



Community First Academy Trust

(GDPR) DATA PROTECTION POLICY USE OF KINGSBRIDGE TRAINEE DATA

This is a Trust-wide policy adopted and reviewed by either the Trust Board or Finance Committee and relates to all schools that are partners within the Trust.

Specific Academy policies, e.g. curriculum policies will be found on the individual school websites.

This policy was written in April 2018 and is to be reviewed in line with statutory change or every three years.

1. DATA PROTECTION ACT AND GENERAL DATA PROTECTION REGULATION

1.1 The Data Protection Act (DPA) regulates the processing of personal data in any format by Community First Academy Trust, including both digital and hard copy personal data and all other formats. 'Personal data' is any information relating to a living individual, and 'processing' is any activity carried out involving personal data, including holding and storing it.

1.2 On 25th May 2018 the DPA will be superseded in the UK by the General Data Protection Regulation (GDPR), which provides individuals with enhanced rights, and imposes increased responsibilities on organisations processing personal data. See appendix one for more information.

1.3 This statement applies under both the DPA and GDPR.

1.4 This statement establishes the Trust's procedures governing the collection and release of trainee data within the Kingsbridge SCITT and is provided to trainees at the application and registration stages of the programme. It includes information about how data is used, and where it is supplied by the Trust to the Department for Education (Dfe) and other external parties such as the Student Loans Company and UCAS.

1.5 Community First Academy Trust is the data controller for all personal data that it holds and processes as part of its initial teacher training programme, except where it is done in the capacity of a data processor on behalf of another data controller.

1.6 Kingsbridge SCITT contact details are:
Community First Academy Trust t/a Kingsbridge SCITT
Rivington Avenue
Platt Bridge
Wigan
WN2 5NG
Tel: 01942 487999 **Email:** kingsbridge@cfat.org.uk

1.7 The Trust's Data Protection Officer is:
Mr Craig Holden
Community First Academy Trust
Rivington Avenue
Platt Bridge
Wigan
WN2 5NG
Tel: 01942 487999 **Email:** c.holden@cfat.org.uk

1.8 The Trust's Deputy Data Protection Officer is:
Mr Liam Owen
Community First Academy Trust
Holt Street
Wigan
WN1 3ND
Tel: 01942 510712 **Email:** l.owen@cfat.org.uk

2. NOTIFICATION TO APPLICANTS AND REGISTERED APPLICANTS

- 2.1 Community First Academy Trust t/a Kingsbridge SCITT will obtain, hold and process the personal data of trainees including personal details that may include family and social circumstances, education and training records, employment information, financial details, and services provided. The trust will obtain, hold and process any sensitive personal data (the term used by the DPA) and special category data (the term used by GDPR) of trainees including racial or ethnic origin, religious or philosophical beliefs, biometric data, and physical or mental health.
- 2.2 Personal data and sensitive personal data/special category data held by the Trust relating to trainees is obtained directly from the trainee or applicant, or in some cases from a third party organisation involved in the services provided by the Trust that has obtained the information in the first instance, for example UCAS and agents involved in the trainee recruitment process.
- 2.3 The Trust holds the personal data and sensitive personal data/special category data of its trainees in order to implement and manage all services and processes relating to its initial teacher training programme, including trainee recruitment, admission, registration, teaching and learning, examination, graduation and other services such as student support and careers. Only information required for these purposes is obtained and processed, and without it the Trust may not be able to provide its initial teacher training services. Information is passed between various sections of the initial teacher training programme for operational reasons as is necessary and proportionate for intended purposes.
- 2.4 Trainee personal data is collected and processed by the Trust as it is necessary for the performance of the contract under which the trust provides services to trainees as part of the training programme. Some processing activities may also be carried out under a legal obligation (for example, disclosing personal data to external parties under statutory powers), where it is necessary to protect the vital interests of the trainee or another party (for example, disclosures to external parties to ensure the safety and wellbeing of individuals), where it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority (for example, collecting or disclosing information in order to meet regulatory or statutory requirements), or where it is necessary for legitimate interests pursued by the trust or a third party (the legitimate interests will relate to the efficient, lawful and proportionate delivery of services and will not be to the detriment of the interests or rights of individuals). Where any of these legal bases do not apply, the consent of an individual to process their personal data will be sought.
- 2.5 Where sensitive personal data/special category data is collected from a trainee and processed by the trust this will be on the legal basis of explicit consent of the trainee, employment or social security/protection requirements, protecting the vital interests of the trainee or another party, the exercise or defence of a legal claim, reasons of substantial public interest, purposes of medical or health care, or where the information has been made public by the trainee. Any processing will be proportionate and relate to the provision of services by the trust. When this data is used for monitoring and reporting purposes it will be anonymised if possible.
- 2.6 The trust may disclose trainees personal data and sensitive personal data/special category data to external agencies to which it has obligations; for example for council tax enquiries, electoral registration, and visa and immigration purposes, and to other arms of central or

local government, Department for Education, Student Loans Company, Office of the Independent Adjudicator for Higher Education, National College and potentially other such organisations for defined purposes. It may also disclose information to examining bodies, legal representatives, Police or security agencies, suppliers or service providers, survey and research organisations engaged by the trust, and regulatory authorities.

2.7 If trainees have unpaid debts to the trust at the end of their course the trust may, at its discretion, pass this information to debt collecting agencies in order to pursue the debt.

The Trust also uses trainee personal data as follows:

- a) To provide progress reports of trainees to the SCITT Headteacher Board and Trust as required.
- b) To provide references to education institutions and employers, usually with the consent of the trainees or graduates.
- c) Publication of the names of graduating trainees in the graduation ceremony following completion of the SCITT programme.
- d) Disclose information about trainees for the purpose of promoting the SCITT, and to their former schools for the purposes of school's liaison, but only with the consent of the trainees or graduates if they are personally identified.
- e) Supply personal and financial details to providers of financial services engaged by the Trust, for example to the trusts banking provider for the payment of fees, refunds, loans and similar services such as to the Student Loans Company.
- f) Disclosing information to external parties for safeguarding and duty of care purposes, for example to medical practitioners and law enforcement agencies as required.
- g) To confirm the production of certificates, transcripts and achievement reports as necessary and/or NARIC. NARIC is the designated United Kingdom national agency for the recognition and comparison of international qualifications and skills.
- h) Graduates of the SCITT will also have access to career support and resources, and may be contacted by SCITT partner school to offer ongoing support with career plans, including coaching and job opportunities.
- i) To undertake subject reviews on a case-by-case basis, providing contact details to third party companies and organisations formally engaged by the trust to provide enhanced levels of service to support core programme activities.

2.8 The trust requires all trainees to participate in its attendance monitoring system. For SCITT trainees it is a statutory requirement that the trust monitors attendance and there may be a requirement to report non-attendance to official bodies (e.g. the Student Loans company and/or the Department for Education). It also aids the trust in its duty of care and support provisions, as well as enabling the analysis of specific elements of service provision such as space management.

2.9 In some instances, (such as for the purpose of international work including the assessment only process) the trust may transfer personal data to third parties located in other countries, including some outside of the European Economic Area. Any such transfers will be strictly in relation to the delivery of the individual core services, including to partner institutions abroad. IT services used by the trust may involve the transfer or hosting of student personal data overseas. Personal data may be shared with international agents that the trust uses for the delivery of services to overseas students only. All instances of overseas transfers of personal data are subject to appropriate technical safeguards and contractual

provisions incorporating appropriate assurances to ensure the security of the data and full compliance with legislative and regulatory requirements.

2.10 Some sections of the process may involve personal data that comprises elements of profiling or automated decision-making. Examples are some parts of the recruitment process involve automated decision making decisions in relation to bursary awards etc. where these processes are employed to determine a bursary award these decisions are sent to individuals and to facilitate recruitment, admissions and bursary procedures.

2.11 A basic academic record for individual trainee is also kept permanently by the trust, with more detailed records kept for defined retention periods. Details of the retention periods attributed to different elements of trainee records can be found in the Trust's Records & Retention Schedules Database.

2.12 If you have any queries about the use of the use, handling and retention of personal data outlined above then please contact the Data Protection Officer on 01942 487999.

3. INDIVIDUAL RIGHTS

3.1 Individuals whose personal data and sensitive personal data/special category data is held by the Trust have the following rights regarding their data:

- a) The right to request access to their personal data held by the Trust.
- b) The right to have inaccurate or incomplete personal data rectified.
- c) The right to erasure of personal data – this will only apply where there is no legitimate reason for the Trust to continue to process the personal data. There will usually be a requirement for the Trust to keep a basic trainee record indefinitely.
- d) The right to restrict the processing of personal data – individuals have the right to block the processing of their personal data by the Trust in specific situations.
- e) The right to data portability – trainees have the right to request provision of some elements of their information (for example academic progress details) in digital form in order to provide it to other organisations.
- f) The right to object – trainees can object to the processing of their personal data by the Trust in certain circumstances, including the sending and receipt of direct marketing material.
- g) The right to object to automated decision making and profiling – individuals have the right to object to decisions taken by automatic means without human intervention in some circumstances.

All requests to exercise any of these rights should be made to the Trust's Data Protection Officer.

3.2 Where the processing of personal data or sensitive personal data/special category data is based on the consent of the trainee, they have the right to withdraw their consent at any time by contacting the department or service who obtained that consent or the Trust's Data Protection Officer. Consent can be withdrawn by visiting www.cfat.org.uk/gdpr

3.3 If a trainee is unhappy with the Trust's handling of their personal data, or believes that the requirements of the DPA or GDPR may not be fully complied with, they should contact the Trust's Data Protection Officer in the first instance. The Trust's formal complaint procedure can be invoked if appropriate, and they also have the right to submit a complaint to the Information Commissioner's Office; further details can be found at www.ico.org.uk

4. TRAINEES AND LEAVERS

4.1 Approximately six months after a trainee graduate, the Trust/Dfe may contact them to ask they fill in a survey following the completion of the SCITT programme as outlined below.

4.2 If you do not want to take part in any of these survey, please contact the Trust's Data Protection Officer.

5. SUBMISSION OF INFORMATION TO THE DEPARTMENT FOR EDUCATION

5.1 It is a statutory requirement for the trust to send some of the information we hold about trainees to Department for Education every year. The DfE are the official source of data about Trainee Teachers who graduate via a School Direct provider route. The Dfe collects, and is responsible for, the database in which your information is stored. The Dfe will uses your information itself for its own purposes. The Dfe may also shares your information with third parties for specified and lawful purposes. It may charge other organisations to whom it provides services and data. All uses of information must comply with the Data Protection Act 1998 and the General Data Protection Regulation.

5.2 If you give us information about your disability status, ethnicity, sexual orientation, gender reassignment or religion these may be included in the information we share with the Dfe and used to assist with monitoring equality of opportunity and eliminating unlawful discrimination in accordance with the Equality Act 2010. Some other sensitive information is used to enable research into the provision of fair access to higher education, for example information as to whether you are a care leaver. Your sensitive personal data/special category data will not be used to make decisions about you.

6. MONITORING OF IT SYSTEMS AND ACCOUNTS

6.1 Trainees should also be aware that, in certain circumstances, the Trust may monitor usage of its IT systems and access user information on its systems and networks that is normally private. Any institutional monitoring or access will comply with UK legislation including the Regulation of Investigatory Powers Act 2000, Human Rights Act 1998, and the Data Protection Act 1998 and General Data Protection Regulation. Where necessary any access or monitoring will be justifiable, fair and proportionate, and will be in line with the Trust's IT usage, monitoring and acceptable usage policies.

7. SCITT HEADTEACHER BOARD AND SCITT SELF EMPLOYED CONSULTANTS USE OF PERSONAL DATA

- 7.1 Self Employed Consultants of the SCITT and members of the SCITT Headteacher Board are required to access personal data relating to the SCITT programme and only for use and in connection with their delegated authorities. They may do this only with the express prior permission of the Trust, and only in accordance with any guidance, code of practice and/or scheme of delegation issued by the Trust and in force at that time. This applies whether or not those activities are carried out on equipment owned by the Trust and whether or not they are carried out on Trust premises. This means that the personal data must be: fairly and lawfully obtained and processed; used only for specified and legitimate purposes; accurate and up-to-date; held securely; kept to the minimum possible and anonymised or pseudonymised where possible; not published, put online or taken outside of the European Economic Area without the consent of the individual concerned; and be deleted or destroyed when it is no longer relevant to retain it. The individuals about whom data are held are entitled to inspect the data unless it is held only for legitimate business purposes and will not be released in such a way as to identify the individuals concerned.
- 7.2 Consultants and members of the SCITT Headteacher board needing to process personal data for academic or research purposes must make themselves aware of the general requirements of the Data Protection Act 1998 and the General Data Protection Regulation, and in particular must abide by the data protection principles set out in Schedules I, II and III of the DPA, and Articles 5, 6 and 9 of GDPR. Consultants and members of the SCITT Headteacher Board can do this by obtaining a copy of the Trust's current guidance on data protection.
- 7.3 Individuals who fail to comply with any guidance or Code of Practice in force may be held personally liable for any resulting breaches of the Data Protection Act 1998 or General Data Protection Regulation.