

# **Inspire Partnership Multi Academy Trust**

## **Data Protection Policy**



**Policy Review Date – July 2017**

**Date of Next Review – July 2019**

**Personnel Responsible – Chief Operating Officer**

## 1. Policy Statement

For the purpose of this policy Inspire Partnership Multi Academy Trust includes the Trust as a whole as well as each member academy.

This is a statement of data protection policy adopted by the academies of Inspire Partnership Multi Academy Trust.

Inspire Partnership Multi Academy Trust recognises that in order to operate and meet its legal obligations it needs to collect and use personal data as defined by the Data Protection Act 1998. It also recognises that this personal information must be dealt with properly however it is collected, recorded and used – whether on paper, in a computer, or recorded on other material – and there are safeguards to ensure this is in the Data Protection Act 1998.

Inspire Partnership Multi Academy Trust is fully committed to the principles of Data Protection Act 1998 :

Personal data shall be processed fairly and lawfully

- Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes
- Personal data shall be adequate, relevant and not excessive
- Personal data shall be accurate and, where necessary, kept up to date
- Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes
- Personal data shall be processed in accordance with the rights of data subjects under this Act
- Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data
- 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.

## 2. Our Commitment

This statement represents the response of the Inspire Multi Academy Trust Board to its duties under the Data Protection Act 1998.

### **Aims**

Inspire Partnership Multi Academy Trust will implement the requirements of the Data Protection Act 1998 and Data Retention Regulations 2009 and any subsequent amendments or regulations on protecting data, and the academy's controls and procedures will ensure integrity and security of data.

Inspire Partnership Multi Academy Trust will maintain a Data Protection register entry with the Information Commissioner, and ensure that all personal

data obtained, held, used or disclosed conforms to the details recorded within that registration.

In addition Inspire Partnership Multi Academy Trust will ensure that:

- The Trust's Chief Operating Officer has overall responsibility for the implementation of Data Protection.
- All staff are aware of their responsibilities under the Data Protection Act.
- All staff are aware of their responsibilities under the Data Retention Regulations.
- Staff are trained and supported to deal effectively with the requirements of the Act, including the need to deal with subject access requests, in whole or in part, in accordance with the Act.
- The requirements of the Act are considered in decision making processes, such as the development of policy and procedures and the design and the implementation of information systems.
- The operations of the organisation are developed to meet the highest standards of openness and accountability.

### **3. Scope of the Policy**

The policy statement of commitment and the ensuing controls and procedures arising from the policy are applicable to all employees of the Trust, including students, Governors and Trustees. Those with responsibility for handling or processing information are particularly affected.

#### **3.1 Rights to Access Information**

All staff, parents and other users are entitled to:

- Know what information the Trust holds and processes about them or their child and why.
- Know how to gain access to it.
- Know how to keep it up to date.
- Know what the Trust is doing to comply with its obligations under the 1998 Act.

To address the first point, the 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 Trust holds and processes about them, and the reasons for which they are processed.

All staff, parents and other users have a right under the 1998 Act to access certain personal data being kept about them or their child either on computer or in certain files. Any person who wishes to exercise this right should contact the Trust.

The Trust 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.

### **3.2 Subject Consent**

In many cases, the 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 Trust processing some specified classes of personal data is a condition of acceptance of employment for staff. This included information about previous criminal convictions.

Jobs will bring the applicants into contact with children. The Trust has a duty under the Children Act 1989 and other enactments to ensure that staff are suitable for the job.

The Trust has a duty of care to all staff and pupils and must therefore make sure that employees and those who use our facilities do not pose a threat or danger to other users.

The 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 Trust will only use this information in the protection of the health and safety of the individual, but will need consent to process this data in the event of a medical emergency, for example.

### **3.3 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 Trust is a safe place for everyone, or to operate other Trust policies, such as the Sick Pay Policy or the Equal Opportunities Policy.

Because this information is considered **sensitive** under the 1998 Act, staff (and pupils where appropriate) will be asked to give their express consent for the Trust to process this data. An offer of employment may be withdrawn if an individual refuses to consent to this without good reason.

### **3.4 Publication of Trust/School Information**

Certain items of information relating to Trust staff will be made available via searchable directories on the public Web site, in order to meet the legitimate needs of researchers, visitors and enquirers seeking to make contact with the Trust.

### **3.5 Retention of Data**

The Trust has a duty to retain some staff and pupil personal data for a period of time following their departure, 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.

## **4. Monitoring**

The Trust's Chief Operating Officer will maintain a register of all requests made for information under the Data Protection Act that do not fall within the remit of the Data Protection Registration with the Information Commissioner, and the action taken on each application. It will identify reoccurring requests

for the same or similar information and provide information for the reviews of the Data Protection Registration.

Inspire Partnership Multi Academy Trust will register all complaints received about its Data Protection arrangements and will ensure learning points that arise from such complaints are used to improve related policies, procedures and guidance.

The Chief Operating Officer will review this policy and its associated procedures and arrangements to ensure it remains up to date, effective and takes account of emerging good practice. Where new legal directions come into force, the policy will be reviewed in line with the commencement of that legislation.

## **5. Requests and charges**

Requests should be made in writing by letter or email to the Academy or Trust, either to a named member of staff or role title, or to the Chief Operating Officer:

Inspire Partnership Multi Academy Trust  
High Street  
Gawthorpe  
Wakefield  
WF5 9QP

Proof of identity (normally a driving licence, passport or utility bill or corporate identification in the case of organisations) will be required before the request can be met.

The request will be dealt with within the required response time of 40 calendar days, subject to any extensions as stated within the Data Protection Act.

If the request is too general the Trust will offer advice and assistance to determine the information required. The Trust does not have the right to ask why information is being sought, but the information can be volunteered to assist the Trust in meeting the request.

The Trust will provide specific charges for the copying of information dependent on the amount of information required.

## **6. Review and appeal**



If an applicant is dissatisfied with the handling of a request, they have the right to ask for an internal review. Internal review requests should be submitted no later than 40 working days after the date on which the applicant believes that the Trust has failed to comply with the requirement, and should be addressed to:

The Chair of Trust Board  
Inspire Partnership Multi Academy Trust  
High Street  
Gawthorpe  
Wakefield  
WF5 9QP

If not content with the outcome of the internal review, an applicant has the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

**7. Conclusion**

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

<b>Signature CEO :</b>	
<b>Signature Chair of Trust Board :</b>	
<b>Date :</b>	11.07.2017