accessible to anyone that does not have a legitimate reason to view or process the data.
- Particular attention will be paid to the need for security of Sensitive Personal Data, for example health and medical records will be kept in a locked cupboard.

- Personal Data will not be left out visible on desks.
- Physical security of Trust/Academy buildings and storage systems will be regularly reviewed.
- Staff will be trained on this policy and related data protection procedures.

## Data Checking

Systems will be put in place to ensure the Personal Data that the Trust holds is up to date and accurate. For example the Trust/Academies will ensure that parents are asked at least once a year to confirm their contact details. Any inaccuracies discovered or reported will be rectified as soon as possible.

## Data Disclosure

Personal Data will only be disclosed to organisations or individuals for whom consent has been given to receive their data, or organisations that have a legal right to receive the data without consent being given.

When requests to disclose Personal Data are received by telephone, the Academies will ensure that the caller is entitled to receive the data and that they are who they say they are. In some circumstances the Academy may call the caller back to check the identity of the caller.

Personal Data will not be included on the website, in newsletters or to other media without consent of the individual (or his/her parents where appropriate) Routine consent may be requested from parents to avoid the need for frequent, similar requests for consent being made by the Academies.

Personal Data will only be disclosed to the Police if they are able to supply a WA170 form which notifies of a specific, legitimate need to have access to specific Personal Data.

## Data Subject Access Requests

Any person whose Personal Data is held by the Trust is entitled, under the DPA, to ask for access to this information. The request must be in writing. The right is to view or be given a copy of the Personal Data, rather than to the whole document which contains Personal Data.

There are some exceptions to the rights of access to information in certain records held by the Trust (e.g. in relation to examination scripts, legal advice).

When a request is received by a member of staff, this should be passed to the Academy's HR representative without delay. The request must be dealt with promptly; a response must be provided as soon as possible and no later than within 40 calendar days from the date the request was received.

The Trust may make a charge of £10 for responding to a request for Personal Data under the DPA and will need to confirm the requester's identity.

Parents can make data subject access requests on their child's behalf if their children are deemed too young to look after their own affairs. If a request is made by a parent for Personal Data relating to their child and the child is aged 12 years or older, written consent will need to be sought from the child before the data is disclosed to the parent.

A record will be kept of all data Subject Access Requests (SAR) made that require formal consideration.

## Destroying Data

Out of date information will be discarded if no longer relevant. Personal Data will only be kept for as long as reasonably needed, for legal or business purposes.

## Breach of the Policy

Non-compliance of this policy and data protection legislation by a member of staff is considered a disciplinary matter which, depending on the circumstances, could lead to dismissal.

## Enforcement

Individuals who believe that the Trust/Academy has not complied with this policy or acted otherwise than in accordance with the Data Protection Act, should utilise the Trust complaints procedure and should also notify the DPC.

## Data Retention Schedule

The Trust holds a great deal of information, much of which is confidential. This may be information about:

- our students
- our students' parents, or guardians
- our teachers and other staff
- our governors

The following retention schedule is in operation. This lays down the length of time a record needs to be retained, after which it will be destroyed. Time scales are based on local Government guidelines.

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Students	Students' academic records, reports and IEPs	DOB of pupil + 25 years
	Students attendance registers	Date of register + 3 years
	Students admissions registers	Date of last entry + 6 years
	Student files	DOB of pupil + 25 years
	Statements of Special Needs	DOB + 30 years
	Students work	Current year + 1 year
Personnel	Staff Personnel Files	Termination of employment + 7 years
	Interview notes	Date of interview + 6 months
	Pre-employment vetting	Date of check + 6 months
	Disciplinary proceedings	oral warning - Date of warning + 6 months written warning – Date of warning + 6 months written warning - Date of warning + 12 months final warning - Date of warning + 18 months
	Appraisal	Current year + 5 years
Health and Safety	Accident reporting: Adults & Children	Current year + 3 years DOB + 25 years
	Incident reports	Current year + 20 years
	Policy	Date of expiry + 1 year
	Fire Log Books	Current year + 6 years
	Risk Assessments	Current year + 3 years
Senior Leadership Team	Minutes of meetings	Date of Meeting + 5 Years
	Academy Development Plans	Closure + 6 Years
	Academy Evaluation Forms	Closure + 6 Years
Governors	Minutes of Meetings	Permanent
	Agendas	Date of Meeting
Curriculum	Timetable	Current Year + 1 Year
	Syllabus	Current Year + 1 Year
	Mark books	Current Year + 1 Year
	Students work*	Current Year + 1 Year
	*It may be necessary to extend this period for examination work.	
General	Prospectus	Current Year + 3 Years
	Newsletters	Current Year + 1 Year
	Visitors Book	Current Year + 2 Years

Finance	<ul style="list-style-type: none"> <li>• PAYE &amp; NI Returns</li> <li>• P14/P60</li> <li>• Monthly Payroll records</li> <li>• Updates to payroll date</li> <li>• Pension Returns</li> <li>• Annual NI PAYE Returns.</li> <li>• P35, P11D</li> </ul>	2015 start Closure + 6 Years
	Invoices Current year + 6 years	Current Year + 6 Years
	Bank Statements	Current Year + 6 Years
	Cheque Books	Current Year + 6 Years
	Bank Reconciliations	Current Year + 6 Years
	Fee Invoices	Current Year + 6 Years
	Returnable deposits	Current year and until the student leaves the academy.
	Direct debits	Current year + 1 year
	Contracts	Until expiry + 6 years Finance
	Budgets	Current year + 2 years
	Budget preparation	Current year
	Petty Cash records	Current year + 6 years
	Property <ul style="list-style-type: none"> <li>• Title Deeds</li> <li>• Plans</li> <li>• Leases</li> </ul>	Permanent Permanent End of lease + 6 years
	OFSTED Reports	Current Year + 1 Years (earlier reports are archived with OFSTED)
DFE Returns	Current year + 6 years	