

	BICESTER LEARNING ACADEMY TRUST <u>DATA PROTECTION</u> <u>SCHOOL POLICY STATEMENT</u>			Written By: J POST
	Applicable to: ALL STAFF & STUDENTS/PUPILS	Accountable Officers: I Elkington B Baxter	Date Reviewed: Summer 2015	Date To Be Reviewed: Summer 2017 (Every 2 years)

Bicester Learning Academy is a Multi-Academy Trust which incorporates The Cooper School and Glory Farm Primary School. It is a company limited by guarantee, registered in England and Wales with registered company number 09053713 and its registered address at Churchill Road, Bicester, Oxon, OX26 4RS.

The Bicester Learning Academy Trust school(s) need to keep certain information about its employees, students and other users for example to allow it to monitor performance, achievements and health and safety. It is also necessary to process information so that the schools can comply with their legal obligations and staff can be recruited and paid. To comply with the law, information must be collected and used fairly, stored safely and not disclosed to any other person unlawfully.

To do this, The Bicester Learning Academy Trust school(s) must comply with the Data Protection Principles which are set out in the Data Protection Act 1998 (the 1998 Act).

In summary these state that personal data shall:

- Be obtained and processed fairly and lawfully and shall not be processed unless certain conditions are met;
- Be obtained for a specified and lawful purpose and shall not be processed in any manner incompatible with that purpose;
- Be adequate, relevant and not excessive for that purpose;
- Be accurate and kept up to date;
- Not be kept for longer than is necessary for that purpose;
- Be processed in accordance with the data subject's rights;
- Be kept safe from unauthorised access, accidental loss or destruction;
- Not be transferred to a country outside the European Economic Area, unless that country has equivalent levels of protection for personal data.

The staff of The Bicester Learning Academy Trust school(s) or others who process or use personal information must ensure that they follow these principles at all times.

This Policy does not form part of the formal contract of employment for staff but it is a condition of employment that employees abide by the rules and policies made by The Bicester Learning Academy Trust school(s) from time to time. Any failures to follow the policy can therefore result in disciplinary proceedings.

Any member of staff who considers that the policy has not been followed in respect of personal data about himself or herself should raise the matter with the appropriate Designated Data Controller, who would be: Financial Director/Human Resources Manager of the Bicester Learning Academy Trust (BLAT).

All staff are responsible for checking that any information that they provide to the school in connection with their employment is accurate and up to date and to inform the school of any changes to that provided e.g. change of address. The Bicester Academy Trust school (so cannot be held responsible for any errors unless the staff member has informed the school of such changes.

All staff are advised via the Privacy Notice (**Appendix 1**) of the following:

- A statement that The Bicester Learning Academy Trust schools is the data controller;
- A clear explanation of the types of data being collected and the purpose for which that data will be processed;
- Any further information that is considered necessary to ensure that the data processing can be described as being fair, for example details of any third parties to whom the data might be disclosed;
- A statement making it clear that by submitting the personal data, the data subjects are giving their consent for the processing of the data for the stated purposes to take place.

All staff are responsible for ensuring that:

- Any personal data that they hold is kept securely;
- Personal information is not disclosed either orally or in writing or via Web pages or by any other means, accidentally or otherwise, to any unauthorised third party.

Staff should note that unauthorised disclosure will usually be a disciplinary matter, and may be considered gross misconduct in some cases.

Personal information should:

- Be kept in a locked filing cabinet, drawer or safe *or*
- If it is computerised, be password protected on a local hard drive and on a network drive that is regularly backed up *or*
- Level of access is dependent upon role

All staff, students and other users are entitled to:

- Know what information the school holds and processes about them and why;
- Know how to gain access to it;
- Know how to keep it up to date;
- Know what The Bicester Learning Academy Trust schools is doing to comply with its obligations under the 1998 Act.

Any person who wishes to exercise the right to access certain personal data should complete a Request Form and submit it to the appropriate Designated Data Controller. The school may make a charge on each occasion that access is requested.

The school has a duty to retain some staff and student personal data for a period of time following their departure from The Bicester Learning Academy Trust school (s), mainly for legal reasons, but also for other purposes such as being able to provide references and academic transcripts or for financial reasons e.g. relating to pensions. Different categories of data will be retained for different periods of time.

When a record containing personal data is to be disposed of, the following procedures will be followed:

- All paper documentation containing personal data will be permanently destroyed using a Confidential Waste Company and obtaining a Certificate of Destruction;
- All computer equipment or media that are to be sold or scrapped will have had all personal data completely destroyed, by re-formatting, over-writing or degaussing.

Compliance with the 1998 Act is the responsibility of all members of The Bicester Learning Academy Trust schools. Any deliberate breach of the Data Protection Policy may lead to disciplinary action being taken or to access to school facilities being withdrawn, or even to a criminal prosecution.

Appendix 1

Privacy Notice – Data Protection Act 1998

The Bicester Learning Academy Trust are the Data Controllers for the purposes of the Data Protection Act.

Personal data is held by the school/Local Authority about those employed or otherwise engaged to work at the school or Local Authority. This is to assist in the smooth running of the school and/or enable individuals to be paid. This personal data includes some or all of the following - identifiers such as name and National Insurance Number and characteristics such as ethnic group; employment contract and remuneration details, qualifications and absence information.

The collection of this information will benefit both national and local users by:

- Improving the management of school workforce data across the sector;
- Enabling a comprehensive picture of the workforce and how it is deployed to be built up;
- Informing the development of recruitment and retention policies;
- Allowing better financial modeling and planning;
- Enabling ethnicity and disability monitoring; and
- Supporting the work of the School Teacher Review Body and the School Support Staff Negotiating Body.

We will not give information about you to anyone outside the school or Local Authority (LA) without your consent unless the law and our rules allow us to.

We are required by law to pass on some of this data to:

- the LA
- the Department for Education (DfE)

If you require more information about how the LA and/or DfE store and use this data please go to the following websites:

- Schools HR Department, The Woolwich Centre, 35 Wellington Street, Woolwich, SE18 6HQ
- www.education.gov.uk

If you are unable to access these websites, please contact the LA or DfE as follows:

- Schools HR Department, The Woolwich Centre, 35 Wellington Street, Woolwich, SE18 6HQ
- Department for Education, Castle View House, East Lane, Runcorn, Cheshire, WA7 2GJ
- Mouchel, Payroll and HR Admin Combined provider (see Bicester Learning Academy Finance Director for contact details)

Policy status: Statutory

Review Schedule: Every 2 years

Policy Adopted: Summer 2015