



## **Data Protection Policy**

### **Introduction**

Isaac Newton Academy collects and uses certain types of personal information about staff, students, parents and other individuals who come into contact with the Academy in order to provide education and associated functions. The Academy may be required by law to collect and use certain types of information to comply with statutory obligations.

This policy is intended to ensure that personal information is handled appropriately and securely, in accordance with General Data Protection Regulation (GDPR) from 25<sup>th</sup> May 2018. It applies to information regardless of the way it is used, recorded and stored and whether it is held in paper files or electronically.

INA is committed to:

- (1) Carry out an information audit
- (2) Make sure that when consent is required, it meets the more stringent standards
- (3) Appoint a data protection officer (DPO) (Aidan Rothnie)
- (4) Promptly notify the Information Commissioner of a breach of security of personal data (Janine White (ARK))
- (5) Comply with subject access requirements
- (6) Ensure written contracts are in place with third parties who process personal data on your behalf
- (7) Make sure privacy notices are written in a way a child will understand
- (8) Be able to demonstrate compliance with GDPR

The Academy is committed to maintaining those principles at all times. This means that the Academy will:

- (1) Inform parents/carers as to the purpose of collecting any information, as and when we ask for it
- (2) Check the quality and accuracy of the information we hold

- (3) Regularly review the records we hold to ensure that information is not held longer than is necessary
- (4) Ensure that when information is authorised for disposal this is done appropriately
- (5) Ensure appropriate security measures to safeguard personal information whether that is held in paper files or on our computer system
- (6) Share personal information with others only when it is necessary and legally appropriate to do so, ensuring that pupil names are replaced with unique pupil numbers in the records before the data is transferred
- (7) Set out clear procedures for responding to requests for access to personal information known as subject access in the Data Protection Act.

### **Personal Data and Sensitive Personal Data**

'Personal data' is information which relates to an individual. A sub-set of personal data is known as 'sensitive personal data'. Sensitive personal data is information relating to race or ethnic origin, political opinions, religious beliefs or other beliefs of a similar nature, trade union membership, physical or mental health, sexual life or any offence committed. Sensitive personal data is given special protection.

The Academy does not intend to seek or hold sensitive personal data about staff or students except where the Academy has been notified of the information, or it comes to the Academy's attention via legitimate means (e.g. a grievance) or needs to be sought and held in compliance with a legal obligation or as a matter of good practice. Staff or students are under no obligation to disclose to the Academy their race or ethnic origin, political or religious beliefs, whether or not they are a trade union member or details of their sexual life (save to the extent that details of marital status and/or parenthood needed for other purposes, e.g. pension entitlements, may be indicative of some aspects of sexual life).

The Data Protection Act applies to all computerised data and manual files if they come within the definition of a relevant filing system. Broadly speaking, this means that they are readily searchable and it is easy to locate personal data within them. A typical example is a personnel file structured by subject.

This policy will be updated as necessary to reflect best practice or amendments made to GDPR 2018.

### **Dealing with a data protection request**

The Principal must be confident of the identity of the individual making the request and of the relationship with the child.

An individual only has the automatic right to access information about themselves. The Principal will have responsibility for ensuring the child's welfare is appropriately considered in deciding whether to comply with a request and will make use of exemptions under the Act as appropriate.

All files must be reviewed before any disclosure takes place. Access will not be granted before this review has taken place.

Where all the data in a document cannot be disclosed a permanent copy should be made and the data obscured retyped if this is more sensible. A copy of the full document and the altered document should be retained, with the reason why the document was altered.

If an individual discovers that information which the Academy holds in relation to them is inaccurate or out of date, they should write to the Principal setting out the inaccuracy, and the accurate position. The Principal will arrange for information to be corrected where the Academy is in agreement that the previous information was inaccurate. If the Academy disagrees that the information is inaccurate, it will discuss the matter with the individual, but the Academy has the right to maintain the original information. If the individual is unhappy with this outcome they have the right to instigate the grievance procedure.

### **Education records**

Parents have a legal right to request their child's educational record under the Education (Pupil Information) (England) Regulations 2005.

The educational record consists of information that comes from a teacher or other employee, the pupil or their parents, including information about SEN and any individual education plan.

Information kept by a teacher solely for their own use does not form part of the official educational record.

Requests to see the educational record should be dealt with within 15 days.

### **Contacts**

If anyone has any concerns or questions in relation to this policy they should contact [foi@arkonline.org](mailto:foi@arkonline.org) who will also act as the contact point for any requests under the Data Protection Act.

Further advice and information, including a full list of exempt information, is available from the Information Commission, [www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk) or 01625 545 700.

### **Freedom of information**

From January 2011 academies became subject to the Freedom of Information Act. See the Freedom of Information Policy and ARK Schools Publication Scheme for further details.

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