



# Data Protection Policy

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Version	Author	Date	Changes
1.0	Lucy Owen, GDPR Manager	19.06.24	<ul style="list-style-type: none"> <li>• Change DPO address</li> <li>• Update all references to Data Protection Act 2018</li> <li>• Responsibility of monitoring arrangements updated to CEO from COO</li> </ul>

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## 1. Purpose

- 1.1. This Data Protection Policy (“Policy”) regulates and details the Trust and the way in which each Academy (“the School”) within the trust obtain, use, hold, transfer and process Personal Data and Sensitive Personal Data (as defined in parts 2 and 7 of this policy) about individuals and ensures that all Trust employees know the rules for protecting Personal Data.
- 1.2. This Policy also describes individuals' rights in relation to their Personal Data processed by the Trust’s Schools.
- 1.3. The Trust has practices in place in relation to their handling of Personal Data to ensure that they are acting in accordance with UK laws and other relevant regulatory guidance. The most notable legislation in this area is the Data Protection Act 2018 (DPA).

1.4. The Schools within the Trust shall comply with the principles of the DPA to ensure that all data is:

- Fairly and lawfully processed
- Processed only for lawful purposes
- Adequate, relevant and not excessive
- Accurate and up to date
- Not kept for longer than is necessary
- Processed in accordance with the data subject’s rights
- Secure
- Not transferred to other countries without consent and adequate protection

In addition, the School will also comply with the United Kingdom Data Protection that introduces further rights for individuals and strengthens some of the rights already in existence under the DPA 2018:

- The right to be informed
- The right of access
- The right to rectification
- The right to erasure
- The right to restrict processing
- The right to data portability
- The right to object
- Rights in relation to automated decision making and profiling.

At all times, the Schools will endeavour to ensure that they have a legal basis for the processing of personal information.

The Trust is registered as a Data Controller with the Information Commissioner's Office (ICO). Our registration number is ZA243113.

## 1.5 Roles and responsibilities

This policy applies to all staff employed by our Trust, and to external organisations or individuals working on our behalf. Staff who do not comply with this policy may face disciplinary action.

### 1.5.1 Governance

The Trustees and Local Governing Body have overall responsibility for ensuring that our schools comply with all relevant data protection obligations.

### 1.5.2 Data Protection Officer

The external data protection officer (DPO) is responsible for monitoring our compliance with data protection law, and advising the Trust GDPR Manager (TGM) regarding related policies and guidelines where applicable.

They will provide an annual report of their activities directly to the schools governing boards and, where relevant, report to the Trust board their advice and recommendations on school data protection issues.

The DPO provides a reporting and liaison link with the ICO, and support and advice to the TGM and the Data Protection Managers in the individual schools. They are the reporting conduit to the ICO in the event of a breach.

Full details of the DPO's responsibilities are set out in the Satswana Client Agreement Letter and Terms and Conditions document.

Our DPO is:

Satswana Ltd, Suite G12, Ferneberga House, Alexandra House, Farnborough, GU14 6DQ

Email: [info@satswana.com](mailto:info@satswana.com)

Telephone number: 01252 759177

### 1.5.3 Data Protection Managers

Each school must delegate the role of Data Protection Manager (DPM) to an appropriate member of support staff within their structure. All DPMs must attend relevant training and updates on a regular basis, and this should be recorded.

The DPM for each school will be responsible for maintaining a record of processing operations under the school's responsibility and maintaining a record of all categories of processing activities carried out on behalf of a controller.

The DPM will be the first point of contact for individuals whose data the school processes. Advice to support their role is available from the TGM who in turn, will be supported by the external DPO, who will provide a direct interface with data subjects regarding their rights.

The Chief Operating Officer (COO) should be copied into all correspondence with the DPO to facilitate them offering support to the TGM should this be required.

### 1.5.4 Trust GDPR Manager

The TGM acts as the representative of the data controller on a day-to-day basis.

### 1.5.5 All staff

Staff are responsible for:

- Collecting, storing and processing any personal data in accordance with this policy
- Informing the school of any changes to their personal data, such as a change of address
- Contacting the Data Protection Manager in the following circumstances:
  - With any questions about the operation of this policy, data protection law, retaining personal data or keeping personal data secure
  - If they have any concerns that this policy is not being followed
  - If they are unsure whether or not, they have a lawful basis to use personal data in a particular way

- If they need to rely on or capture consent, draft a privacy notice, deal with data protection rights invoked by an individual, or transfer personal data outside the European Economic Area
- If there has been a data breach
- Whenever they are engaging in a new activity that may affect the privacy rights of individuals
- If they need help with any contracts or sharing personal data with third parties

## 2. Personal Data

- 2.1. "Personal Data" is any information (for example, a person's name) or combination of information about a living person (such as name and address and date of birth) which allows that living person to be identified from that information and which relates to them, such as the job application of "Joe Green" with his address and date of birth, or the academic record of "Sam Brown" with similar details. If in doubt, individual details should be treated as Personal Data.
- 2.2. Examples of Personal Data which may be used by the Schools in their day to day business include employee, pupil, parent and customer details, such as names, addresses, telephone numbers and other contact details, such as email addresses and mobile numbers, CVs, performance reviews, photos, payroll and salary information. This could affect job applicants, direct employees, temporary staff, volunteers, parents, pupils, individual consultants or contractors, visitors etc.
- 2.3. Personal Data may also be relevant to unincorporated suppliers or customers or (such as a sole trader business or partnership), or inquirers or complainants, and to individual contacts at third parties, customers and leads, even in respect of work contact details, such as their direct line or mobile number, or information entered about them in any management system.
- 2.4. The definition of Personal Data also includes opinions about a person, and appraisals about or statements of intent regarding them.
- 2.5. The laws governing how the schools can use Personal Data apply whether the Personal Data is stored electronically (for example, in emails, on IT systems, as part of a database or in a word-processed document) or in structured paper records (for example, in paper files, card indexes or filing cabinets).

## 3 Processing of Personal Data & Audits

- 3.1. The Trust and its schools use or process Personal Data (including Sensitive Personal Data, see section 7) on a range of individuals for a multitude of business purposes, including the use of CCTV and Biometric recognition systems. Such individuals may include staff and contractors, pupils and parents, alumni, business contacts, customers and prospects, job applicants and former employees, and the person whose Personal Data is used by the Trust and its schools, is known as "the data subject".
- 3.2. When the Trust and its schools collect, store, use, disclose, update or delete or destroy Personal Data, this is called "processing". All processing is regulated by data protection legislation and must meet certain conditions to be carried out lawfully.

- 3.3. The Trust and its schools maintain a database of personal data held in different School departments, has clear retention schedules and the Data and Assessments Manager conducts regular audits of Personal Data held.
- 3.4. Personal Data and Sensitive Personal Data are held securely by the Trust and its school and staff are regularly briefed by the ICT department and via the ICT policies on appropriate and safe data management.

#### **4. Legislation and Information Commissioner's Office**

- 4.1. Data protection laws are enforced in most countries by the local Data Protection Authority, in the UK being the Information Commissioner's Office ("the "ICO"). The ICO may investigate concerns and complaints, may audit the Trust and its schools' use or processing of Personal Data and may take action against the Trust and its schools (and in some cases individuals) for breach of these laws. Action may include making the Trust/school pay a fine and/or stopping the use by the Trust or school of the Personal Data, which may prevent it from carrying on its business. There is also the risk of negative publicity.
- 4.2. General Data Protection Regulation (GDPR) replaced the EU Directive in May 2018 and is directly applicable in all Member States (and those wishing to engage and trade with those states) without the need for implementing national legislation. This introduces more stringent data protection obligations on Data Controllers.

#### **5. Transparency and Personal Data**

- 5.1. The Trust and its school is entrusted to use the Personal Data of individuals on the basis that the proposed use is transparent, expected and clearly defined. Accordingly, one of the main data protection obligations requires the Trust and its school to process Personal Data fairly.
- 5.2. In addition, use of Personal Data must be lawful. In practice, this means that the Trust and its schools will comply with at least one of the following conditions when processing Personal Data:
  - the individual to whom the Personal Data relates has consented to the processing;
  - the processing is necessary for the performance of a contract between the school and the individual (or to enter into that contract at the individual's request);
  - the processing is necessary to comply with a legal obligation (not a contractual obligation) placed on the Trust and its schools;
  - the processing is necessary to protect a vital interest of the individual (where there is an imminent risk to their life or of serious harm to them otherwise); or
  - the processing is necessary to pursue the legitimate interest of the school (or a proposed recipient of the Personal Data) but where on balance, this would not involve disproportionate harm to the individual.
- 5.3. Use of Personal Data should meet one or more of these conditions. If there are any concerns about this; it is proposed to use Personal Data for additional purposes; or new reasons for using Personal Data are contemplated, reliance on these conditions must be discussed in the first instance with the TGM prior to being relied upon.

- 5.4. All new Personal Data processing activities and projects involving the use of Personal Data must be approved prior to being started as there are complex exemptions and other lawful reasons for processing which may apply. For example, if someone provides their details as a contact, you will not be able to start sending them marketing communications unless that is covered in an appropriate notice and consent from that individual.
- 5.5. In addition, the Trust and its schools ensures its Personal Data is accurate and up to date. The Trust and its schools take care to record and input Personal Data accurately. Some Personal Data may change from time to time (such as addresses and contact details, bank accounts and the place of employment). It is important to keep current records up to date. The Trust and its schools take care to update records promptly and correctly.

## 6. Privacy Notices

- 6.1. When an individual gives the Trust and its schools any Personal Data about him or herself, the Trust and its schools will make sure the individual knows:
- who is responsible for the Processing of their personal data;
  - for what purposes that School will process the Personal Data provided to it;
  - sufficient details about any proposed disclosures/transfers of their Personal Data to Third Parties (including any cross-border transfers);
  - the rights that the individual has in respect of their personal data;
  - any other information that the individual should receive to ensure the processing carried out is within his/her reasonable expectations (retention periods for instance); and f) who to contact to discuss or raise any Personal Data issue.
- 6.2. The Trust and its schools do this by providing this information in the form of a “privacy notice” or fair processing notice. Before collecting Personal Data, staff will give individuals providing those details appropriate Privacy Notices, these may be embedded in contracts, or on websites or form part of application or other forms. The Trust and its schools will inform individuals about the processing of their Personal Data before or at the time the data is collected. The information contained in its Privacy Notices will be concise and easily accessible and written in clear and plain language.
- 6.3. The Trust and its schools will only process Personal Data in a manner and for purposes consistent with the relevant privacy notice(s) already provided to an individual. Personal Data should not be collected for one purpose and then used for a second purpose unless that is also set out in the relevant notice.

## 7. Sensitive Personal Data

- 7.1. “Sensitive Personal Data” is Personal Data about a person’s race or ethnicity, their health, their sexual preference, the medical information, their religious beliefs, their political views, trade union membership or information accusing an individual of any crime, or about any criminal prosecution against them, and the decision of the court and any punishment. The Data Protection Officer can provide further information on what is, and the handling of, Sensitive Personal Data.
- 7.2. Sensitive Personal Data should not be collected or used unless essential. It must be treated as strictly confidential. Extra care must be taken with it and it must be kept more securely. In addition to the normal requirements for lawful use of any Personal Data such details should not be used

without the explicit prior consent of the individual, which has to be clear, unambiguous, and voluntary.

7.3. The Trust and its schools do not seek to obtain Sensitive Personal Data unless:

- the individual concerned agrees in writing that we may do so, on the basis of a full understanding of why the school is collecting the data
- the Trust and its schools need to do so to meet their obligations or exercise their rights under any relevant laws; or
- in exceptional circumstances such as where the processing is necessary to protect the vital interests of the individual concerned

Please note that the “legitimate interest” criteria described above (in section 5.2e) alone is not enough to process Sensitive Personal Data.

7.3. Sensitive Personal Data should not be disclosed unless measures are taken to encrypt or otherwise secure that information due to the potential for harm or distress if the email is received by unintended recipients or otherwise goes astray.

7.4. Sensitive Personal Data should be collected and used as little as possible and be subject to more limited and strictly need to know access and used subject to greater security measures than other Personal Data.

7.5. Other Personal Data where misuse may lead to distress or harm, especially to fraud or identity theft (for example, bank account or credit card details, or official government identification numbers, such as national insurance contribution numbers) must be treated like Sensitive Personal Data.

## 8. Employee Obligations

8.1. All Trust staff should be aware of their obligations and comply at all times with this Policy.

8.2. All staff must ensure that Personal Data collected by them must be appropriate to and sufficient for the relevant purpose(s) for which it is collected but not excessive for that purpose(s). Use of Personal Data should be minimized and not maximized. Collecting unnecessary personal Data adds to the Trust and its schools’ compliance burden. Where staff are dealing with pupil and parent data already collected, the individual/s concerned will have given consent on joining the school for the processing of their personal data for the purposes of running the School.

8.3. All staff involved in the processing of personal information will:

- Read and understand this policy
- Use strong passwords
- Encrypt all portable devices if they contain personal data
- Only keep information as long as necessary
- Staff should not download personal data onto personally owned devices unless absolutely necessary. In such cases, the personal data should be deleted from the personal device as soon as is practicable after use

## 9. Data Retention & School Archives



- 9.1. Personal Data must be stored securely and not be kept for any longer than required. Some records have to be retained for minimum periods by law (such as records on employee payments and their taxation under tax laws).
- 9.2. As a general rule, when Personal Data is no longer needed for the purposes for which it was collected, this Personal Data will be securely and permanently destroyed as soon as practicable.
- 9.3. The Trust and its schools will not delete or destroy or amend records containing Personal Data without explicit consent once they have been informed those records have been requested by the individual whose Personal Data it is, or by a Data Protection Authority. Such a breach may be a criminal offence with personal liability.
- 9.4. The Trust and its schools may maintain a school archive of historical interest. This means that some data that is used for research purposes (and that is compatible with the purposes for which the data was originally collected) may be kept indefinitely if the relevant conditions apply. These are: that the data is not processed to support decisions about individuals, and that substantial damage or substantial distress is not likely to be caused to any data subject. Personal data can be selected for permanent preservation, and stored, if these two conditions apply, on condition that the other data protection principles are complied with.

## **10. The Right to Information, the Right to Erasure and Subject Access Requests (SAR)**

10.1. Individuals have certain rights in relation to their Personal Data:

- the right to obtain information (what Personal Data, from where, used for what purposes and shared with which recipients) about Personal Data held about themselves and to obtain copies of such Personal Data (Subject Access Request);
- the right to prevent processing of Personal Data for direct marketing purposes;
- the right to object to and stop certain processing of Personal Data where it is likely to cause substantial unwarranted harm or distress; d) the right to have Personal Data corrected;
- the right to compensation for any damage/distress suffered from any breach;
- the right to be informed of automated decision making about them.

10.2. If any member of staff receives such a request or demand from an individual, they must promptly inform the DPM.

Individuals are also allowed to withdraw their consent (where this is not required for the Trust and its schools legitimate interests) to use of their Personal Data at any time. If a member of staff receives such a withdrawal of consent, they must promptly inform the school DPM.

10.3. If a Trust member of staff receives a request to stop sending marketing materials, direct marketing communications of that type to that individual must be stopped as soon as is possible.

10.4. Individuals can also ask in writing for copies of their Personal Data which the Trust and its schools holds about them, known as a Subject Access Request, and other details about how the Trust and its schools uses their Personal Data.

### **10.5.1 Subject access requests**

Individuals have a right to make a 'subject access request' to gain access to personal information that the Trust and its schools holds about them. This includes:

- Confirmation that their personal data is being processed
- Access to a copy of the data
- The purposes of the data processing
- The categories of personal data concerned
- Who the data has been, or will be, shared with
- How long the data will be stored for, or if this isn't possible, the criteria used to determine this period
- The source of the data, if not the individual
- Whether any automated decision-making is being applied to their data, and what the significance and consequences of this might be for the individual

Subject access requests should include:

- Name of individual
- Correspondence address
- Contact number and email address
- Details of the information requested

**If staff receive a subject access request they must immediately forward it to the DPM, who will take advice from the TGM/DPO.**

### 10.5.2 Children and subject access requests

Personal data about a child belongs to that child, and not the child's parents or carers. For a parent or carer to make a subject access request with respect to their child, the child must either be unable to understand their rights and the implications of a subject access request or have given their consent.

#### *Primary schools:*

Children below the age of 12 are generally not regarded to be mature enough to understand their rights and the implications of a subject access request. Therefore, most subject access requests from parents or carers of pupils at our school may be granted without the express permission of the pupil. This is not a rule and a pupil's ability to understand their rights will always be judged on a case-by-case basis.

#### *Secondary schools:*

Children aged 12 and above are generally regarded to be mature enough to understand their rights and the implications of a subject access request. Therefore, most subject access requests from parents or carers of pupils at our school may not be granted without the express permission of the pupil. This is not a rule and a pupil's ability to understand their rights will always be judged on a case-by-case basis.

### 10.5.3 Responding to subject access requests

When responding to requests, we:

- May ask the individual to provide 2 forms of identification
- May contact the individual via phone to confirm the request was made
- Will respond without delay and within 1 month of receipt of the request
- Will provide the information free of charge
- May tell the individual we will comply within 3 months of receipt of the request, where a request is complex or numerous. We will inform the individual of this within 1 month, and explain why the extension is necessary

We will not disclose information if it:

- Might cause serious harm to the physical or mental health of the pupil or another individual
- Would reveal that the child is at risk of abuse, where the disclosure of that information would not be in the child's best interests
- Is contained in adoption or parental order records
- Is given to a court in proceedings concerning the child

If the request is unfounded or excessive, we may refuse to act on it, or charge a reasonable fee which takes into account administrative costs. A request will be deemed to be unfounded or excessive if it is repetitive or asks for further copies of the same information. When we refuse a request, we will tell the individual why, and tell them they have the right to complain to the ICO.

#### **10.5.4 Parental requests to see the educational record**

Parents, or those with parental responsibility may request access to their child's educational record. There is no automatic parental right of access to the educational record, however all requests will be considered and responded to within 15 school days of receipt of a written request.

#### **10.6 The right to be forgotten**

There is a right under the DPA known as "the right to be forgotten". This gives an individual the right to have their data erased when there is no compelling reason for continued processing. Under the DPA, the right to erasure is limited to processing that causes unwarranted and substantial damage or distress. Under the GDPR, this test is not present. However, if the processing does cause damage or distress, this is likely to make the case for erasure stronger.

#### **10.7 Freedom of Information (FOI) requests**

Anyone has a right to request information from a public authority. As a Trust we have two separate duties when responding to these requests:

- to tell the applicant whether you hold any information falling within the scope of their request; and
- to provide that information

We will respond to any FOI request in line with the guidance provided by the Information Commissioners Office which you can find here <https://ico.org.uk/for-organisations/guide-to-freedom-of-information/receiving-a-request/>

### **11. Data Security**

- 11.1. The Trust and its schools endeavour to keep all Personal Data secure by protecting data against being accessed by other companies or individuals (for example, via hacking), from being corrupted (data corruption) or being lost or stolen. This applies to Personal Data in IT systems, emails and attachments and paper files.
- 11.2. For example, Trust staff, contractors and volunteers where relevant each have a password and individual controlled access rights to IT systems through their school computer and/or mobile or other electronic device. For further information, please refer to the School's ICT policies.
- 11.3. Trust staff must comply with the Trust security procedures whenever processing Personal Data. The Trust is dependent upon all employees to help keep Personal Data secure. Staff must only access and use Personal Data they are individually authorised to access and use and which is needed for a specific task within their School role.

- 11.4. Staff who work away from the Trust and its schools premises must comply with any additional procedures and guidelines issued by the Trust for home working and/or offsite working. Extra care is needed to secure Personal Data in such cases, particularly Sensitive Personal Data.
- 11.5. The Trust and its schools also recognise that adequate security is important where it arranges for Third Parties to process Personal Data on its behalf, such as when outsourcing services to service providers, who process Personal Data on behalf of the Trust and its schools as a result (“a Data Processor”). The Trust remains liable for those service providers and their treatment of the Personal Data. The Trust will have suitable written contracts in place with such service providers with specific terms included to protect the Personal Data provided to them.

## 12. Disclosing Personal Data to Third Parties and Overseas Transfers

- 12.1. A disclosure of Personal Data is a form of processing. That means that the rules described above for fair and lawful use have to be satisfied. The Trust and its schools will not disclose Personal Data to a Third Party without first checking the disclosure is lawful and proportionate.
- 12.2. There are some exceptions to deal with disclosures, such as those requested lawfully by police where the information is necessary to prevent or detect a crime. Any request for Personal Data about an individual from government, police or other similar bodies or from journalists or other investigators should be passed immediately to the DPM.
- 12.3. From time to time the Trust and its schools may pass pupil personal data (including sensitive personal data where appropriate) to third parties where lawful to do so, including local authorities, other public authorities, health professionals and the professional advisers, who will process the data:
- to enable the relevant authorities to monitor the Trust/School performance;
  - to compile statistical information (normally used on an anonymous basis);
  - to secure funding for the Trust, its schools (and where relevant, on behalf of individual pupils);
  - to safeguard pupils' welfare and provide appropriate pastoral (and where relevant, medical and dental) care for pupils;
  - where specifically requested by pupils and/or their parents or guardians;
  - where necessary in connection with learning and extra-curricular activities undertaken by pupils;
  - to enable pupils to take part in national and other assessments and to monitor pupils' progress and educational needs;
  - to obtain appropriate professional advice and insurance for the Trust and its schools;
  - where a reference or other information about a pupil or ex-pupil is requested by another educational establishment or employer to whom they have applied;
  - otherwise, where reasonably necessary for the operational running of the Trust and its schools.
- 12.4. Unlawful disclosure (however well-meaning and however seemingly authoritative the requestor) risks placing the Trust and its schools in breach of several obligations under data protection legislation. Special care is needed with telephone requests for information, often used by unauthorised parties to ‘blag’ or obtain Personal Data to which they are not entitled. Staff must be

certain of the identity of the person with whom they are dealing, ideally have a written request for information from them and ensure any disclosures are justified and authorised in advance.

- 12.5 There are special rules on whether Personal Data can be transferred to another country. Within the UK, there are restrictions on the transfer of Personal Data outside of United Kingdom (such a transfer can happen, for example, where Personal Data is emailed outside the UK; where the Trust/school IT servers are hosted outside the UK; or where there is remote on-screen access from outside the UK to Personal Data stored in an IT system within the UK). This is to make sure the Personal Data remains safeguarded and that the individuals concerned do not lose the protection and rights they have under local law in respect of their Personal Data when transferred.
- 12.6 Actual or likely transfers of Personal Data to outside the UK, especially of Sensitive Personal Data, should be clearly set out in the privacy notices described in the fair use section of this Policy (section 5) above so that such transfers are expected by the affected individuals.

### 13. Biometric recognition systems

*Note that in the context of the Protection of Freedoms Act 2012, a “child” means a person under the age of 18.*

Where we use pupils’ biometric data as part of an automated biometric recognition system e.g. pupils use finger prints to receive school dinners instead of paying with cash we will comply with the requirements of the [Protection of Freedoms Act 2012](#).

Parents/carers will be notified before any biometric recognition system is put in place or before their child first takes part in it. The schools will get written consent from at least one parent or carer before we take any biometric data from their child and first process it.

Parents/carers and pupils have the right to choose not to use the school’s biometric system(s). We will provide alternative means of accessing the relevant services for those pupils. For example, pupils can pay for school dinners by confirming their name to the catering staff.

Parents/carers and pupils can object to participation in the schools’ biometric recognition system(s), or withdraw consent, at any time, and we will make sure that any relevant data already captured is deleted. As required by law, if a pupil refuses to participate in, or continue to participate in, the processing of their biometric data, we will not process that data irrespective of any consent given by the pupil’s parent(s)/carer(s).

Where staff members or other adults use the schools’ biometric system(s), we will also obtain their consent before they first take part in it and provide alternative means of accessing the relevant service if they object. Staff and other adults can also withdraw consent at any time, and the school will delete any relevant data already captured.

### 14. CCTV

We use CCTV in various locations around the school sites to ensure they remains safe. We will adhere to the ICO’s [code of practice](#) for the use of CCTV.

We do not need to ask individuals' permission to use CCTV, but we make it clear where individuals are being recorded. Security cameras are clearly visible and accompanied by prominent signs explaining that CCTV is in use. Any enquiries about the CCTV system should be directed to the DPM for the individual school.

## 15. Photographs and videos

As part of our school activities, we may take photographs and record images of individuals within our schools.

### *Primary schools:*

We will obtain written consent from parents/carers for photographs and videos to be taken of their child for communication, marketing, and promotional materials. We will clearly explain how the photograph and/or video will be used to both the parent/carer and pupil.

### *Secondary schools:*

We will obtain written consent from parents/carers, or pupils aged 18 and over, for photographs and videos to be taken of pupils for communication, marketing, and promotional materials.

Where we need parental consent, we will clearly explain how the photograph and/or video will be used to both the parent/carer and pupil. Where we don't need parental consent, we will clearly explain to the pupil how the photograph and/or video will be used.

Uses may include:

- Within our schools on notice boards and in school magazines, brochures, newsletters, etc.
- Outside of our schools by external agencies such as the school photographer, newspapers, campaigns
- Online on our Trust and school's website or social media pages

Consent can be refused or withdrawn at any time. If consent is withdrawn, we will delete the photograph or video and not distribute it further.

When using photographs and videos in this way we will not accompany them with any other personal information about the child, to ensure they cannot be identified.

See our child protection and safeguarding policy for more information on our use of photographs and videos.

## 16 Data Protection by Design and Default

We will put measures in place to show that we have integrated data protection into all of our data processing activities, including:

- Appointing a suitably qualified DPO, and ensuring they have the necessary resources to fulfil their duties and maintain their expert knowledge
- Only processing personal data that is necessary for each specific purpose of processing, and always in line with the data protection principles set out in relevant data protection law (see above)
- Completing privacy impact assessments where the school's processing of personal data presents a high risk to rights and freedoms of individuals, and when introducing new technologies (the DPO will advise on this process)
- Integrating data protection into internal documents including this policy, any related policies and privacy notices

- Regularly training members of staff on data protection law, this policy, any related policies and any other data protection matters; we will also keep a record of attendance
- Regularly conducting reviews and audits to test our privacy measures and make sure we are compliant
- Maintaining records of our processing activities, including:
  - For the benefit of data subjects, making available the name and contact details of our school and DPO and all information we are required to share about how we use and process their personal data (via our privacy notices)
  - For all personal data that we hold, maintaining an internal record of the type of data, data subject, how and why we are using the data, any third-party recipients, how and why we are storing the data, retention periods and how we are keeping the data secure

### **17. Monitoring arrangements**

The TGM and Chief Executive Officer are responsible for monitoring and reviewing this policy.

This policy was reviewed and updated when the Data Protection Bill received royal assent and became law (as the Data Protection Act 2018). This policy will be reviewed **every year** by the Trustees and shared with the Schools Local Governing Bodies during the period in which the legislation is being embedded, and every two years in line with the DFEs advice on statutory policies for schools.