

Leodis  
Academies  
Trust



# **DATA PROTECTION POLICY**

**Adopted by the Trustees of  
Leodis Academies Trust  
on 12 July 2016**

This policy applies to all members of Leodis Academies Trust. For the purposes of this policy, the term 'staff' means all members of staff within Leodis Academies Trust including permanent, fixed term and temporary staff. It also refers to governors, any third party representatives, agency workers and volunteers. All those who use or have access to the Trusts information must understand and adopt this policy and are responsible for ensuring the security of the information they use.

The Local Governing Board and Principal of each Academy are responsible for the implementation of the Data Protection Policy.

### **Distribution**

East Ardsley Primary Academy  
Hill Top Primary Academy  
Westerton Primary Academy  
Woodkirk Academy

**Signed:**

**Print: S Rose**

**Chair of Trustees**

**Date: July 2016**

**Signed:**

**Print: S Talbot**

**Principal – East Ardsley Primary Academy**

**Date: July 2016**

**Signed:**

**Print: K Hyams**

**Principal – Hill Top Primary Academy**

**Date: July 2016**

**Signed:**

**Print: S Makin**

**Principal – Westerton Primary Academy**

**Date: July 2016**

**Signed:**

**Print: J Barton**

**Principal – Woodkirk Academy**

**Date: July 2016**

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## 1. INTRODUCTION

- 1.1. Leodis Academies Trust (“**Trust**”) needs to keep certain information about staff, students and other users for example, to allow it to monitor performance, achievements and health and safety. It is also necessary to process information so the Academies can comply with their legal obligations. To comply with the law, information must be collected and used fairly, stored safely and not disclosed to any other person unlawfully.
- 1.2. To do this, Leodis Academies Trust must comply with the Data Protection Principles which are set out in the Data Protection Act 1998. This policy sets out the Trusts approach to processing personal data under the Data Protection Act 1998

## 2. DEFINITION OF DATA PROTECTION TERMS

- 2.1. **Data** is information which is processed electronically, on a computer, or in paper-based filing systems.
- 2.2. **Data subjects** means an individual whom particular personal data is about. For the purpose of this policy these are all living individuals about whom the Leodis Academies Trust holds personal data. All data subjects have legal rights in relation to their personal data.
- 2.3. **Personal data** means data relating to a living individual who can be identified from that data (or from that data and other information in our possession). Personal data can be factual (such as a name, address or date of birth) or it can be an opinion (such as a performance appraisal).
- 2.4. **Data controllers** are the people who, or organisations which, determine the purposes for which, and the manner in which, any personal data is processed. They have a responsibility to establish practices and policies in line with the Act.
- 2.5. **Data users** include employees whose work involves using personal data. Data users have a duty to protect the information they handle by following the Leodis Academies Trust’s data protection and security policies at all times.
- 2.6. **Data processors** include any person who processes personal data on behalf of a data controller. Employees of data controllers are excluded from this definition but it could include suppliers which handle personal data on Leodis Academies Trust’s behalf.
- 2.7. **Processing** is any activity that involves use of the data. It includes obtaining, recording or holding the data, or carrying out any operation or set of operations on the data including organising, amending, retrieving, using, disclosing, erasing or destroying it. Processing also includes transferring personal data to third parties.
- 2.8. **Sensitive personal data** includes information about a person's racial or ethnic origin, political opinions, religious beliefs, trade union membership, physical & mental health, sexual life and criminal activity. The presumption is that, because this information about these matters could be used in a discriminatory way, and is likely to be of a more private nature, it needs to be treated with greater care than other personal data. As such there are fair processing conditions that need to be met to process personal data.

## 3. DATA PROTECTION PRINCIPLES

- 3.1. Leodis Academies Trust needs to process personal data to deliver its functions. To do this the trust must comply with the eight Data Protection Principles which are set out in the Data Protection Act 1998. These provide that personal data must be:

- 3.1.1. Processed fairly and lawfully.

- 3.1.2. Obtained only for one or more specified lawful purposes
- 3.1.3. Adequate, relevant and not excessive for the purpose.
- 3.1.4. Accurate and, where necessary, kept up to date.
- 3.1.5. Not kept longer than necessary for the purpose.
- 3.1.6. Processed in line with data subjects' rights.
- 3.1.7. Subject to appropriate organisational and technical security measures..
- 3.1.8. Not transferred to people or organisations situated in countries without adequate protection.

#### **4. DATA COLLECTION**

Personal data will be obtained in a fair and transparent manner and used in a way which is consistent with the purposes which were communicated when the data was obtained. Only the minimum relevant amount of personal data which is required for the purposes will be obtained. If the data is used for other purposes this will be where they are legally permitted.

#### **5. DATA STORAGE**

Personal data will be stored in a secure and safe manner, and shall not be retained longer than is required. Security procedures for the storage of personal data include the:

- 5.1. locking of Desks and cupboards if they hold confidential information of any kind. This includes personal information, which is always considered confidential;
- 5.2. shredding of confidential paper documents and the physical destruction of disks and CD ROMS once they are no longer required; and
- 5.3. locking of PCs when they are left unattended.

#### **6. DATA CHECKING**

Systems will be put in place to ensure the personal data held by Leodis Academies Trust is up to date and accurate. Any inaccuracies discovered or reported will be rectified as soon as possible.

#### **7. DISCLOSURE OF PERSONAL DATA TO THIRD PARTIES**

- 7.1. Leodis Academies Trust will only disclose personal data about individuals with their consent, or where this is lawfully permitted. circumstances under which personal information may be disclosed without consent include:
  - 7.1.1. any legal proceedings or for the purposes of the detection and prevention of crime;
  - 7.1.2. any statutory, legal duty or instruction from a Government Department to do so, such as Health & Safety legislation or the submission of the Pupil Level Annual School Census (PLASC); or
  - 7.1.3. payroll and staff administration.
- 7.2. Any member of staff who receives a written request from a data subject should forward it to the relevant Principal immediately.

- 7.3. Where redaction (information blacked out/removed) has taken place then a full copy of the information provided will be retained in order to establish, if a complaint is made, what was redacted and why.
- 7.4. Leodis Academies Trust may make a charge of £10 for responding to a request for personal data under the Data Protection Act.

## **8. RESPONSIBILITIES**

- 8.1. Under the Multi Academy Trust (MAT) arrangements, Leodis Academies Trust is responsible for the activities of all the Academies in the Trust, even though some functions may have been delegated to Principals or Local Governing Boards. Leodis Academies Trust is the legal entity responsible for the processing of personal data and is subject to Data Protection Act registration obligations.
- 8.2. Leodis Academies Trust is the Data Controller for the purposes of DPA and therefore the Trustees will have overall responsibility for compliance with the DPA.
- 8.3. The Trustees have delegated responsibility to the Principal in each Academy for ensuring compliance with the DPA and this policy within the day-to-day activities of their Academy.
- 8.4. It is important that all members of Leodis Academies Trust understand what is required of them and comply with this policy. This policy does not form part of the formal contract of employment for staff but it is a condition of employment that employees abide by the rules and policies made by Leodis Academies Trust from time to time. Any breach of this policy will be taken seriously and may result in disciplinary action.
- 8.5. Any member of staff who considers that the policy has not been followed in respect of their personal data should raise the matter with the appropriate Principals.
- 8.6. All staff are responsible for checking that any information they provide in connection with their employment is accurate and up to date and should inform their Academy of any changes, for example change of address. Leodis Academies Trust cannot be held responsible for any errors unless the member of staff has advised them of such changes.