Education Learning Trust Multi Academy Trust

Data Protection Policy

2026/2027

Date updated	Autumn 2026
Next review	Autumn 2027

Revision History

Date	Document Version	Document Revision History	Document Author / Reviser	Document Approver
23/04/2018	1.0	Trust policy created for ratification by Trust Board.	J Evans/M Murray	Trust Board
25/09/2019	1.1	Document annual review. Reformatting, no significant changes. Circulated to Academies	J Jones, SBM	Trust Board 25/09/2019
September 2020	1.2	Policy annual review. No significant changes. Circulated to Admin Managers/Headteachers on 11/10/20 to circulate to staff and AGBs.	J Jones, ELT Primary SBM	Trust Board approved on 11/10/20 following Trust Board meeting on 25/09/20
September 2021	1.3	Annual Review Minor amends and addition of biometric and CCVT for high schools (pg 12&13) & amended GDPR to UK GDPR. Circulated to schools 24/09/2021	J Jones, HR and Compliance Manager	Trust Board 22/09/2021
September 2022	1.4	Annual Review. No significant changes	T Payton, Business Associate	Trust Board 03/10/2022
September 2023	1.5	No changes Circulated to schools 18/10/2023	R O'Connell, Director of Finance and Operations	Trust Board 11/10/2023
October 2025	1.6	Changes to ensure compliance with the Data use and Access Act 2025	M Keeffe - DPO	Finance, Audit and Risk and Resources 04/12/2025
September 2026	1.7	Legal review and compliance update following ICO guidance and Data (Use and Access) Act 2025 implementation.	M Keeffe - DPO	Trust Board 22/10/2026

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1 Policy statement

1.1 Everyone has rights with regard to the way in which their personal data is handled. During the course of our activities as the Education Learning Trust we will collect, store and process personal data about our pupils, workforce, parents and others. This makes us a data controller in relation to that personal data.

1.2 We are committed to the protection of all personal data and Special Category personal data for which we are the data controller.

1.3 The law imposes significant fines for failing to lawfully process and safeguard personal data and failure to comply with this policy may result in those fines being applied.

1.4 All members of our workforce must comply with this policy when Processing personal data on our behalf. Any breach of this policy may result in disciplinary or other action.

2 About this policy

2.1 The types of personal data we handle include information about pupils, parents and carers, our workforce, and other individuals we interact with. All personal data we hold is protected by the UK General Data Protection Regulation, the Data Protection Act 2018 and related legislation, including amendments introduced by the Data (Use and Access) Act 2025. Together referred to as "Data Protection Legislation".

2.2 This policy and any other documents referred to in it set out the basis on which we will process any personal data we collect from Data Subjects or that is provided to us by Data Subjects or other sources.

2.3 This policy sets out rules on data protection and the legal conditions that must be satisfied when we process personal data.

3 Definition of Data Protection Terms

3.1 All defined terms in this policy are indicated in bold text, and a list of definitions is included in the Annex to this policy.

4 Roles and Responsibilities

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

4.2 Board of Trustees

- the Board of Trustees has overall responsibility for ensuring that our Trust complies with all relevant data protection obligations

4.3 Data Protection Officer

- the data protection officer (DPO) is responsible for overseeing the implementation of this policy, monitoring our compliance with data protection law, and developing related policies and guidelines where applicable
- they will provide an annual report of their activities directly to the governing board and, where relevant, report to the board their advice and recommendations on school data protection issues
- the DPO is also the first point of contact for individuals whose data the school processes, and for the ICO
- full details of the DPO's responsibilities are set out in their job description
- our DPO is Matthew Keeffe of Keeffe and Associates Ltd and is contactable via email DPO@educationlearningtrust.com

4.4 Headteachers

- the Headteachers ensure local compliance with the Trust Data Protection policies including ensuring staff have adequate and relevant training

4.5 Academy Governing Bodies

- the AGB is responsible for monitoring local risks and compliance with the Trust Data Protection policies and procedures

4.6 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 DPO 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 to or 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

4.7 In addition to the DPO, a team of staff will support the implementation of this policy. A UK **GDPR** lead has been identified in the Trust.

5 Data Protection Principles

5.1 Anyone Processing personal data must comply with the data protection principles. These provide that personal data must be:

- processed fairly and lawfully and transparently in relation to the data subject
- processed for specified, lawful purposes and in a way which is not incompatible with those purposes
- adequate, relevant and not excessive for the purpose
- accurate and up to date
- not kept for any longer than is necessary for the purpose
- processed securely using appropriate technical and organisational measures

5.2 Personal data must also:

- be processed in line with data subjects' rights
- not be transferred to people or organisations situated in other countries without adequate protection

5.3 We will comply with these principles in relation to any processing of personal data by the Education Learning Trust.

6 Fair and Lawful Processing

6.1 Data protection legislation is not intended to prevent the processing of personal data, but to ensure that it is done fairly and without adversely affecting the rights of the data subject.

6.2 For personal data to be processed fairly, data subjects must be made aware:

- that the personal data is being processed
- why the personal data is being processed
- what the lawful basis is for that processing (see below)
- whether the personal data will be shared, and if so with whom
- the period for which the personal data will be held
- the existence of the data subjects' rights in relation to the processing of that personal data
- the right of the data subject to raise a complaint with the Information Commissioner's Office in relation to any processing

6.3 We will only obtain such personal data as is necessary and relevant to the purpose for which it was gathered, and will ensure that we have a lawful basis for any processing.

6.4 For personal data to be processed lawfully, it must be processed on the basis of one of the legal grounds set out in the Data Protection Legislation. We will normally process personal data under the following legal grounds:

- where the processing is necessary for the performance of a contract between us and the data subject such as an employment contract
- where the processing is necessary to comply with a legal obligation that we are subject to, (e.g. the Education Act 2011)
- where the law otherwise allows us to process the personal data or we are carrying out a task in the public interest
- where none of the above apply then we will seek the consent of the data subject to the processing of their personal data
- Where applicable, legitimate interests may be relied upon in accordance with Article 6(1)(f), subject to the restrictions that apply to public authorities. The Trust will not rely upon this basis where another more appropriate lawful basis applies.
- When Special Category personal data is being processed then an additional legal ground must apply to that processing. We will normally only process Special Category personal data under following legal grounds:
- where the processing is necessary for employment law purposes, for example in relation to sickness absence
- where the processing is necessary for reasons of substantial public interest, for example for the purposes of equality of opportunity and treatment
- where the processing is necessary for health or social care purposes, for example in relation to pupils with medical conditions or disabilities
- where none of the above apply then we will seek the consent of the data subject to the processing of their Special Category personal data

6.5 We will inform data subjects of the above matters by way of appropriate privacy notices which shall be provided to them when we collect the data or as soon as possible thereafter, unless we have already provided this information

such as at the time when a pupil joins us. Privacy notices are also published on the Trust website.

6.6 If any data user is in doubt as to whether they can use any personal data for any purpose then they must contact the DPO before doing so.

7 Vital Interests

7.1 There may be circumstances where it is considered necessary to process personal data or Special Category personal data in order to protect the vital interests of a data subject. This might include medical emergencies where the data subject is not in a position to give consent to the processing. We believe that this will only occur in very specific and limited circumstances. In such circumstances, we would usually seek to consult with the DPO in advance, although there may be emergency situations where this does not occur.

8 Consent

8.1 Where none of the other bases for processing set out above apply then the school must seek the consent of the data subject before processing any personal data for any purpose.

8.2 There are strict legal requirements in relation to the form of consent that must be obtained from data subjects

8.3 When pupils and or our workforce join the Education Learning Trust, a consent form will be required to be completed in relation to them. This consent form deals with the taking and use of photographs and videos of them, amongst other things. Where appropriate, third parties may also be required to complete a consent form.

8.4 In relation to all pupils under the age of 13 years old, we will seek consent from an individual with parental responsibility for that pupil.

8.5 We will generally seek consent directly from a pupil who has reached the age of 13, however we recognise that this may not be appropriate in certain circumstances and therefore may be required to seek consent from an individual with parental responsibility.

8.6 If consent is required for any other processing of personal data of any data subject then the form of this consent must:

- inform the data subject of exactly what we intend to do with their personal data
- require them to positively confirm that they consent – we cannot ask them to opt-out rather than opt-in
- inform the data subject of how they can withdraw their consent

8.7 Any consent must be freely given, which means that we cannot make the provision of any goods or services, or other matter, conditional on a data subject giving their consent.

8.8 The DPO must always be consulted in relation to any consent form before consent is obtained.

8.9 A record must always be kept of any consent, including how it was obtained and when.

9 Processing for Limited Purposes

9.1 In the course of our activities as the Education Learning Trust, we may collect and process the personal data set out in our Schedule of Processing Activities. This may include personal data we receive directly from a data subject (for example, by completing forms or by corresponding with us by mail, phone, email or otherwise) and personal data we receive from other sources (including, for example, local authorities, other schools, parents, other pupils or members of our workforce).

9.2 We will only process personal data for the specific purposes set out in our Schedule of Processing Activities or for any other purposes specifically permitted by Data Protection Legislation or for which specific consent has been provided by the data subject.

10 Notifying Data Subjects

10.1 If we collect personal data directly from data subjects we will inform them about:

- our identity and contact details as data controller and those of the DPO
- the purpose or purposes and legal basis for which we intend to process that personal data
- the types of third parties, if any, with which we will share or to which we will disclose that personal data
- whether the personal data will be transferred outside the UK or European Economic Area ('EEA') and if so the safeguards in place, such as international data transfer agreement and a transfer risk assessment
- the period for which their personal data will be stored, by reference to our Records Management Policy
- the existence of any automated decision making in the processing of the personal data, along with the significance and envisaged consequences of the processing and the right to object to such decision making
- the rights of the data subject to object to or limit processing, request information, request deletion of information or lodge a complaint with the ICO

10.2 Unless we have already informed data subjects that we will be obtaining information about them from third parties (for example in our privacy notices), then if we receive personal data about a data subject from other sources, we will provide the data subject with the above information as soon as possible thereafter, informing them of where the personal data was obtained from.

11 Adequate, Relevant and Non-excessive Processing

11.1 We will only collect personal data to the extent that it is required for the specific purpose notified to the data subject unless otherwise permitted by Data Protection Legislation.

12 Accurate Data

12.1 We will ensure that personal data we hold is accurate and kept up to date.

12.2 We will take reasonable steps to destroy or amend inaccurate or out-of-date data.

12.3 Data subjects have a right to have any inaccurate personal data rectified. See further below in relation to the exercise of this right.

13 Timely Processing

13.1 We will not keep personal data longer than is necessary for the purpose or purposes for which they were collected. We will take all reasonable steps to destroy, or erase from our systems, all personal data which is no longer required.

14 Processing in line with Data Subjects' Rights

14.1 We will process all personal data in line with data subjects' rights, in particular their right to:

- request access to any personal data we hold about them
- object to the processing of their personal data, including the right to object to direct marketing
- have inaccurate or incomplete personal data about them rectified
- restrict processing of their personal data
- have personal data we hold about them erased
- have their personal data transferred
- object to the making of decisions about them by automated means

15 The Right of Access to Personal Data

15.1 Data subjects may request access to all personal data we hold about them. Such requests will be considered in line with the Trust's Subject Access Request Procedure. (See procedures for receiving and responding to Subject Access Requests).

16 The Right to Object

16.1 In certain circumstances, data subjects may object to us processing their personal data. This right may be exercised in relation to processing that we

are undertaking on the basis of a legitimate interest or in pursuit of a statutory function or task carried out in the public interest.

16.2 An objection to processing does not have to be complied with where the school can demonstrate compelling legitimate grounds which override the rights of the data subject.

16.3 Such considerations are complex and must always be referred to the DPO upon receipt of the request to exercise this right.

16.4 In respect of direct marketing any objection to processing must be complied with.

16.5 The Education Learning Trust is not, however, obliged to comply with a request where the personal data is required in relation to any claim or legal proceedings.

17 The Right to Rectification

17.1 If a data subject informs the Education Learning Trust that personal data held about them by the Education Learning Trust is inaccurate or incomplete then we will consider that request and provide a response within one month.

17.2 If we consider the issue to be too complex to resolve within that period then we may extend the response period by a further two months. If this is necessary, then we will inform the data subject within one month of their request that this is the case.

17.3 We may determine that any changes proposed by the data subject should not be made. If this is the case then we will explain to the data subject why this is the case. In those circumstances we will inform the data subject of their right to complain to the Information Commissioner's Office at the time that we inform them of our decision in relation to their request.

18 The Right to Restrict Processing

18.1 Data Subjects have a right to "block" or suppress the processing of personal data. This means that the Education Learning Trust can continue to hold the personal data but not do anything else with it.

18.2 The Education Learning Trust must restrict the processing of personal data:

- where it is in the process of considering a request for personal data to be rectified (see above)
- where the Education Learning Trust is in the process of considering an objection to processing by a data subject
- where the processing is unlawful but the data subject has asked the Education Learning Trust not to delete the personal data
- where the Education Learning Trust no longer needs the personal data but the data subject has asked the Education Learning Trust not to

delete the personal data because they need it in relation to a legal claim, including any potential claim against the Education Learning Trust

18.3 If the Education Learning Trust has shared the relevant personal data with any other organisation then we will contact those organisations to inform them of any restriction, unless this proves impossible or involves a disproportionate effort.

18.4 The DPO must be consulted in relation to requests under this right.

19 The Right to be Forgotten

19.1 Data Subjects have a right to have personal data about them held by the Education Learning Trust erased only in the following circumstances:

- where the personal data is no longer necessary for the purpose for which it was originally collected
- when a data subject withdraws consent – which will apply only where the Education Learning Trust is relying on the individuals consent to the processing in the first place
- when a data subject objects to the processing and there is no overriding legitimate interest to continue that processing – see above in relation to the right to object
- where the processing of the personal data is otherwise unlawful
- when it is necessary to erase the personal data to comply with a legal obligation
- the Education Learning Trust is not required to comply with a request by a data subject to erase their personal data if the processing is taking place
- to exercise the right of freedom of expression or information
- to comply with a legal obligation for the performance of a task in the public interest or in accordance with the law
- for public health purposes in the public interest
- for archiving purposes in the public interest, research or statistical purposes
- in relation to a legal claim

19.2 If the Education Learning Trust has shared the relevant personal data with any other organisation then we will contact those organisations to inform them of any erasure, unless this proves impossible or involves a disproportionate effort.

19.3 The DPO must be consulted in relation to requests under this right.

20 Right to Data Portability

20.1 In limited circumstances, a data subject has a right to receive their personal data in a machine-readable format, and to have this transferred to other organisations.

20.2 If such a request is made then the DPO must be consulted.

21 Parental Requests to see the Educational Record

21.1 In addition to the general right of access outlined on page 10, parents or those with parental responsibility have a specific legal entitlement to view their child's educational record. This record includes most information held by the Trusts school about the pupil, such as academic progress, attendance, and teacher reports.

21.2 Requests must be made in writing (email or letter is acceptable).

21.3 The school will provide access free of charge within 15 school days of receiving the request.

21.4 Information will be supplied in a reasonable format (paper or electronic), excluding any confidential third-party data or material that could cause harm if disclosed.

21.5 For academies, this process is managed under the broader Subject Access Request (SAR) framework described earlier, ensuring compliance with UK GDPR, the Data Protection Act 2018, and the Data (Use and Access) Act 2025. If you are unsure whether to request an educational record or a SAR, please contact the Data Protection Officer (DPO) for guidance.

22 Data Security

22.1 We will take appropriate security measures against unlawful or unauthorised processing of personal data, and against the accidental loss of, or damage to, personal data.

22.2 We will put in place procedures and technologies to maintain the security of all personal data from the point of collection to the point of destruction.

22.3 Security procedures include:

- Entry controls. All schools have secure entrance controls. Any stranger seen in entry-controlled areas should be reported to the Headteacher.
- Secure lockable desks and cupboards. All desks and cupboards should be kept locked if they hold confidential information of any kind. (Personal information is always considered confidential).
- Methods of disposal. Paper documents should be shredded or disposed of securely using a confidential waste company. Digital storage devices should be physically destroyed when they are no longer required.
- IT assets must be disposed of in accordance with the Information Commissioner's Office guidance on the disposal of IT assets.

23 Equipment

23.1 Data users must ensure that individual monitors do not show confidential information to passers-by and that they log off or lock their home screen on their PC when it is left unattended.

24 Working Away from the School Premises – Paper Documents

24.1 If staff members attend meetings about a family or child, it is best practice not to take personal notes as minutes will be circulated following the meeting. Any documents shared should be returned to the Chair of the meeting to be securely destroyed. If school staff carry paper copies of pupil information e.g. marking, it is their responsibility to ensure that the information is stored securely during transportation and when at home.

25 Working Away from the School Premises – Electronic Working

25.1 Teachers must not carry pupil data (reports, tracking, group lists etc.) on either laptops or pen drives. When in place, they must access the school network remotely via the method provided by the school's IT support or outsourced IT provider saving only in the school shared area. E-mails containing password protected attachments must not contain the password in the same email. The password should be sent separately or request the receiver phone for the password.

26 Document Printing

26.1 Documents containing personal data must be collected immediately from printers and not left on photocopiers.

26.2 Any member of staff found to be in breach of the above security measures must report this to the appropriate member of staff at their school, or at the Trust.

27 Data Protection Impact Assessments

27.1 The Education Learning Trust takes data protection very seriously, and will consider and comply with the requirements of Data Protection Legislation in relation to all of its activities whenever these involve the use of personal data in accordance with the principles of data protection by design and default.

27.2 In certain circumstances the law requires us to carry out detailed assessments of proposed processing. This includes where we intend to use new technologies which might pose a high risk to the rights of data subjects because of the types of data we will be Processing or the way that we intend to do so.

27.3 The Education Learning Trust will complete an assessment of any such proposed processing and has a template document which ensures that all relevant matters are considered.

27.4 The DPO should always be consulted as to whether a Data Protection Impact Assessment is required, and if so how to undertake that assessment.

28 Disclosure and Sharing of Personal Information

28.1 We may share personal data that we hold about data subjects and without their consent, with other organisations. Such organisations include the Department for Education, Ofsted, health authorities and professionals, the Local Authority, examination bodies, other schools, and other organisations where we have a lawful basis for doing so.

28.2 The Education Learning Trust will inform data subjects of any sharing of their personal data unless we are not legally required to do so, for example where personal data is shared with the police in the investigation of a criminal offence.

28.3 In some circumstances, we will not share safeguarding information.

29 Data Processors

29.1 We contract with various organisations who provide services to the Education Learning Trust including:

- data is shared with processors and these companies provide services to the Education Learning Trust schools. e.g. HR, payroll

29.2 In order that these services can be provided effectively we are required to transfer personal data of data subjects to these data processors.

29.3 Personal data will only be transferred to a data processor if they agree to comply with our procedures and policies in relation to data security, or if they put in place adequate measures themselves to the satisfaction of the Education Learning Trust.

29.4 The Education Learning Trust will always undertake due diligence of any data processor before transferring the personal data of data subjects to them.

29.5 Contracts with Data processors will comply with data protection legislation and contain explicit obligations on the data processor to ensure compliance with the data protection legislation, and compliance with the rights of data subjects.

30 Education Technologies and AI

30.1 The Trust uses education technologies to enhance learning and operations, but we will only implement tools, especially those involving artificial intelligence (AI) or automated decision-making (ADM), after completing a Data Protection Impact Assessment (DPIA) and confirming compliance with UK GDPR, the Data Protection Act 2018, and the Data (Use and Access) Act 2025. We will be transparent with pupils, parents/carers, and staff about how these technologies work, what data they process, and the purpose of their use.

30.2 The Trust will not make significant decisions based solely on automated processing unless permitted by law and subject to all applicable safeguards.

30.3 Where a tool provides recommendations or insights, these will be reviewed and confirmed by a qualified human decision-maker. Individuals will always have the right to challenge or appeal any decision and obtain human intervention.

30.4 Before any pilot or procurement, the DPO must sign off the DPIA and supplier due diligence, including checks on data minimisation, security, retention, fairness, and contractual guarantees that personal data will not be used to train external models unless explicitly assessed and approved. Staff must only use Trust-approved systems and report any concerns or incidents immediately to the DPO.

31 Images and Videos

31.1 Parents and others attending Education Learning Trust events are allowed to take photographs and videos of those events for domestic purposes only. For example, parents can take video recordings of a school performance involving their child. The Education Learning Trust does not prohibit this as a matter of policy.

31.2 The Education Learning Trust does not, however, agree to any such photographs or videos being used for any other purpose, but acknowledges that such matters are, for the most part, outside of the ability of the Education Learning Trust to prevent.

31.3 The Education Learning Trust asks that parents and others do not post any images or videos which include any child other than their own child on any social media or otherwise publish those images or videos.

31.4 At the Education Learning Trust, we want to celebrate the achievements of our pupils and therefore may want to use images and videos of our pupils within promotional materials, or for publication in the media such as local, or even national, newspapers covering school events or achievements. We will seek the consent of pupils, and their parents where appropriate, before allowing the use of images or videos of pupils for such purposes.

31.5 Whenever a pupil begins their attendance at the Education Learning Trust they, or their parent where appropriate, will be asked to complete a consent

form in relation to the use of images and videos of that pupil. We will not use images or videos of pupils for any purpose where we do not have consent.

32 CCTV

32.1 Some Trust schools operates a CCTV system. Please refer to the Trust's CCTV Policy.

33 Biometric Data

33.1 The Trust operates a biometric recognition system for the purposes of:

- payment of dinner monies

33.2 Before we are able to obtain the Biometric Data of pupils or the workforce, we are required to give notification and obtain consent for this Special Category Data due to additional requirements for processing such data under the Protection of Freedoms Act 2012.

33.3 For the workforce, written consent will be obtained at the commencement of their position within the Education Learning Trust and shall continue to be effective unless an objection in writing to the processing of your biometric data is received from the individual.

33.4 For pupils under the age of 18 years, the school will notify each parent of that pupil (that the school has the contact details for and is able to contact) prior to them commencing their education at the school of the use of our Biometric Recognition System. The school will then obtain the written consent of one of the pupil's parents and from the pupil before obtaining any biometric data.

33.5 In the event that written consent cannot be obtained from a parent, or any parent objects in writing or the pupil objects or refuses to participate in the processing of their biometric data, the Trust will not process the pupil's Biometric Data and will provide an alternative means of accessing the above service.

33.6 Further information about this can be found in our privacy notices.

34 Data Protection Complaints

34.1 if an individual has concerns about how their personal data has been handled, they can raise a complaint through the Trust's Data Protection Complaints Route, available via our Trust website or by emailing the Data Protection Officer (DPO).

- we will acknowledge the complaint within 5 working days and aim to provide a full response within 30 days
- if the individual is not satisfied, a Stage 2 review by a senior Trust leader is available

- where concerns remain unresolved, the complainant will be signposted to the Information Commissioner's Office (ICO) for independent advice or escalation

34.2 This procedure ensures transparency and meets the expectations of UK GDPR, the Data Protection Act 2018, and the Data (Use and Access) Act 2025.

34.3 Full details, including the web form and contact information, are published on the Trust website and in our privacy notices.

35 Appendix 1 – Definitions

Term	Definition
Data	is information which is stored electronically, on a computer, or in certain paper-based filing systems
Data subjects	for the purpose of this policy include all living individuals about whom we hold **personal data**. This includes pupils, our **workforce**, staff, and other individuals. A **data subject** need not be a UK national or resident. All **data subjects** have legal rights in relation to their personal information
Personal data	means any information relating to an identified or identifiable natural person (a **data subject**); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person
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 are responsible for establishing practices and policies in line with **Data Protection Legislation**. We are the **data controller** of all **personal data** used in our business for our own commercial purposes
Data users	are those of our **workforce** (including Governors and volunteers) whose work involves **processing personal data**. **Data users** must protect the data they handle in accordance with this Data Protection Policy and any applicable data security procedures at all times
Data processors	include any person or organisation that is not a **data user** that **processes personal data** on our behalf and on our instructions
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 such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction. **Processing** also includes transferring **personal data** to third parties
Special Category Personal data	includes information about a person's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, physical or mental health or condition or sexual life, or genetic or biometric data
Workforce	Includes, any individual employed by Education Learning Trust such as staff and those who volunteer in any capacity including Governors and/or Trustees / Members/ parent helpers