

Sharnbrook Academy Federation Data Protection Policy

Introduction

Sharnbrook Academy Federation (formerly known as the Academy Federation of North Bedfordshire Schools) is a federation of six independent but publicly funded academy schools. It has charitable status and is a company (no. 07500018) incorporated in England and Wales and limited by guarantee (it is exempt from the requirement to use the word “limited” in its name).

The six independent academy schools are:

Harrold Lower School
Oakley Lower School
Sharnbrook Upper School
Harrold Priory Middle School
Lincroft Middle School
Margaret Beaufort Middle School

The schools work closely together and are not separate legal entities, so personal information is shared between them.

The Federation is the data controller for the purposes of the Data Protection Act 1998. It has notified the Information Commissioner’s Office that it is processing personal information and recognises and accepts its responsibility as set out in the Act. It will take all reasonable steps to meet this responsibility and to promote good practice in the handling and use of personal information.

The Federation has a Board of Directors, which has a strategic role similar to a governing body.

Scope

The Federation, through its schools collects and uses certain types of personal information or data about staff, students, parents and other individuals who come into contact with the school in order to provide education, pastoral care, career and academic references and other associated functions. In addition, it is required by law to collect and use certain types of information to comply with the requirements of Government departments. This personal information will be dealt with correctly and securely regardless of how it is collected, recorded and used, and irrespective of whether it is held on paper or electronically.

The following paragraphs provide a brief summary of the legal principles we work to:

1. Main Provisions of the 1998 Legislation

- (a) Ensuring Data Controllers notify their processing of personal data to the Information Commissioners Office. The School must supply certain information to the Commissioner who maintains a public register of the types of information organisations process, where it gets it from and what it does with it.
- (b) Observing the eight Data Protection Principles (see Paragraph 3 below).
- (c) Allowing the data subject to exercise his/her rights and have a right of access to the personal information held about them.

2. Definitions

Data Controller - Any individual or organisation who determines the purposes for which and the manner in which any personal data are, or are to be, processed.

Personal Data: Information or data which relates to a living individual who can be identified from that data, or from other information held or likely to be held by the Federation.

Sensitive Personal Data: Personal data relating to an individual's race or ethnic origin, political opinions, religious beliefs, physical/mental health, trade union membership, sexual life and commission of offences or alleged offences and any proceedings for any offence committed or alleged to have been committed by him/her, the disposal of such proceedings or the sentence of any court in such proceedings.

Data Subject: An individual who is the subject of the personal data. When pupils are able to understand the issues (normally at the age of 12) they can make their own decisions for data protection purposes, but parental consent may still be needed for other purposes.

Processing: This is widely defined and in practice covers any activity involving personal data, including viewing it.

Accessible Records Any educational records which are kept as part of a statutory duty.

3. Data Protection Principles

Specifically, the Principles require that:

1. Personal data shall be processed fairly and lawfully and for legitimate reasons (which are more limited for sensitive personal data);
2. 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;
3. Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed;
4. Personal data shall be accurate and, where necessary, kept up to date;
5. Personal data shall not be kept for longer than is necessary for that purpose or those purposes;
6. Personal data shall be processed in accordance with the rights of the data subject under the 1998 Act;
7. 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;
8. 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.

4. Commitment

The Federation will, through appropriate management and application of criteria and controls:

- observe fully the conditions regarding fair collection and use of information;
- meet its legal obligations to specify the purposes for which information is used; collect and process appropriate information, and only to the extent that it is needed to fulfil operational needs or to comply with any legal requirements;
- ensure the quality and accuracy of information used;
- ensure that information is not retained for longer than necessary; set out the procedures to ensure compliance with the duty to respond to requests for access to personal information;
- take appropriate technical and organisational security measures to safeguard personal information; and
- ensure that personal information is not transferred abroad without suitable safeguards.

5. Compliance

In addition, the Federation takes steps to ensure that:

- everyone managing and handling personal information understands that they are contractually responsible for following good data protection practice;
- everyone managing and handling personal information is appropriately trained to do so;
- everyone managing and handling personal information is appropriately supervised;
- anybody wanting to make enquiries about handling personal information knows what to do;
- queries about handling personal information are promptly and courteously dealt with;
- methods of handling personal information are clearly described;
- methods of handling personal information are regularly assessed and evaluated;
- performance of handling personal information is regularly assessed and evaluated; and
- it disseminates to employees, information on good practice in respect of handling, using and storing personal information.

6. Data Access

All data access and storage will be via the schools' servers which can be accessed remotely. Staff are not allowed to download, send or store personal data on to laptops, mobile phones or any other portable devices or their personal computers save as mentioned below.

If staff wish to use USB sticks to hold any personal information they must first be trained by the IT team within the Federation to ensure the USB stick has been encrypted to a currently recognised standard.

7. Subject Access

The Data Protection Act gives all data subjects a right of access to their own personal data on payment of a fee.

8. CCTV

CCTV is used at each academy within the Federation. It is used for the following purposes, and cameras are sited accordingly,:

- To protect the school from vandalism, theft and other criminal activity
- To maintain good order and discourage inappropriate behaviour
- To ensure appropriate use of IT equipment

Recordings are kept for a period of 3 weeks unless a particular incident requires them to be stored for longer.

There are notices on each site to indicate that CCTV is in operation and the reasons therefore. Parents and pupils are advised that CCTV is in operation.

9. Freedom of Information Act

The Federation is a public authority within the meaning of the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 and may have to disclose personal information under that legislation.

10. Penalties

It is important to comply with the Data Protection Act because the Information Commissioner can impose fines of up to £500,000 on the Federation for a breach of the Act and prosecute any member of staff who deliberately misuses personal information.

11. Complaints

Complaints will be dealt with in accordance with the Federation's Complaints policy.

12. Contact

If you have any questions or complaints in relation to this policy or wish to make a data subject access request, please contact Kirk Sharp, Chief Operations Officer, Sharnbrook Academy Federation, Odell Road, Sharnbrook, Bedfordshire, MK44 1JL – Email ksharp@sharnbrook.beds.sch.uk

13. Policy Review

This policy will be reviewed on a 3 yearly basis and was last reviewed in December 2016.

Legal Status	Statutory
Approved by	SAF Board
Date	December 2016
Next review	December 2019
Further information	Tracy McDonagh Governance & School Relationship Manager