



Marches Academy Trust

Date of last review: **February 2019**

Approved: **25.03.19**

Date of next review: **February 2021**

Data Protection Policy (GDPR)

The school needs to collect and use certain types of information about staff, students and other individuals who come into contact with schools in the Trust, in order to operate effectively. In addition, it may be required by law to collect and use certain types of information to comply with statutory obligations of Local Authorities, government agencies and other bodies. This personal information must be dealt with properly however it is collected, recorded and used – whether on paper, in a computer, or recorded on other material - and there are safeguards to ensure this in the Data Protection Act 1998.

We regard the lawful and correct treatment of personal information as very important to successful operations, and to maintaining confidence between those with whom we deal and ourselves. We ensure that our organisation treats personal information lawfully and correctly.

The EU General Data Protection Regulation (GDPR) superseded the UK Data Protection Act 1998 on 25 May 2018. It expands the rights of individuals to control how their personal data is collected and processed, and places a range of new obligations on organisations to be more accountable for data protection.

What is new under the GDPR?

The principles are broadly similar to the principles in the Data Protection Act 1998 (the 1998 Act).

1998 Act:	GDPR:
Principle 1 – fair and lawful	Principle (a) – lawfulness, fairness and transparency
Principle 2 – purposes	Principle (b) – purpose limitation
Principle 3 – adequacy	Principle (c) – data minimisation
Principle 4 – accuracy	Principle (d) – accuracy
Principle 5 - retention	Principle (e) – storage limitation
Principle 6 – rights	No principle – separate provisions in Chapter III
Principle 7 – security	Principle (f) – integrity and confidentiality
Principle 8 – international transfers	No principle – separate provisions in Chapter V
(no equivalent)	Accountability principle

If you want to know more about the Data Protection Act, this link to the Information Commissioner’s Office will act as a good starting point: <https://ico.org.uk/for-organisations/data-protection-act-2018/>

The schools in the Trust will, through appropriate management, apply strict application of criteria and controls, by:

- observing fully conditions regarding the fair collection and use of information;
- meeting its legal obligations to specify the purposes for which information is used;
- collecting and processing appropriate information, and only to the extent that it is needed to fulfil operational needs or to comply with any legal requirements;
- ensuring the quality of information used;
- applying strict checks to determine the length of time information is held;
- ensuring that the rights of people about whom information is held, can be fully exercised under the Act. (These include: the right to be informed that processing is being undertaken, the right of access to one's personal information, the right to prevent processing in certain circumstances and the right to correct, rectify, block or erase information which is regarded as wrong information);
- taking appropriate technical and organisational security measures to safeguard personal information;
- ensuring that personal information is not transferred abroad without suitable safeguards;
- treating people justly and fairly whatever their age, religion, disability, gender, sexual orientation or ethnicity when dealing with requests for information;
- setting out clear procedures for responding to requests for information.

In addition, we will ensure that:

- there is someone with specific responsibility for Data Protection within the Trust;
- 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;
- a regular review and audit is made of the way personal information is held, managed and used;
- methods of handling personal information are regularly assessed and evaluated;
- performance with handling personal information is regularly assessed and evaluated;
- staff are aware that a breach of the rules and procedures identified in this policy may lead to disciplinary action being taken against the members of staff concerned.

This policy will be updated as necessary to reflect best practice in data management, security and control and to ensure compliance with any changes or amendments made to the EU General Data Protection Regulations 2018 (GDPR).

In the event of a personal data breach, the Trust Data Protection Officer, Joanne Jones, should be notified.