



PERRY HALL MULTI-ACADEMY TRUST

DATA PROTECTION POLICY

Schools belonging to Perry Hall Multi-Academy Trust need to keep certain information about their employees, students and other users to allow them to monitor performance, achievements, and health and safety, for example. It is also necessary to process information so that staff can be recruited and paid, courses organised and legal obligations to funding bodies and government complied with.

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, Perry Hall Multi-Academy Trust 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 transferred to a country or territory outside of the European Economic Area

Personal Data

Personal information or data is defined as data which relates to a living individual who can be identified from that data, or other information held. This person is referred to as a "Data Subject".

Perry Hall Multi-Academy Trust and all staff 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 contract of employment for staff, but it is a condition of employment that employees will abide by the rules and policies made by the Trust. Any failures to follow the policy can therefore result in disciplinary proceedings.

The Data Controller and the Designated Data Controllers

The Trust as a body corporate is the Data Controller under the 1998 Act, and the Trust Directors are therefore ultimately responsible for implementation. However, the Designated Data Controllers will deal with day to day matters.

The Trust has two Designated Data Controllers: They are the Executive Headteacher and the Strategic Lead for Finance and Business. Any member of staff, parent or other individual who considers that the Policy has not been followed in respect of personal data about himself or herself or their child should raise the matter with the a Designated Data Controller.

The Trust is responsible for the control and processing of personal data at the following establishments:

Responsibilities of Staff

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.
- Informing the School of any changes to information that they have provided, e.g. change of address, either at the time of appointment or subsequently. The School cannot be held responsible for any errors unless the staff member has informed the School of such changes.

If and when, as part of their responsibilities, staff collect information about other people (e.g. about a pupil's work, opinions about ability, references to other academic Institutions, or details of personal circumstances), they must comply with the principles laid out in this policy.

All staff will be required to complete awareness training in Data Protection and the management of personal data

Data Security

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.
- They are aware of the "Staff and Visitors Onsite Protocol"
- Emails to more than one recipient are sent using the blind carbon copy function (BCC) to ensure the privacy of each recipients email address.
- Where available secure email solutions are to be used for the transfer of personal data to other agencies involved in the delivery of educational support

Personal information should:

- Be kept in a locked filing cabinet, drawer, or safe; or
- If it is computerised, be coded, encrypted or password protected both on a local hard drive and on a network drive that is regularly backed up; and
- Be saved to the school server, school laptop/desktop or onto One Drive via a school account. Any removable storage is not permitted (this includes USB memory keys, portable hard-drives, SD cards, unencrypted laptops).

- Staff working away from home are required to adhere to the Trust's Acceptable Use Policy.
- Not be published on the school website (digital images or video) without consent of parents or carers
- Staff should report any unauthorised disclosure, loss of personal data, or other breach of this policy immediately, in order to minimize potential damage to data subjects, or to the reputation of the school. Failure to report a data breach will be treated as a disciplinary matter, and may be considered gross misconduct in some cases.

CCTV

CCTV is used at some of our schools to support the prevention and detection of crime. Where CCTV is used, this is stated on the school's Privacy Notice. We also notify staff, parents and visitors to school that CCTV is used via signage displayed in key points around the site.

Only designated staff at school have access to view CCTV footage. CCTV recordings are kept for a period of XXXXXXXXXXXXXXXX after which time the recordings are deleted/overwritten

Photographs and Digital Images (including video)

We use photographs and digital images for a variety of purposes in school, these include, but are not limited to:

- Capturing development and progress in learning
- The School Prospectus and other publications focussed on promoting the school
- Assemblies and celebration events
- Sports day
- School performances
- Trips and residential outings

Where images of children or staff are used in public areas or made available online via publication on the school website. The school will always seek consent before images are published.

Disposal of Personal Data

All paper documents that contain personal data will be shredded once they are no longer required, accurate and up to date or when the retention period has been met.

Devices containing personal data will be formatted and destroyed by an approved contractor with a certificate of destruction being presented for each disposal.

Rights to Access Information

All staff, parents and other users are entitled to:

- Know what information a school 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 a school is doing to comply with its obligations under the 1998 Act.

This Policy document addresses in particular the last three points above. To address the first point, a Privacy Notice will be made available to all pupils, parents and staff and published on the relevant school's website. Privacy Notices will outline the types of data a school 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 Designated Data Controller within the Trust Business Team on 01902 558538.

Each school has the discretion to make a charge of a minimum of £10 up to a maximum of £50 per individual request, depending on the number of pages disclosed to fulfil the request..

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.

A log of all requests made to the school will be maintained by the designated Data Controllers.

Subject Consent

In many cases, the School 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 School processing some specified classes of personal data is a condition of acceptance of employment for staff. This includes information about previous criminal convictions. The Trust has a duty of care to all staff and students and must therefore make sure that employees and those who use school facilities do not pose a threat or danger to other users.

A school 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 school 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.

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 School is a safe place for everyone, or to operate other School policies, such as the Single Equality Scheme. Because this information is considered **sensitive** under the 1998 Act, staff (and parents/carers where appropriate) will be asked to give their express consent for the School to process this data. An offer of employment may be withdrawn if an individual refuses to consent to this without good reason.

Sharing Personal Information

From time to time we may be required to share information with other agencies involved in supporting children's education, health, wellbeing and safety. These bodies include:

The Department for Education (DfE)

Local Authorities

Other schools and educational bodies

Social Services

Personal information being processed by schools in the trust can be shared with pupils once they are old enough to make decisions for themselves (usually around the age of 13) in accordance with their rights.

Before any personal information is shared, staff must check:

- That they are allowed to share it
- That adequate security is in place to protect it whilst it is being transferred to its intended recipient
- That sharing conforms to the purposes identified in the school's Privacy Notice

Publication of School Information

Certain items of information relating to the school will be made available on the public website, in order to meet the legitimate needs of researchers, visitors and enquirers seeking to make contact with the school. Where it is not a legal requirement, personal data will not be published without consent from the individual concerned, or unless there is a legal requirement to do so.

Retention of Data

The School has a duty to retain some staff and pupil personal data for a period of time following their departure from the School, 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, set out in Annex A.

Annex A – Retention Schedule

Governors					
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record	
Agendas/Minutes/Reports					
<ul style="list-style-type: none"> Principal set (signed) 	No		Permanent	Retain in school for 6 years from date of meeting	Transfer to Archives
<ul style="list-style-type: none"> Staffroom Copy 	No		Date of meeting + 3 years	DESTROY [If these minutes contain any sensitive personal information they should be shredded]	
Articles of Association	No		Permanent	Retain in school whilst school is open	Transfer to Archives when the school has closed
Action Plans	No		Date of action plan + 3 years	DESTROY	
Policy documents	No		Expiry of policy	Retain in school whilst policy is operational (this includes if the expired policy is part of a past decision making process)	Transfer to Archives
Complaints files	Yes		Date of resolution of complaint + 6 years	Retain in school for the first six years Review for further retention in the case of contentious disputes Destroy routine complaints	

Management					
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record	
Minutes of the Senior Management Team and other internal administrative bodies	Yes		Date of meeting + 5 years	Retain in the school for 5 years from meeting	Transfer to Archives
Reports made by the Executive Headteacher or the management team	Yes		Date of report + 3 years	Retain in the school for 3 years from meeting	Transfer to Archives
Records created by SLT and other members of staff with administrative responsibilities	Yes		Closure of file + 6 years	DESTROY If these records contain sensitive information they should be shredded	
Correspondence created by head teachers, deputy head teachers, heads of year and other members of staff with administrative responsibilities	No		Date of correspondence + 3 years	DESTROY If these records contain sensitive information they should be shredded	
Professional development plans	Yes		Closure + 6 years	DESTROY If these records contain sensitive information they should be shredded	
School development plans	No		Closure + 6 years	Review	Transfer to Archives

Pupils					
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record	
Admission registers	Yes		Date of last entry in the book (or file) + 6 years	Retain in the school for 6 years from the date of the last entry.	Transfer to the Archives
Attendance registers	Yes		Date of register + 3 years	DESTROY [If these records are retained electronically any back-up copies should be destroyed at the same time]	
Pupil record cards	Yes		Retain for the time which the pupil remains at the primary school	Transfer to the secondary school (or other primary school) when the child leaves the school.	
Pupil files	Yes		Retain for the time which the pupil remains at the primary school	Transfer to the secondary school (or other primary school) when the child leaves the school.	
Special Educational Needs files, reviews and Individual Education Plans	Yes		DOB of the pupil + 25 year	DESTROY If these records contain sensitive information they should be shredded	
Letters authorising absence	No		Date of absence + 2 years	DESTROY If these records contain sensitive information they should be shredded	
Absence records			Current year + 6 years	DESTROY If these records contain sensitive information they should be shredded	
Test results	Yes				

• <i>Public</i>	No		Year of examinations + 6 years	DESTROY	Any certificates left unclaimed should be returned to the appropriate Examination Board
• <i>Internal examination results</i>	Yes		Current year + 5 years	DESTROY	
Any other records created in the course of contact with pupils	Yes/No		Current year + 3 years	Review at the end of 3 years and either allocate a further retention period or DESTROY	
Statement maintained under The Education Act 1996 - Section 324	Yes	Special Educational Needs and Disability Act 2001 Section 1	DOB + 30 years	DESTROY unless legal action is pending	
Proposed statement or amended statement	Yes	Special Educational Needs and Disability Act 2001 Section 1	DOB + 30 years	DESTROY unless legal action is pending	
Advice and information to parents regarding educational needs	Yes	Special Educational Needs and Disability Act 2001 Section 2	Closure + 12 years	DESTROY unless legal action is pending	
Accessibility Strategy	Yes	Special Educational Needs and Disability Act 2001 Section 14	Closure + 12 years	DESTROY unless legal action is pending	
Children SEN Files	Yes		Closure + 35 years	DESTROY unless legal action is pending	

Curriculum					
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record	
Curriculum development	No		Current year + 6 years	DESTROY	
Curriculum returns	No		Current year + 3 years	DESTROY	
School syllabus	No		Current year + 1 year	It may be appropriate to review these records at the end of each year and allocate a new retention period or DESTROY	
Schemes of work	No		Current year + 1 year	It may be appropriate to review these records at the end of each year and allocate a new retention period or DESTROY	
Timetable	No		Current year + 1 year	It may be appropriate to review these records at the end of each year and allocate a new retention period or DESTROY	
Class record books	No		Current year + 1 year	It may be appropriate to review these records at the end of each year and allocate a new retention period or DESTROY	
Mark Books	No		Current year + 1 year	It may be appropriate to review these records at the end of each year and allocate a new retention period or DESTROY	
Record of homework set	No		Current year + 1 year	It may be appropriate to review these records at the end of each year and allocate a new retention period or DESTROY	
Pupils' work	No		Current year + 1 year	It may be appropriate to review these records at the end of each year and allocate a new retention period or DESTROY	
SATS records	Yes		Current year + 6 years	DESTROY [These records should be shredded]	
Value added records	Yes		Current year + 6 years	DESTROY [These records should be shredded]	

6.5 Personnel				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
Timesheets, sick pay	Yes	Financial Regulations	Current year + 6 years	DESTROY [These records should be shredded]
Staff Personal files	Yes		Termination + 7 years	DESTROY [These records should be shredded]
Interview notes and recruitment records	Yes		Date of interview + 6 months	DESTROY [These records should be shredded]
Pre-employment vetting information (including CRB checks)	No	CRB guidelines	Date of check + 6 months	DESTROY [These records should be shredded]
Disciplinary proceedings:	Yes			
• <i>Oral warning</i>			Date of warning + 6 months	DESTROY [These records should be shredded]
• <i>written warning – level one</i>			Date of warning + 6 months	DESTROY [These records should be shredded]
• <i>written warning – level two</i>			Date of warning + 12 months	DESTROY [These records should be shredded]
• <i>final warning</i>			Date of warning + 18 months	DESTROY [These records should be shredded]
Records relating to accident/injury at work	Yes		Date of incident + 12 years	Review at the end of this period. In the case of serious accidents a further retention period will need to be applied
Annual appraisal/assessment records	No		Current year + 5 years	DESTROY [These records should be shredded]

Maternity pay records	Yes	Statutory Maternity Pay (General) Regulations 1986 (SI 1986/1960), revised 1999 (SI 1999/567)	Current year, +3yrs	DESTROY [These records should be shredded]
Records held under Retirement Benefits Schemes (Information Powers) Regulations 1995	Yes		Current year + 6 years	DESTROY [These records should be shredded]

Health and Safety				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
Accessibility Plans		Disability Discrimination Act	Current year + 6 years	DESTROY [These records should be shredded]
Accident Reporting		Social Security (Claims and Payments) Regulations 1979 Regulation 25. Social Security Administration Act 1992 Section 8. Limitation Act 1980		
<ul style="list-style-type: none"> Adults 	Yes		Current year + 3 years	DESTROY [These records should be shredded]
<ul style="list-style-type: none"> Children 	Yes		DOB + 25 years	DESTROY [These records should be shredded]
COSHH			Current year + 10 years	Review [where appropriate an additional retention period may be allocated]
Incident reports	Yes		Current year + 20 years	DESTROY [These records should be shredded]
Policy Statements			Date of expiry + 1 year	DESTROY [These records should be shredded]
Risk Assessments			Current year + 3 years	DESTROY [These records should be shredded]
Process of monitoring of areas where employees and persons are likely to have come in contact with asbestos			Last action + 40 years	DESTROY [These records should be shredded]

Health and Safety				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
Process of monitoring of areas where employees and persons are likely to have come in contact with radiation			Last action + 50 years	DESTROY [These records should be shredded]
Fire Precautions log books			Current year + 6 years	DESTROY [These records should be shredded]

Administrative					
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record	
Employer's Liability certificate			Permanent whilst the school is open	DESTROY once the school has closed	
Inventories of equipment and furniture			Current year + 6 years	DESTROY [These records should be shredded]	
General file series			Current year + 5 years	Review to see whether a further retention period is required	Transfer to Archives
School brochure/prospectus			Current year + 3 years		Transfer to Archives
Circulars (staff/parents/pupils)			Current year + 1 year	DESTROY [These records should be shredded]	
Visitors' book			Current year + 2 years	Review to see whether a further retention period is required	Transfer to Archives
PTA/Old Pupils' Associations			Current year + 6 years	Review to see whether a further retention period is required	Transfer to Archives

Finance					
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record	
Annual Accounts		Financial Regulations	Current year + 6 years		Transfer to Archives
Loans and grants		Financial Regulations	Date of last payment on loan + 12 years	Review to see whether a further retention period is required	Transfer to Archives
Contracts					
<ul style="list-style-type: none"> under seal 			Contract completion date + 12 years	DESTROY [These records should be shredded]	
<ul style="list-style-type: none"> under signature 			Contract completion date + 6 years	DESTROY [These records should be shredded]	
<ul style="list-style-type: none"> monitoring records 			Current year + 2 years	DESTROY [These records should be shredded]	
Copy orders			Current year + 2 years	DESTROY [These records should be shredded]	
Budget reports, budget monitoring etc			Current year + 3 years	DESTROY [These records should be shredded]	
Invoice, receipts and other records covered by the Financial Regulations		Financial Regulations	Current year + 6 years	DESTROY [These records should be shredded]	
Annual Budget and background papers			Current year + 6 years	DESTROY [These records should be shredded]	
Order books and requisitions			Current year + 6 years	DESTROY [These records should be shredded]	
Delivery Documentation			Current year + 6 years	DESTROY [These records should be shredded]	
Debtors' Records		Limitation Act 1980	Current year + 6 years	DESTROY [These records should be shredded]	

Finance				
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record
School Fund – Cheque books			Current year + 3 years	DESTROY [These records should be shredded]
School Fund – Paying in books			Current year + 6 years	DESTROY [These records should be shredded]
School Fund – Ledger			Current year + 6 years	DESTROY [These records should be shredded]
School Fund – Invoices			Current year + 6 years	DESTROY [These records should be shredded]
School Fund – Receipts			Current year + 6 years	DESTROY [These records should be shredded]
School Fund – Bank statements			Current year + 6 years	DESTROY [These records should be shredded]
School Fund – School Journey books			Current year + 6 years	DESTROY [These records should be shredded]
Applications for free school meals, travel, uniforms etc			Whilst child at school	DESTROY [These records should be shredded]
Student grant applications			Current year + 3 years	DESTROY [These records should be shredded]
Free school meals registers	Yes	Financial Regulations	Current year + 6 years	DESTROY [These records should be shredded]
Petty cash books		Financial Regulations	Current year + 6 years	DESTROY [These records should be shredded]

6.1 Property					
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record	
Title Deeds			Permanent	These should follow the property	Transfer to Archives
Plans			Permanent	Retain in school whilst operational then	Transfer to Archives
Maintenance and contractors		Financial Regulations	Current year + 6 years	DESTROY [These records should be shredded]	
Leases			Expiry of lease + 6 years	DESTROY [These records should be shredded]	
Lettings			Current year + 3 years	DESTROY [These records should be shredded]	
Burglary, theft and vandalism report forms			Current year + 6 years	DESTROY [These records should be shredded]	
Maintenance log books			Last entry + 10 years	DESTROY [These records should be shredded]	
Contractors' Reports			Current year + 6 years	DESTROY [These records should be shredded]	

DfE					
Basic file description	Data Prot Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record	
HMI reports			These do not need to be kept any longer		Transfer to Archives
OFSTED reports and papers			Replace former report with any new inspection report	Review to see whether a further retention period is required	Transfer to Archives
Returns			Current year + 6 years	DESTROY [These records should be shredded]	

6.2 School Meals					
Basic file description	Data Protection Issues	Statutory Provisions	Retention Period [operational]	Action at the end of the administrative life of the record	
Dinner Register			Current year + 3 years	DESTROY [These records should be shredded]	
School Meals Summary Sheets			Current year + 3 years	DESTROY [These records should be shredded]	