



# The Sutton Academy

## Data Protection Policy

Status	<b>Statutory</b>
Responsible Governors' Committee	<b>Finance &amp; HR</b>
Date last approved by GB	<b>18/06/2015</b>
Responsible Person	<b>Mr P Blakemore</b>
To Review Date	<b>June 2017</b>
Last Amended Date	<b>June 2015</b>

## **Purpose**

To protect the rights and privacy of individuals in accordance with the Data Protection Act.

## **Objectives**

1. To process certain information about its staff, students and other individuals it has dealings with for administration purposes.
2. To comply with the law with regard to information about individuals by collecting and using it fairly, storing it safely and securely and not disclosing it to any third parties unlawfully.
3. To apply this Policy to all staff and students at the Academy.
4. To consider any breach of data protection legislation.
5. To expect, as a matter of good practice, other agencies and individuals working with the Academy, and who have access to personal information to have comply with the policy.
6. To act, as a body corporate, as a data controller under the Data Protection Act.
7. The Act requires the Academy to strike the correct balance in processing personal information.

The eight data protection principles are the key to finding this correct balance and ensuring compliance with the Act. The eight principles are:

- i) Personal data shall be processed fairly and lawfully;
- ii) Personal data shall be obtained only for specified and lawful purposes, and shall not be further processed in any manner incompatible with those purposes;
- iii) Personal data shall be adequate, relevant and not excessive in relation to the purposes for which they are processed;
- iv) Personal data shall be accurate and, where necessary, kept up to date;
- v) Personal data processed for any purposes shall not be kept for longer than is necessary for those purposes;
- vi) Personal data shall be processed in accordance with the rights of data subjects under the Act;
- vii) Personal data is protected by appropriate technical and organisational measures against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage;
- viii) Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

The first step in processing personal data is recognising if Personal data is information which relates to an identifiable individual that is processed. Processing means collecting, using, disclosing, retaining or disposing of information. This covers all information held electronically in structured files. Examples are names and addresses of staff and students dates of birth, NI numbers, medical information, examination results, assessment data, staff development reviews, SEN assessments.

**Sensitive personal data** is information that relates to race and ethnicity, political opinions, membership of trade unions, religious beliefs, physical or mental health, sexuality and criminal offences. The difference between processing personal data and sensitive personal data is that there are greater legal restrictions on sensitive personal data.

As an academy we hold sensitive personal data in student and staff records and so we are aware of the extra care it requires. We also differentiate between personal information that individuals would expect to be treated as private or confidential; whether or not legally classified as sensitive personal data.

Example: the principal's identity is personal information but everyone would expect it to be publicly available. However, the principal's home phone number would be regarded as private information.

## **Responsibilities Under This Policy**

### **The Principal**

- provides support to the Data Protection Officer for the Academy (currently Paul Blakemore, Director of MIS).

### **The Data Protection Officer will ;-**

- I. ensure the Academy is registered with the Information Commission;
- II. notify the Information Commissioner of the purposes of the Academy in processing personal data and reviewing this notification as appropriate;
- III. develop and implement work instructions to ensure compliance with this policy: regularly reviewing the physical security of, and restrictions of access to personal information;
- IV. monitor adherence to the Data Protection Policy;
- V. take responsibility for the day-to-day protection matters.

### **The Academy Leadership Team**

Develop and encourage good information handling practices with the Academy.

**All Staff**

- ensure that all personal data supplied to the Academy is accurate and up-to-date
- ensure that changes to a student's personal data are given to the Administration team as soon as possible.
- ensure that all personal data which they hold is kept securely and is not disclosed to an unauthorised third party.

**Students and Parents**

- ensure that all personal data supplied to the Academy is accurate and up-to-date.

**Privacy Notice**

The Academy will inform parents and students/pupils what personal information is collected and why, and what other organisations information may be shared with e.g. Ofsted, Local Authority in a privacy notice included in the academy prospectus and on the website.

**Staff Training**

All staff will receive training about data protection and the Academy's policy and procedures relating to this.