

# Data Protection Policy

<b>Originator</b>	Data Protection Officer
<b>Responsible sub-committee:</b>	Risk and Governance Committee
<b>Linked Policies:</b>	Data Breach Policy, Retention & Destruction Policy, Subject Access Request Policy, Child Protection & Safeguarding Policy, Freedom of Information Policy CCTV policy Online Safety including acceptable use Record of Processing Activity
<b>Review Date:</b>	June 2026
<b>Target audience:</b>	All stakeholders in the Trust
<b>Dissemination via:</b>	Email, SharePoint, Website

## Amendments

Version	Section	Amendments	Date	Author
<b>1.0</b>	<b>n/a</b>	<b>New document -</b>	May 2018	Data Protection Officer
<b>1.1</b>	<b>Throughout</b>	<b>Amendments to DPO details and reference to Record of Processing Activity (Data Mapping)</b>	June 2021	Data Protection Officer
<b>1.2</b>	<b>Throughout</b>	<b>Entire policy review - no significant changes</b>	<b>July 2023</b>	<b>Data Protection Officer</b>

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## 1 Policy statement

- 1.1 This policy applies to all personal data, regardless of whether it is in paper or electronic format. Everyone has rights regarding the way in which their **personal data** is managed. During our activities as a 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.
- 1.5 We aim to ensure that all personal data collected about staff, students, parents (for the purposes of this policy the term 'parents' includes parents, guardians, and carers), governors and others is stored and processed in accordance with legislation.

## 2 About this policy

- 2.1 The types of **personal data** that we may be required to manage include information about pupils, parents, our **workforce**, and others that we deal with. The **personal data** which we hold is subject to certain legal safeguards specified in the United Kingdom General Data Protection Regulation ('UK **GDPR**'), the Data Protection Act 2018, and other regulations (together '**Data Protection Legislation**').
- 2.2 It is based on guidance from the Information Commissioners Office (ICO).
- 2.3 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.
- 2.4 This policy does not form part of any employee's contract of employment and may be amended at any time.
- 2.5 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 Data Protection Officer

- 4.1 As a Trust we are required to appoint a Data Protection Officer ("DPO"). Our DPO can be contacted at: [dataprotectionofficer@inovamat.org](mailto:dataprotectionofficer@inovamat.org)
- 4.2 The DPO is responsible for ensuring compliance with the Data Protection Legislation and with this policy. Any questions about the operation of this policy or any concerns that the policy has not been followed should be referred in the first instance to the DPO.
- 4.3 The DPO is also the central point of contact for all **data subjects** and others in relation to matters of data protection.

## 5 Data Controller

- 5.1 The Trust processes personal data relating to parents, pupils, staff, Trustees, governors, visitors, contractors, and others and therefore is a data controller.
- 5.2 The Trust is registered as a data controller with the ICO. Our registration number is: ZA348223

## 6 Roles and responsibilities

- 6.1 This policy applies to all **workforce** of the Trust, and to external organisations or individuals working on our behalf. Staff who do not comply with this policy may face disciplinary action.

### **Trust Board**

- 6.2 The Trust Board has overall responsibility for ensuring compliance with all relevant data protection obligations.

### **Data Protection Officer**

- 6.3 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.
- 6.4 The DPO is responsible for creating, maintaining, and auditing the Trust's **Record of Processing Activity**
- 6.5 They will provide an annual report of their activities directly to the CEO and the Trust Board and, where relevant, report to the board their advice and recommendations on Trust data protection issues.
- 6.6 The DPO is also the first point of contact for individuals whose data the Trust processes, and for the ICO. Full details of the DPO's responsibilities are set out in their job description.
- 6.7 Our DPO is Bruce & Butler Ltd. They are contactable via [dataprotectionofficer@inovamat.org](mailto:dataprotectionofficer@inovamat.org)

### **School/Office Manager and Headteacher**

- 6.8 The School/Office manager and Headteacher of each school acts as the representative of the data controller on a day-to-day basis.

### **All staff**

- 6.9 Staff are responsible for:
  - Collecting, storing, and processing any personal data in accordance with this policy
  - Informing the Trust 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, 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 – see Data Breach Policy available on [www.inovamat.org](http://www.inovamat.org)
- Whenever they are engaging in a new activity that may affect the privacy rights of individuals
- When entering contracts with or sharing personal data with third parties

## 7 Data protection principles

**7.1** Anyone **processing personal data** must comply with the data protection principles. These provide that **personal data** must be:

7.1.1 **Processed** fairly and lawfully and transparently in relation to the **data subject**;

7.1.2 **Processed** for specified, lawful purposes and in a way which is compatible with those purposes;

7.1.3 Adequate, relevant, and not excessive for the purpose;

7.1.4 Accurate and up to date;

7.1.5 Not kept for any longer than is necessary for the purpose; and

7.1.6 **Processed** securely using appropriate technical and organisational measures.

**7.2 Personal Data** must also:

7.2.1 Be **processed** in line with **data subjects'** rights;

7.2.2 Not be transferred to people or organisations situated in other countries without adequate protection.

**7.3** We will comply with these principles in relation to any **processing** of **personal data** by the Trust.

## 8 Fair and lawful processing

**8.1** 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**.

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

8.2.1 That the **personal data** is being **processed**;

8.2.2 Why the **personal data** is being **processed**;

8.2.3 What the lawful basis is for that **processing** (see below);

8.2.4 Whether the **personal data** will be shared, and if so with whom;

8.2.5 The period for which the **personal data** will be held;

8.2.6 The existence of the **data subject's** rights in relation to the **processing** of that **personal data**; and

8.2.7 The right of the **data subject** to raise a complaint with the Information Commissioner's Office in relation to any **processing**.

**8.3** 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**.

- 8.4 For **personal data** to be **processed** lawfully, it must be **processed** based on one of the legal grounds set out in the Data Protection Legislation. We will normally **process personal data** under the following legal grounds:
- 8.4.1 Where the **processing** is necessary for the performance of a contract between us and the **data subject**, such as an employment contract;
  - 8.4.2 Where the **processing** is necessary to comply with a legal obligation that we are subject to, (e.g., the Education Act 2011);
  - 8.4.3 Where the law otherwise allows us to **process** the **personal data** and we are conducting a task in the public interest;
  - 8.4.4 Where the processing is within our legitimate interests (e.g., CCTV); and
  - 8.4.5 Where none of the above apply then we will seek the consent of the **data subject** to the **processing** of their **personal data**.
- 8.5 When **special category personal data** is being processed then an additional legal ground must apply to that processing.
- 8.5.1 Where the **processing** is necessary for employment law purposes, for example in relation to sickness absence;
  - 8.5.2 Where the **processing** is necessary for reasons of substantial public interest, for example for the purposes of equality of opportunity and treatment;
  - 8.5.3 Where the **processing** is necessary for health or social care purposes, for example in relation to pupils with medical conditions or disabilities; and
  - 8.5.4 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**.
- 8.6 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.
- 8.7 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.

### ***Vital Interests***

- 8.8 There may be circumstances where it is considered necessary to **process personal data** or **special category personal data** to protect the vital interests of a **data subject**. This might include medical emergencies where the **data subject** is not able to give consent to the **processing**. We believe that this will only occur in 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.

### ***Consent***

- 8.9 Where none of the other bases for **processing** set out above apply then the Trust must seek the consent of the **data subject** before **processing** any **personal data** for any purpose.
- 8.10 There are strict legal requirements in relation to the form of consent that must be obtained from **data subjects**.

- 8.11 As part of our Trust activities, we may take photographs and record images of individuals within our Trust. When pupils and or our Workforce join the 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.
- 8.12 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.
- 8.13 We will 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.
- 8.14 In relation to students under the age of 18 we do not require student consent to issue reports and performance information to parents. In addition, information (such as attendance, behaviour, and safeguarding children at risk) does not require student consent for it to be shared with parents/relevant authorities.
- 8.15 If consent is required for any other **processing of personal data** of any **data subject**, then the form of this consent must:
- 8.15.1 Inform the **data subject** of exactly what we intend to do with their **personal data**;
  - 8.15.2 Require them to positively confirm that they consent - we cannot ask them to opt-out rather than opt-in; and
  - 8.15.3 Inform the **data subject** of how they can withdraw their consent.
- 8.16 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.
- 8.17 The DPO must always be consulted in relation to any consent form before consent is obtained.
- 8.18 A record must always be kept of any consent, including how it was obtained and when.

## 9 Processing for limited purposes

- 9.1 During our activities as a Trust, we may collect and **process** the **personal data** set out in our Record 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 Record 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 Record of Processing Activity

- 10.1 We have created a record of all uses of personal data by the Trust in line with our UK GDPR obligation to create and maintain a Record of Processing Activities.
- 10.2 The Data Protection Officer regularly reviews the record against processing activities, policies, and procedures to ensure that it remains accurate and up to date.

## 11 Notifying data subjects

- 11.1 If we collect **personal data** directly from **data subjects**, we will inform them about:
  - 11.1.1 Our identity and contact details as **Data Controller** and those of the DPO;
  - 11.1.2 The purpose or purposes and legal basis for which we intend to **process** that **personal data**;
  - 11.1.3 The types of third parties, if any, with which we will share or to which we will disclose that **personal data**;
  - 11.1.4 Whether the **personal data** will be transferred outside the UK/ European Economic Area ('**EEA**') and if so the safeguards in place;
  - 11.1.5 The period for which their **personal data** will be stored, by reference to our Retention and Destruction Policy;
  - 11.1.6 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; and
  - 11.1.7 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.
- 11.2 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 except for information relating to third parties in the form of emergency contact details. In these cases, parents are required to obtain the consent of any third party whose details they provide to the Trust for these purposes. This is referenced in our consent form.

## 12 Adequate, relevant, and non-excessive processing

- 12.1 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.

## 13 Accurate data

- 13.1 We will ensure that **personal data** we hold is accurate and kept up to date.
- 13.2 We will take reasonable steps to destroy or amend inaccurate or out-of-date data.
- 13.3 **Data subjects** have a right to have any inaccurate **personal data** rectified. See further below in relation to the exercise of this right.

## 14 Biometric recognition systems

- 14.1 Where we use pupils' and adult learners' biometric data as part of an automated biometric recognition system (for example, pupils use fingerprints to receive food in Trust canteens/ food outlets instead of paying with cash) we will comply with the requirements of the [Protection of Freedoms Act 2012](#).
- 14.2 Parents will be notified before any biometric recognition system is put in place or before



their child first takes part in it. The Trust will get written consent from at least one parent or carer before we take any biometric data from their child and first process it.

- 14.3 Parents and pupils have the right to choose not to use the Trust's biometric system(s). We will provide alternative means of accessing the relevant services for those pupils.
- 14.4 Parents and pupils can object to participation in the Trust's biometric recognition system(s), or withdraw consent, at any time, and we will make sure that any relevant data already captured is deleted.
- 14.5 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).
- 14.6 Where staff members or other adults use the Trust's 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 Trust will delete any relevant data already captured.

## 15 Timely processing

- 15.1 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.

## 16 Processing in line with data subject's rights

- 16.1 We will **process** all **personal data** in line with **data subjects'** rights, in particular their right to:
  - 16.1.1 Request access to any **personal data** we hold about them;
  - 16.1.2 Object to the **processing** of their **personal data**, including the right to object to direct marketing;
  - 16.1.3 Have inaccurate or incomplete **personal data** about them rectified;
  - 16.1.4 Restrict **processing** of their **personal data**;
  - 16.1.5 Have **personal data** we hold about them erased
  - 16.1.6 Have their **personal data** transferred; and
  - 16.1.7 Object to the making of decisions about them by automated means.

### ***The Right of Access to Personal Data***

- 17.2 **Data subjects** may request access to all **personal data** we hold about them. Such requests will be considered in line with the schools Subject Access Request Policy available on [www.inovamat.org](http://www.inovamat.org)

### ***The Right to Object***

- 17.3 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 based on a legitimate interest or in pursuit of a statutory function or task conducted in the public interest.

- 17.4 An objection to **processing** does not have to be complied with where the Trust can demonstrate compelling legitimate grounds which override the rights of the **data subject**.
- 17.5 Such considerations are complex and must always be referred to the DPO upon receipt of the request to exercise this right.
- 17.6 In respect of direct marketing any objection to **processing** must be complied with.
- 17.7 The Trust is not however obliged to comply with a request where the **personal data** is required in relation to any claim or legal proceedings.
- 17.8 The requirement to act in accordance with the wishes and feelings of the child will be overridden if they are at risk of significant harm.

### ***The Right to Rectification***

- 17.9 If a **data subject** informs the Trust that **personal data** held about them by the Trust is inaccurate or incomplete, then we will consider that request and provide a response within one month.
- 17.10 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.
- 17.11 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.

### ***The Right to Restrict Processing***

- 17.12 **Data subjects** have a right to "block" or suppress the **processing** of **personal data**. This means that the Trust can continue to hold the **personal data** but not do anything else with it.
- 17.13 The Trust must restrict the **processing** of **personal data**:
- 16.13.1 Where it is in the process of considering a request for **personal data** to be rectified (see above);
  - 16.13.2 Where the Trust is in the process of considering an objection to processing by a **data subject**;
  - 16.13.3 Where the **processing** is unlawful, but the **data subject** has asked the Trust not to delete the **personal data**; and
  - 16.13.4 Where the Trust no longer needs the **personal data**, but the **data subject** has asked the Trust not to delete the **personal data** because they need it in relation to a legal claim, including any potential claim against the Trust.
- 17.14 If the 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.
- 17.15 The DPO must be consulted in relation to requests under this right.

## ***The Right to Be Forgotten***

- 17.16 **Data subjects** have a right to have **personal data** about them held by the Trust erased only in the following circumstances:
- 16.16.1 Where the **personal data** is no longer necessary for the purpose for which it was originally collected;
  - 16.16.2 When a **data subject** withdraws consent – which will apply only where the Trust is relying on the individuals consent to the **processing** in the first place;
  - 16.16.3 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;
  - 16.16.4 Where the **processing** of the **personal data** is otherwise unlawful;
  - 16.16.5 When it is necessary to erase the **personal data** to comply with a legal obligation;
- 17.17 The Trust is not required to comply with a request by a **data subject** to erase their **personal data** if the **processing** is taking place:
- 16.17.1 To exercise the right of freedom of expression or information;
  - 16.17.2 To comply with a legal obligation for the performance of a task in the public interest or in accordance with the law;
  - 16.17.3 For public health purposes in the public interest;
  - 16.17.4 For archiving purposes in the public interest, research, or statistical purposes; or
  - 16.17.5 In relation to a legal claim.
- 17.18 If the 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.
- 17.19 The DPO must be consulted in relation to requests under this right.

## ***Right to Data Portability***

- 17.20 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 another organisation.
- 17.21 If such a request is made, then the DPO must be consulted.

## **17 Data security**

- 17.1 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**.
- 17.2 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.
- 17.3 Security procedures include: -

- 17.3.1 **Entry controls.** Any stranger seen in entry-controlled areas should be reported to the school office manager or Headteacher.
- 17.3.2 **Computer Systems** are designed with adequate security and access levels in place to preserve confidentiality.
- 17.3.3 **Portable devices such as laptops, phones** are kept securely when not in use
- 17.3.4 Encryption software is used to protect all portable devices**
- 17.3.5 Emails including personal data are encrypted**
- 17.3.6 **USB and external memory devices.** The use of personal data on such devices should be limited and avoided where at all possible. If devices are used, they must be always encrypted and kept in a secure location.
- 17.3.7 **Passwords or fingerprint recognition** must be in place on all devices (including personal devices with Trust data). Passwords must be a minimum of 8 characters, including numbers and capital letters. Passwords must never be shared.
- 17.3.8 **Sharing data.** Where we share data with third parties, we ensure it is stored, transferred, and protected as detailed in section 18.3
- 17.3.9 **Personal devices, personal paper files.** Staff, pupils, trustees etc. who store information on personal files or devices must apply the same security procedures
- 17.3.10 **Paper records** will be managed so that access is restricted to those who need to use the information and are stored in secure locations to prevent unauthorised access.
- 17.3.11 **Papers containing personal data** must not be left on desks, tables, notice boards or anywhere that has general access.
- 17.3.12 **Secure lockable desks and cupboards.** Desks and cupboards should be kept locked if they hold confidential information of any kind. (Personal information is always considered confidential.)
- 17.3.13 **Methods of disposal.** Paper documents should be shredded and/or disposed of in confidential waste. 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.
- 17.3.14 **Equipment.** Data users must ensure that individual monitors do not show confidential information to passers-by and that they lock their PC when it is left unattended.
- 17.3.15 **Working away from the school premises - paper documents.** Documents in transit must always be kept with you and not left unattended. At your destination, the information must be kept in a secure location.
- 17.3.16 Working away from the school premises - electronic working.** Working from home must always be on a secure network/Wi-Fi. Computers or laptops must be password protected and be locked when unattended. Downloads containing personal must not be made to personal devices or computers.
- 17.3.17 **Document printing.** Documents containing **personal data** must be collected immediately from printers and not left on photocopiers.

17.3.18 **Training.** All workers will receive Data Protection training.

17.3.19 **Photographs** are kept securely. Any photographs taken on a personal device for the purposes of publicity are deleted immediately once the photograph has been published

17.4 Any member of staff found to be in breach of the above security measures may be subject to disciplinary action.

## 18 Data Protection Impact Assessments

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

18.2 In certain circumstances the law requires us to conduct detailed assessments of proposed **processing**. This includes where we intend to use innovative technologies which might pose a substantial 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.

18.3 The Trust will complete an assessment of any such proposed **processing** and has a template document which ensures that all relevant matters are considered. See Data Protection Impact Assessment.

18.4 The DPO should always be consulted as to whether a data protection impact assessment is required, and if so how to undertake that assessment.

## 19 Disclosure and sharing of personal information

19.1 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, and / or Education and Skills Funding Agency "ESFA," Ofsted, health authorities and professionals, the Local Authority, examination bodies, other schools, and other organisations where we have a lawful basis for doing so.

19.2 The 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.

19.3 In some circumstances we will not share safeguarding information. Please refer to our Child Protection and Safeguarding Policy.

19.4 Further detail is provided in our Record of Processing Activities.

## 20 Data Breach

20.1 The Trust will make all reasonable endeavours to ensure that there are no personal data breaches.

20.2 In the unlikely event of a suspected data breach the Trust will follow the procedure set out in the Breaches Policy

20.3 When appropriate the Trust will report the data breach to the ICO within 72hours. Such breaches in a Trust context may include, but are not limited to:

- A non-anonymised data being published which shows the exam results of pupils eligible

- for the pupil premium
- Safeguarding information being made available to an unauthorised person
- The theft of a Trust laptop containing non-encrypted personal data about pupils

## 21 Data Processors

- 21.1 We contract with various organisations who provide services to the Trust, including payroll providers, HR advice, Auditors, Pension Scheme, Management Information system providers, Accounting and budget providers, school meals and parent payment systems.
- 21.2 In order that these services can be provided effectively we are required to transfer **personal data** of **data subjects** to these **data processors**.
- 21.3 **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 Trust. The Trust will always undertake due diligence of any **data processor** before transferring the **personal data** of **data subjects** to them.
- 21.4 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**.

## 22 Images and Videos

- 22.1 Parents and others attending Trust events are **not** allowed to take photographs and videos of those events for domestic purposes. For example, parents **cannot** take video recordings of a school performance involving their child. The Trust does prohibit this as a matter of policy.
- 22.2 As a 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.
- 22.3 Whenever a pupil begins their attendance at the 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.

## 23 CCTV

- 23.1 The Trust operates a CCTV system in various locations around the Trust to ensure it remains safe.
- 23.2 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.
- 23.3 Please refer to the Trust CCTV Policy.

## 24 Data protection by design and default

- 24.1 We will put measures in place to show that we have integrated data protection into all our

data processing activities, including:

24.1.1 Appointing a suitably competent, trained, and experienced DPO, and ensuring they have the necessary resources to fulfil their duties and maintain their expert knowledge

24.2.2 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

24.3.3 Completing data protection impact assessments where the Trust's processing of personal data presents a substantial risk to rights and freedoms of individuals, and when introducing new technologies

24.4.5 Integrating data protection into internal documents including this policy, any related policies and privacy notices

24.5.6 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

24.5.7 Regularly conducting reviews and audits to evaluate our privacy measures and make sure we are compliant

24.5.8 Maintaining records of our processing activities, including:

- For the benefit of data subjects, making available the name and contact details of our Trust and DPO and all information we are required to share about how we use and process their personal data (via our privacy notices - [www.inovamat.org](http://www.inovamat.org))
- 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.

## 25 Changes to this policy

- 25.1 We may change this policy at any time. Where appropriate, we will notify **data subjects** of those changes.

## ANNEX DEFINITIONS

Term	Definition
Data	is information that 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, 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 way, any personal data is processed. They establish 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 Trustees, Members, Governors, and volunteers) whose work involves processing personal data. Data users must protect the data they manage 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 conducting 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 Trust such as staff and those who volunteer in any capacity including Governors, Trustees, Members, Volunteers, and parent helpers.