



DATA PROTECTION POLICY

Approved by: Date:	Governors February 2017
Review Date:	February 2019

1. CONTEXT

- 1.1 The Governors of Ossett Academy are committed to safeguarding any data it holds in accordance with the Data Protection Act 1998 (Referred to in this document as the DPA).
- 1.2 This policy applies to all personal data held by Ossett Academy, encompassing paper records, electronic data and any associated equipment such as CCTV and digital imaging devices.
- 1.3 This policy applies to personal data irrespective of the geographical or physical location.

2. REFERENCES

- 2.1 Data Protection Act 1998 – Available from the Information Commissioner’s Office (www.ico.org.uk)
- 2.3 ICT Acceptable Use Policy – Available from Ossett Academy (www.ossettacademy.co.uk)
- 2.4 Freedom of Information Act – Available from the Information Commissioner’s Office (www.ico.org.uk)

3. POLICY AIMS

- 3.1 To encourage compliance with the Data Protection Act
- 3.2 To control the sharing of data with other organisations
- 3.3 To safeguard information

4. POLICY STATEMENT

- 4.1 The DPA is an act of Parliament which legislates eight main principles that must be adhered to by all staff, students and persons working on behalf of Ossett Academy.
- 4.2 Ossett Academy recognises that in order that it can 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, stored electronically, or recorded on other material and there are safeguards to ensure this is in the Data Protection Act 1998.
- 4.3 Ossett Academy regards the lawful and correct treatment of personal information as very important to its successful operation, and recognises the need to maintain confidence between those with whom it deals and Ossett Academy. It also recognises the need to ensure that it treats personal information lawfully and correctly.
- 4.4 Ossett Academy fully endorses the principles of data protection, as shown in the Data Protection Act 1998.

5. DATA PROTECTION PRINCIPLES

Specifically, the principles require that personal data shall:

- 5.1 be processed fairly and lawfully and shall not be processed unless specific conditions are met. In practise this means Ossett Academy must:
 - 5.1.1 have legitimate grounds for collecting and using the personal data.
 - 5.1.2 not use the data in ways that have unjustified adverse effects on the individuals concerned.

- 5.1.3 be transparent about how they intend to use the data, and give individuals appropriate privacy notices when collecting their personal data.
- 5.1.4 handle people's personal data only in ways they would reasonably expect.
- 5.1.5 make sure they do not do anything unlawful with the data.
- 5.2 be obtained only for one or more specific and lawful purposes and shall not be further processed in any manner incompatible with that purpose or those purposes.
- 5.3 be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
- 5.4 be accurate and kept up to date.
- 5.5 not be kept any longer than is necessary for that purpose or those purposes.
- 5.6 be processed in accordance with the rights of data subjects under the DPA. In more detail the individuals in question have rights to:
 - 5.6.1 access a copy of the information comprised in their personal data.
 - 5.6.2 object to processing that is likely to cause or is causing damage or distress.
 - 5.6.3 prevent processing for direct marketing.
 - 5.6.4 object to decisions being taken by automated means.
 - 5.6.5 in certain circumstances to have inaccurate personal data rectified, blocked, erased or destroyed.
 - 5.6.6 to claim compensation for damages caused by a breach of the Act.
- 5.7 ensure 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.
- 5.8 not be transferred to a country or territory outside the EEA 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.

6. DATA COLLECTION

- 6.1 Only relevant personal data may be collected and the person from whom it is collected will be informed why the data is being collected, of the data's intended use and any possible disclosures of the information that may be made.
- 6.2 Privacy notices will be issued to all persons from whom personal data is collected.
- 6.3 Regular data collection tasks are performed in order to obtain up to date information from parents, students and staff.

7. PROCESSING OF DATA

- 7.1 All processing of personal data will comply with the Data Protection Principles as defined in the DPA. In the situation where data is processed by a third party, the third party will be required to act in a manner that ensures compliance with the Data Protection Act 1998.
- 7.2 Data will only be processed for the purpose for which it was collected and will not be used for incompatible purposes without the consent of the data subject.
- 7.3 Data Protection and Privacy statements will be included on all forms that are used to collect personal data.

8. DATA OWNERSHIP

- 8.1 Any personal data stored by Ossett Academy is the responsibility of the individual storing that data. However, the ownership of that data lies with the senior leader for the area concerned. The overall accountability for the security of personal data collectively has been designated to the Chief Executive Officer.

9. DATA RETENTION

- 9.1 Ossett Academy will hold the minimum amount of personal data necessary to enable it to perform its functions. The data will be erased once the need to hold it has passed.

10. DATA STORAGE AND SECURITY

- 10.1 Personal data will be stored in a secure and safe manner.
- 10.2 Electronic data will be protected by security permissions, user passwords and where necessary firewalls to prevent access.
- 10.3 Electronic personal data will be backed up securely to a 2nd location to ensure data protection and availability in the event of fire/theft/damage. Backups of personal data are kept no longer than the data within them is required.
- 10.4 Computer workstations where personal data is used will be positioned so that they are not visible to casual observers. Computer based devices are protected by up to date antivirus. This is monitored centrally for compliance.
- 10.5 Any mobile/portable device holding personal data must be PIN code or password protected. When a device is lost/stolen it's vital that the device owner/loaner notifies the IT Support Department immediately as actions to remotely wipe the device may need to be taken.
- 10.6 Any electronic data that leaves the premises of Ossett Academy for transport must be encrypted. Staff may be provided FIPS compliant encrypted memory sticks for this reason.
- 10.7 Paper records of personal data is stored in locked filing cabinets in a room which is locked with a key when unoccupied.
- 10.8 Access to paper records is supervised by the *owner* of that information (see data ownership).
- 10.9 When a paper record of personal data is in use by staff, it's essential that staff ensure that only they are in view of the data and that it is not accidentally disclosed to a passer-by or visitor for example.
- 10.10 When electronic equipment is disposed of, the item must be recycled by a WEEE registered waste carrier and data destruction certificates obtained or data securely erased/destroyed on premise.

11. DATA DISCLOSURE

- 11.1 Personal data will only be disclosed to organisations or individuals for whom consent has been given to receive the data, or organisations that have a legal right to receive the data without consent being given.
- 11.2 Telephone requests for personal data will be dealt with by a call back to the enquirer on the registered telephone number held on file to validate their identity. The enquirer will be challenged to provide a 2nd form of validation from their record stored on the management system. If the identity of an enquirer cannot be validated using the information stored by Ossett Academy, the staff member dealing with the telephone request will raise this concern with the Senior Leader for that department.
- 11.3 Any request by enforcement agencies or other statutory organisations must be approved by the Head Teacher/Principal of the Academy in question and documented for future reference.

The request must also be documented by the organisation requesting the information and signed by a senior ranked official. For example, West Yorkshire Police would use a WA170 form which must be signed by someone ranked inspector or above.

- 11.4 All disclosed data is recorded for future reference in the event that the information is later found inaccurate and the requester needs to be informed.
- 11.5 Photos of students, visitors and parents may be used by Ossett Academy for purposes of advertising, promotions and informative material. A consent form is filled in by all parents/guardians to allow/prevent their child from having images being used on public facing systems and materials.

12. SUBJECT ACCESS REQUESTS

- 12.1 If Ossett Academy receives a written request from a data subject to see any or all of the personal data that is stored about them, this will be treated as a legitimate subject access request and a response will be issued within the recommended 40 day deadline.
- 12.2 Informal requests to view or have copies of personal data will be dealt with wherever possible at a mutually convenient time but, in the event of any disagreement over this, the person requesting the data will be instructed to make their application in writing and the Academy will comply with its duty to respond within the 40 day time limit.

13. DATA BREACH MANAGEMENT

- 13.1 If a loss occurs, immediate efforts to find and secure the source of the breach will be used.
- 13.2 If a loss of personal data is confirmed, Ossett Academy will inform the individuals affected and if applicable any legal guardians or 3rd party organisations involved.
- 13.3 If a loss of personal information is deemed serious in line with legal guidance, Ossett Academy will declare the breach to the Information Commissioner's Office.

14. POLICY REVIEW

- 14.1 The policy will be reviewed every 2 years (or earlier if deemed necessary).

Signature: Principal	
Signature: Chair of Governors	
Date:	February 2017