

# Sheffield Springs Academy

## Data Protection Policy



## 1. Introduction

Sheffield Springs Academy needs to keep and use certain personal information about individuals. These individuals include, but are not limited to, students (past, present and future), parents, staff, governors, suppliers and lettings customers. The Academy's collection, retention and storage of this data are governed by this Data Protection Policy.

This policy is intended to ensure we comply with data protection law and that personal information is dealt with correctly and securely. It will apply to information regardless of the way it is collected, used, recorded, stored and destroyed, irrespective of whether it is held in paper files or electronically.

All staff involved with the collection, processing and disclosure of personal data will be aware of their duties and responsibilities by adhering to these guidelines set out in this policy. Any queries should be directed to A Garnett, Business Services Director.

All parents, guardians and members of staff are advised to read this policy. A copy can be provided for later reference, if required, upon request.

## 2. Data Protection Controller

The academy is registered under United Learning Trust with the Information Commissioners Office. The Academy Business Services Director will ensure that all personal data is processed in compliance with this policy and the principles of the Data Protection Act 1998.

Registration Number:       Z7415170  
Date Registered:            28 January 2003  
Expiry of Registration:    27 January 2018  
Data Controller:            Andrew Holmes, Company Secretary, United Learning Trust

## 3. Data Protection Principles

The Data Protection Act 1998 establishes eight enforceable principles that must be adhered to at all times:

1. Personal Data must be processed fairly and lawfully.
2. Personal Data must be obtained only for specific and lawful purposes.
3. Personal Data must be adequate, relevant and not excessive.
4. Personal Data must be accurate and kept up-to-date.
5. Personal Data must not be retained for any longer than necessary.
6. Personal Data must be processed in accordance with the data subject's rights.
7. Personal Data must be protected against loss or unauthorised access.
8. Personal Data must not be transferred/transmitted outside of the European Economic Area\*

*\* Unless the country or territory ensures an adequate level of data protection.*

Sheffield Springs Academy will, so far as reasonably practicable, comply with these principles.

#### **4. Personal Data and Processing**

Personal data means any information about a person which can uniquely identify that individual. This includes, but not limited to, name, address, date of birth, telephone numbers, bank details, admission and attendance records, academic and disciplinary records and exam results. It also covers facts and opinions about an individual.

In order for the Academy to operate, Academy staff need to process personal data on a daily basis. Consent to process Personal Data will be sought from parents/guardians during admission and from staff via their employment contract. All information falling under the definition of personal data will remain confidential and will only be disclosed to third parties with the consent of the individual, under the terms of this policy or under exempt circumstances as outlined in section 7.

The Academy may sometimes need to process personal data which could be considered sensitive, such as medical information; race; religion or criminal records/proceedings. Where the Academy requires the processing of sensitive personal data, the explicit consent of the individual will be required in writing.

#### **5. Subject Access**

Under the Data Protection Act 1998, any individual has the right to request access to the information the Academy holds about them. Any individual wishing to request this access should put their request in writing to A Garnett, Business Services Director. The Academy will make every effort to respond as soon as reasonably practicable, but within 40 days for access to records, and 21 days to provide a response to an access to information request.

There are exemptions to any subject access request and in these circumstances; the Academy is under no obligation to provide any information. Exemptions include, but are not limited to, management information, confidential references, information which identifies other individuals, information the Academy believes may cause harm or distress or information which is subject to legal proceedings.

Employees have the right to request access to references given about them from previous employment however references are also exempt if the referee can be identified from the reference, unless the referee has given their consent to the disclosure. Any reference given to this Academy for the purpose of education, training or employment – prospective or current – of any student will be treated as confidential.

#### **6. Consent/Parental Consent**

The rights governed by the Data Protection Act 1998 are the rights of the individual of whom the data is about. In the case of students, the Academy will seek parental/guardian consent to process data relating to students. This consent is sought during admission. In some circumstances, depending upon the age and understanding of the student and the nature of the data processing, the Academy may consider consulting a Parent to be unreasonable. In these cases, the consent of the student will be sought.

## **7. Exemptions**

Certain types of data and certain situations are exempt from the provisions of the Data Protection Act 1998.

These exemptions include, but are not limited to:

- the prevention or detection of crime
- the capture or prosecution of offenders
- the assessment or collection of tax or duty
- any order of court requiring disclosure
- disclosures necessary to safeguard a student

Further information on exemptions to the Data Protection Act 1998 can be sought from the Data Protection Controller (section 2).

## **8. Disclosure**

Sheffield Springs Academy may receive requests from third parties to disclose personal data about students, their parents/guardians or staff. Generally, the Academy will not disclose any information unless the individual has given their consent to the disclosure or the data falls under one of the exemptions. There are situations in which the Academy will disclose data to third parties. These include giving a confidential reference about a student or staff member to another educational institution, publishing results of public examinations or other achievements of Academy students and disclosing details of a student's medical condition to insurers or school trip organisers.

The Academy will take reasonable steps to verify the identity of any third party requesting disclosure of personal data before any disclosure is made to safeguard privacy.

## **9. Accuracy**

The Academy will make every effort to ensure the data we hold on any individual is accurate. It is the individual's responsibility to inform the Academy of any change in their personal data. Every individual also has the right to request inaccurate information be corrected or erased.

## **10. Security**

The Academy will take all reasonable steps to ensure the data held on Academy premises and systems is secure from unauthorised access, corruption or data loss. Only Academy staff whose job roles require access to student, parent/guardian or staff personal data will be granted permission to access it. All staff members requiring access to personal data will be made aware of this policy and their duties under the Data Protection Act 1998.

## **11. Retention**

All personal data held by Sheffield Springs Academy will be subject to the Academy retention schedule.