Frays Academy Trust
Data Protection Policy

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LDBS Frays Academy Trust is a charitable company limited by guarantee and registered in England and Wales with company number 08335073

Approval

Signed by Chair of Directors	
Date of Approval/Adoption	August 2026
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This policy will be subject to ongoing review and may be amended prior to the scheduled date of the next review in order to reflect changes in legislation, statutory guidance, or best practice (where appropriate).

To enable continuous improvement, all readers are encouraged to notify the author of errors, omissions and any other form of feedback.

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1 Scope

Frays Academy Trust aims to ensure that all personal data collected about staff, pupils, parents, Directors, Governors, visitors and other individuals is collected, stored and processed in accordance with the UK General Data Protection Regulation (UK GDPR) and the provisions of the Data Protection Act 2018 (DPA 2018).

This policy applies to all personal data, regardless of whether it is in paper or electronic format.

Unless otherwise stated, the use of 'Trust' (meaning Frays Academy Trust) throughout this policy is synonymous with 'school' (meaning those individual schools which are part of the Trust). Compliance requirements are considered to apply equally.

2 Legislation and Guidance

This policy meets the requirements of the UK GDPR and the provisions of the DPA 2018. It is based on guidance published by the Information Commissioner's Office (ICO) on the UK GDPR and the ICO's code of practice for subject access requests. It also reflects the ICO's code of practice for the use of surveillance cameras and personal information.

3 Definitions

Term	Definition
Personal data	Any information relating to an identified, or identifiable, individual. This may include the individual's: • Name (including initials) • Identification number • Location data • Online identifier, such as a username It may also include factors specific to the individual's physical, physiological, genetic, mental, economic, cultural or social identity.
Special categories of personal data	Personal data which is more sensitive and so needs more protection, including information about an individual's: • Racial or ethnic origin • Political opinions • Religious or philosophical beliefs • Trade union membership • Genetics • Biometrics (such as fingerprints, retina and iris patterns), where used for identification purposes • Health – physical or mental • Sex life or sexual orientation
Processing	Anything done to personal data, such as collecting, recording, organising, structuring, storing, adapting, altering, retrieving, using, disseminating, erasing or destroying. Processing can be automated or manual.
Data subject	The identified or identifiable individual whose personal data is held or processed.
Data controller	A person or organisation that determines the purposes and the means of processing of personal data.
Data processor	A person or other body, other than an employee of the data controller, who processes personal data on behalf of the data controller.
Personal data breach	A breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data.

4 The Data Controller

The Trust processes personal data relating to parents, pupils, staff, Directors, Governors, visitors and others, and therefore is a data controller. The Trust is joint controller with the schools within the Trust of which Frays Academy Trust acts as multi-academy trust and parent company.

Frays Academy Trust is registered as a data controller with the Information Commissioner's Office (ICO) and will renew this registration annually or as otherwise legally required. Frays Academy Trust schools are registered under the same ICO registration – Registration number ZA481638 – as the Trust and this includes the following schools:

- All Saints Church of England Primary School, Wokingham
- Beechwood Primary School, Wokingham
- Cowley St Laurence CE Primary School, Hillingdon
- Keep Hatch Primary School, Wokingham
- Laurel Lane Primary School, Hillingdon
- St Martin's CE Primary School, Hillingdon
- St Matthew's CE Primary School, Hillingdon

5 Roles and Responsibilities

This policy applies to **all staff** employed by our Trust and schools, and to external organisations or individuals working on our behalf. Staff who do not comply with this policy may face disciplinary action. Directors and Governors may also be in breach of this policy should they fail to comply.

5.1 The Board of Directors

The Board of Directors has overall responsibility for ensuring that the Trust complies with all relevant data protection obligations.

5.2 The 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 Board of Directors 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 Trust and its schools process, and for the ICO.

Frays Academy Trust schools all share the same DPO as joint controllers with the Trust.
Full details of the DPO's responsibilities are set out in the Service Level Agreement (SLA).

Our DPO is SchoolPro TLC Limited and is contactable via DPO@SchoolPro.uk.

5.3 The Headteacher

The Headteacher (or COO for the Frays central team) acts as the representative of the data controller on a day-to-day basis but may delegate this duty to a known and identified individual for the purposes of carrying out actions defined in this policy with the exception of reporting data breaches to the Information Commissioner's Office (ICO).

5.4 All Staff

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 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

6 Data Protection Principles

The UK GDPR is based on data protection principles that our Trust must comply with.

The principles say that personal data must be:

- Processed lawfully, fairly and in a transparent manner
- Collected for specified, explicit and legitimate purposes
- Adequate, relevant and limited to what is necessary to fulfil the purposes for which it is processed
- Accurate and, where necessary, kept up to date
- Kept for no longer than is necessary for the purposes for which it is processed
- Processed in a way that ensures it is appropriately secure

This policy sets out how the Trust aims to comply with these principles.

7 Collecting Personal Data

7.1 Lawfulness, Fairness and Transparency

We will only process personal data where we have one of 7 'lawful bases' (legal reasons) to do so under data protection law:

- The data needs to be processed so that the Trust and its schools can perform a **public task**, and carry out its official functions
- The data needs to be processed so that the Trust and its schools can **fulfil a contract** with the individual, or the individual has asked the school to take specific steps before entering into a contract
- The data needs to be processed so that the Trust and its schools can **comply with a legal obligation**
- The data needs to be processed to ensure the **vital interests** of the individual e.g. to protect someone's life
- The data needs to be processed for the **legitimate interests** of the Trust, its schools, or a third party (provided the individual's rights and freedoms are not overridden)
- Where the above does not apply we shall request clear **consent** from the individual (or their parent/carer when appropriate in the case of a pupil)
- The data needs to be processed for a **recognised legitimate interest** set out in UK data protection law. These are specific, pre-approved purposes where the law has already determined that processing is lawful and proportionate, meaning the school does not need to complete a balancing test.

For further detail of which lawful basis is used for each category of data, see the relevant privacy notice.

For special categories of personal data, we will also meet one of the special category conditions for processing which are set out in the UK GDPR and Data Protection Act 2018. This is laid out in more detail in point 7.3.

If we offer online services to pupils, such as classroom apps, we intend to rely on Public Task as a basis for processing, where this is not appropriate we will get parental consent for processing (except for online counselling and preventive services).

Whenever we first collect personal data directly from individuals, we will provide them with the relevant information required by data protection law.

7.2 Limitation, Minimisation and Accuracy

We will only collect personal data for specified, explicit and legitimate reasons. We will explain these reasons to the individuals when we first collect their data.

If we want to use personal data for reasons other than those given when we first obtained it, we will inform the individuals concerned before we do so, and seek consent where necessary.

Staff must only process personal data where it is necessary in order to do their jobs.

When staff no longer need the personal data they hold, they must ensure it is deleted or anonymised. This will be done in accordance with the Trust's Records Management Policy and the Records Management Schedule.

7.3 Our processing of special categories of personal data and criminal offence data

As part of our statutory functions, we process special category data and criminal offence data in accordance with the requirements of Articles 9 and 10 of the UK General Data Protection Regulation ('UK GDPR') and Schedule 1 of the Data Protection Act 2018 ('DPA 2018').

7.3.1 Special Category Data

Special category data is defined at Article 9 of the UK GDPR as personal data revealing:

- Racial or ethnic origin;
- Political opinions;
- Religious or philosophical beliefs;
- Trade union membership;
- Genetic data;
- Biometric data for the purpose of uniquely identifying a natural person;
- Data concerning health; or
- Data concerning a natural person's sex life or sexual orientation.

7.3.2 Criminal Conviction Data

Article 10 of the UK GDPR covers processing in relation to criminal convictions and offences or related security measures. In addition, section 11(2) of the DPA 2018 specifically confirms that this includes personal data relating to the alleged commission of offences or proceedings for an offence committed or alleged to have been committed, including sentencing. This is collectively referred to as 'criminal offence data'.

7.3.3 Appropriate Policy Document

Some of the Schedule 1 conditions for processing special category and criminal offence data require us to have an Appropriate Policy Document ('APD') in place, setting out and explaining our

procedures for securing compliance with the principles in Article 5 and policies regarding the retention and erasure of such personal data.

This section of our Data Protection Policy document explains our processing and satisfies the requirements of Schedule 1, Part 4 of the DPA 2018.

In addition, it provides some further information about our processing of special category and criminal offence data where a policy document isn't a specific requirement. The information supplements our privacy notices.

7.3.4 Conditions for processing special category and criminal offence data

We process special categories of personal data under the following UK GDPR Articles:

i. Article 9(2)(a) – explicit consent – in circumstances where we seek consent, we make sure that the consent is unambiguous and for one or more specified purposes, is given by an affirmative action and is recorded as the condition for processing. Examples of our processing include staff dietary requirements and health information we receive from our pupils who require a reasonable adjustment to access our services.

ii. Article 9(2)(b) – where processing is necessary for the purposes of performing or exercising obligations or rights which are imposed or conferred by law on the Trust, its schools, or the data subject in connection with employment, social security or social protection. Examples of our processing include staff sickness absences.

iii. Article 9(2)(c) – where processing is necessary to protect the vital interests of the data subject or of another natural person. An example of our processing would be using health information about a pupil or member of staff in a medical emergency.

iv. Article 9(2)(f) – for the establishment, exercise or defence of legal claims. Examples of our processing include processing relating to any employment tribunal or other litigation.

v. Article 9(2)(g) – reasons of substantial public interest. As a Trust, we provide a safeguarding role to young and vulnerable people. Our processing of personal data in this context is for the purposes of substantial public interest and is necessary for the carrying out of our role. Examples of our processing include the information we seek or receive as part of investigating an allegation.

vi. Article 9(2)(j) – for archiving purposes in the public interest. The relevant purpose we rely on is Schedule 1 Part 1 paragraph 4 – archiving. An example of our processing is the transfers we make to the local Archives as set out in our Records Management Policy.

We process criminal offence data under Article 10 of the UK GDPR. Examples of our processing of criminal offence data include pre-employment checks and declarations by an employee in line with contractual obligations.

7.3.5 Processing which requires an Appropriate Policy Document

Almost all of the substantial public interest conditions in Schedule 1 Part 2 of the DPA 2018, plus the condition for processing employment, social security and social protection data, require an APD (see Schedule 1 paragraphs 1 and 5).

This section of the policy is the APD for the Trust. It demonstrates that the processing of special category ('SC') and criminal offence ('CO') data based on these specific Schedule 1 conditions is compliant with the requirements of the UK GDPR Article 5 principles. Our retention with respect to this data is documented in our Records Management Schedule.

7.4 **Description of data processed**

We process the special category data about our employees that is necessary to fulfil our obligations as an employer. This includes information about their health and wellbeing, ethnicity, photographs

and their membership of any union. Further information about this processing can be found in our staff privacy notice.

We process the special category data about the children in our care and other members of our community that is necessary to fulfil our obligations as a Trust, and for safeguarding and care. This includes information about their health and wellbeing, ethnicity, photographs and other categories of data relevant to the provision of care. Further information about this processing can be found in our pupil privacy notice.

We also maintain a record of our processing activities in accordance with Article 30 of the UK GDPR.

Schedule 1 conditions for processing

Special category (SC) data

We process SC data for the following purposes in Part 1 of Schedule 1:

- Paragraph 1(1) employment, social security and social protection.

We process SC data for the following purposes in Part 2 of Schedule 1. All processing is for the first listed purpose and might also be for others dependent on the context:

- Paragraph 6(1) and (2)(a) statutory, etc. purposes
- Paragraph 18(1) – safeguarding of children and of individuals at risk

Criminal offence data

We process criminal offence data for the following purposes in parts 1, 2 and 3 of Schedule 1:

- Paragraph 1 – employment, social security and social protection
- Paragraph 6(2)(a) – statutory, etc. purposes
- Paragraph 12(1) – regulatory requirements relating to unlawful acts and dishonesty etc
- Paragraph 18(1) – safeguarding of children and of individuals at risk
- Paragraph 36 – Extension of conditions in part 2 of this Schedule referring to substantial public interest

8 Sharing Personal Data

We will not normally share personal data with anyone else, but may do so where:

- There is an issue with a pupil or parent/carer that puts the safety of our staff at risk
- We need to liaise with other agencies – we may seek consent if necessary before doing this
- Our suppliers or contractors need data to enable us to provide services to our staff and pupils – for example, IT and communication companies, education support companies, and those that provide tools for learning. When doing this, we will:
    - Only appoint suppliers or contractors which can provide sufficient guarantees that they comply with data protection law
    - Establish a data sharing agreement with the supplier or contractor, either in the contract or as a standalone agreement, to ensure the fair and lawful processing of any personal data we share
    - Only share data that the supplier or contractor needs to carry out their service, and information necessary to keep them safe while working with us

We will also share personal data with law enforcement and government bodies where we are legally required to do so, including for:

- The prevention or detection of crime and/or fraud
- The apprehension or prosecution of offenders
- The assessment or collection of tax owed to HMRC
- In connection with legal proceedings
- Where the disclosure is required to satisfy our safeguarding obligations
- Research and statistical purposes, as long as personal data is sufficiently anonymised, or consent has been provided

We may also share personal data with emergency services and local authorities to help them to respond to an emergency situation that affects any of our pupils or staff.

Where we transfer personal data to a country or territory outside the European Economic Area, we will ensure appropriate safeguards are in place, such as adequacy decisions or Standard Contractual Clauses, in accordance with data protection law.

9 Subject Access Requests and Other Rights of Individuals

9.1 Subject Access Requests

Individuals have a right to make a 'subject access request' to gain access to personal information that the Trust or its schools hold 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 be submitted in writing, either by letter, email or fax to the DPO. They 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 DPO/Headteacher.

9.2 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.

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, some subject access requests from parents or carers of pupils at our schools 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.

9.3 Responding to Subject Access Requests

When responding to requests, we:

- May request identification where necessary and proportionate to the request and only to the extent required to confirm an individual's identity before releasing personal data
- 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,

  - any information we request to confirm the identify of the person the information is about,
  - any information we request to confirm that a third party is authorised to act on behalf of the person, or
  - a fee (in limited, specific circumstances)
- 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
- If the request requires clarification, the time limit pauses on the day we request clarification and resumes the day after we receive it. This is referred to as 'stopping the clock'. We will not request clarification on a blanket basis, but only when reasonably required.

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

When responding to a Subject Access Request, we will carry out reasonable and proportionate searches to locate personal data. This means we will:

- Identify systems and records where relevant personal data is likely to be held.
- Avoid excessive or irrelevant searches that would place an undue burden on the organisation.
- Take into account the nature of the request, the context of the data, and the effort required to retrieve it.

This approach ensures we meet our obligations while balancing practicality and fairness.

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.

Requests will be processed in accordance with the Department for Education guidance Dealing with subject access requests (SARS). This guidance also makes reference to "Dealing with information already held by the requestor":

If a requester already has information previously provided by the school or has access to information, you do not need to resend this in your response. You will still need to explain that you hold that information and explain why you are not releasing it. Data protection in schools - Dealing with subject access requests (SARs) - GOV.UK

The UK GDPR does not prevent a data subject making a subject access request via a third party.

Requests from third parties are dealt with as follows:

- In these cases, we need to be satisfied that the third party making the request is entitled to act on behalf of the data subject.
- It is the third party's responsibility to provide evidence of this entitlement.

- This might be a written authority to make the request, or it might be a more general power of attorney.
- If there is no evidence that the third party is authorised to act on behalf of the data subject, we are not required to respond to the SAR.
- However, if we are able to contact the data subject, we will respond to them directly to confirm whether they wish to make a SAR.

9.4 Other Data Protection Rights of the Individual

In addition to the right to make a subject access request (see above), and to receive information when we are collecting their data about how we use and process it (see section 7), individuals also have the right to:

- Withdraw their consent to processing at any time, where consent is the basis for processing
- Ask us to rectify, erase or restrict processing of their personal data, or object to the processing of it (in certain circumstances)
- Prevent use of their personal data for direct marketing
- Challenge processing which has been justified on the basis of public interest
- Request a copy of agreements under which their personal data is transferred outside of the European Economic Area
- You have the right to receive information about significant decisions made solely through automated means, and to seek human review, make representations and challenge those decision
- Prevent processing that is likely to cause damage or distress
- Be notified of a data breach in certain circumstances
- Make a complaint to the ICO
- Ask for their personal data to be transferred to a third party in a structured, commonly used and machine-readable format (in certain circumstances)

Individuals should submit any request to exercise these rights to the Headteacher or DPO. If staff receive such a request, they must immediately forward it to the DPO or Headteacher.

It is important to note that the Trust and/or its schools could be reported to the Information Commissioner (ICO) for failing to comply with their statutory responsibilities regarding SARs and other data protection rights of the individual, and penalties (including financial) may apply.

9.5 Right to complain

Individuals have a statutory right under Section 164A of the Data Protection Act 2018 to complain where they believe that the Trust has infringed data protection legislation in relation to their personal data. The Trust will facilitate the making of such complaints and will handle them fairly, consistently and without undue delay.

Complaints relating to the processing of personal data may be submitted to the school or Trust by email, letter, telephone or in person. Where a data protection complaint is received by a member of staff, it must be forwarded promptly to the appropriate school or Trust leader responsible for managing the complaint and logged in accordance with local procedures. Complainants should provide as much information as possible about their concern, including any relevant dates, correspondence or documents.

The Trust will acknowledge receipt of a data protection complaint within 30 days of receipt. Where possible, complaints will be acknowledged sooner.

The school or Trust will investigate the complaint and may:

- request further information from the complainant;

- review relevant records, systems and correspondence;
- interview staff or other relevant individuals;
- seek advice from the Trust's Data Protection Officer where appropriate.

The Data Protection Officer may provide advice and guidance during the investigation but will not normally be responsible for carrying out the investigation on behalf of the controller.

The Trust will respond without undue delay and will:

- explain the outcome of its investigation;
- identify any action taken or proposed;
- explain any remedial measures or improvements arising from the complaint where appropriate;
- advise the complainant of their right to raise concerns with the Information Commissioner's Office (ICO). [gov.uk]

The Trust will maintain a record of data protection complaints, investigations and outcomes for monitoring, audit and compliance purposes. Complaint outcomes will be reviewed periodically to identify lessons learned and opportunities to improve data protection practices.

If a complainant remains dissatisfied after receiving the Trust's response, they may complain to the Information Commissioner's Office (ICO): Website: https://ico.org.uk Telephone: 0303 123 1113

10 Parental Requests to see the Educational Record

Parents, or those with parental responsibility, have a legal right to free access to their child's educational records if their child attends a maintained school.

There is no equivalent legal right to access their child's educational record if the child attends an academy or free school in England or an independent school. It will be up to the Trust or school to decide whether to grant such access, and it is likely to depend on the contractual relationship between the parent and the school.

11 Biometric Recognition Systems

The trust does not collect or otherwise process biometric data.

12 CCTV

We use CCTV in various locations across the Trust's schools to ensure they remain safe. We will adhere to the ICO's guidance for the use of surveillance systems including 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 Headteacher.

13 Photographs and Videos

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

We will not seek consent from parents/carers for photographs and videos to be taken of their child for educational purposes for use in the classroom and school displays. We will process these images under the legal basis of Public Task.

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.

Uses may include:

- Within schools on public area notice boards and in school magazines, brochures, newsletters, etc.
- Outside of schools by external agencies such as the school photographer, newspapers, campaigns
- Online on our Trust and school websites 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 usually accompany them with any other personal information about the child, to ensure they cannot be identified.

14 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 section 6)
- Completing data protection impact assessments (DPIAs) where the Trust'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 – see section 14.1)
- 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 Trust and its schools, 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.

14.1 Data Protection Impact Assessments (DPIAs)

A Data Protection Impact Assessment (DPIA) is a process to help us identify and minimise the data protection risks of a project.

We will do a DPIA for processing that is **likely to result in a high risk** to individuals as well as any other major project which requires the processing of personal data.

It is vital that **the DPIA is completed before processing is commenced,** and kept under regular review to ensure that all risks are identified and mitigated as much as possible.

Our DPIA will:

- describe the nature, scope, context, and purposes of the processing;
- assess necessity, proportionality, and compliance measures;

- identify and assess risks to individuals; and
- identify any additional measures to mitigate those risks.

To assess the level of risk, we will consider both the likelihood and the severity of any impact on individuals. High risk could result from either a high probability of some harm, or a lower possibility of serious harm.

We will consult our Data Protection Officer (SchoolPro TLC Ltd) and, where appropriate, individuals and relevant experts. We may also need to consult with relevant processors.

If we identify a high risk that we cannot mitigate, we will consult the ICO before starting the processing.

We will implement the measures we identified from the DPIA, and integrate them into our policies, procedures, and practice.

15 Data Security and Storage of Records

We will protect personal data and keep it safe from unauthorised or unlawful access, alteration, processing or disclosure, and against accidental or unlawful loss, destruction or damage. In particular:

- Paper-based records and portable electronic devices, such as laptops and hard drives that contain personal data are kept under lock and key when not in use
- Papers containing confidential personal data must not be left on office and classroom desks, on staffroom tables, pinned to notice/display boards, or left anywhere else where there is general access
- Where personal information needs to be taken off site, staff must follow the relevant Trust and/or school procedures and ensure all records and copies are returned to the Trust or school. This is set out in the IT Acceptable Use Agreement.
- Encryption software is used to protect all portable devices and removable media, such as laptops and USB devices
- Staff, pupils or Governors/Directors who store personal information on their personal devices are expected to follow the same security procedures as for Trust or school-owned equipment (see our IT Acceptable Use Agreement
- Where we need to share personal data with a third party, we carry out due diligence and take reasonable steps to ensure it is stored securely and adequately protected (see section 8)

15.1 Password procedures

Password procedures should be followed as below:

- Password length and creation
    - Passwords used to access school computers, laptops and other electronic devices should follow the NCSC “three random words” approach. This means creating a password from three unrelated words, resulting in a long, strong and memorable passphrase (typically).
- No mandatory regular password changes
    - Staff and pupils should not be required to change passwords at regular intervals unless there is evidence or suspicion of a security breach. The focus should be on creating a strong, unique password rather than frequent changes.
- Safe password practices
    - Passwords must not be shared with anyone.
    - Avoid using personal information (such as names, dates of birth, or common words).
    - Using a passphrase based on three random words makes passwords easier to remember and harder for attackers to guess.
- Use of password managers

- Staff are encouraged to use a reputable password manager to securely store and manage passwords, allowing unique and strong passwords to be used for each system without the need to memorise them all.

- Additional recommendations
  - Where available, multi-factor authentication (MFA**)** should be enabled to give additional protection against unauthorised access.

16 Disposal of Records

Personal data that is no longer needed will be disposed of securely. Personal data that has become inaccurate or out of date will also be disposed of securely, where we cannot or do not need to rectify or update it.

For example, we will shred or incinerate paper-based records, and overwrite or delete electronic files. We may also use a third party to safely dispose of records on the Trust or school's behalf. If we do so, we will require the third party to provide sufficient guarantees that it complies with data protection law. Further guidance for staff is available in our Records Management Policy.

17 Personal Data Breaches

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

In the unlikely event of a suspected data breach, we will follow the procedure set out in appendix 1.

When appropriate, we will report the data breach to the ICO within 72 hours. Such breaches in the Trust and its schools' context may include, but are not limited to:

- A non-anonymised dataset being published on the Trust or school websites 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 or school laptop containing non-encrypted personal data about pupils

It is important to note that the Trust and its schools could be reported to the Information Commissioner's Office (ICO) for high-risk data breaches and penalties (including financial) may apply.

18 Training

All staff, Directors and Governors are provided with data protection training as part of their induction process.

Data protection will also form part of continuing professional development, where changes to legislation, guidance or the Trust and its schools' processes make it necessary.

19 Monitoring Arrangements

This policy will be reviewed and updated every year and approved by the Board of Directors.

20 Related policies

- Child Protection Policy
- Freedom of Information Policy
- Information Security Policy
- Internet Filtering Policy
- IT Acceptable Use Agreement
- Privacy Notices
- Records Management Policy
- Records Management Schedule

Appendix 1: Personal Data Breach Procedure

Procedures

This procedure is based on guidance on personal data breaches produced by the ICO.

- On finding or causing a breach, or potential breach, the staff member or data processor must immediately notify the Headteacher.
- The Headteacher will investigate the report, and determine whether a breach has occurred. To decide, the Headteacher will consider whether personal data has been accidentally or unlawfully:
    - Lost
    - Stolen
    - Destroyed
    - Altered
    - Disclosed or made available where it should not have been
    - Made available to unauthorised people
- The Headteacher will seek advice from the DPO and alert the Trust COO in the event the breach is considered reportable to the ICO.
- The Headteacher will make all reasonable efforts to contain and minimise the impact of the breach, assisted by the DPO and relevant staff members or data processors where necessary. (Actions relevant to specific data types are set out at the end of this procedure)
- The DPO will assess the potential consequences, based on how serious they are, and how likely they are to happen based on the Headteacher investigation and advise the Headteacher further
- The DPO in conjunction with the Headteacher, will work out whether the breach must be reported to the ICO. This must be judged on a case-by-case basis. To decide, the DPO will consider whether the breach is likely to negatively affect people's rights and freedoms, and cause them any physical, material or non-material damage (e.g. emotional distress), including, but not limited to:
    - Loss of control over their data
    - Discrimination
    - Identify theft or fraud
    - Financial loss
    - Unauthorised reversal of pseudonymisation (for example, key-coding)
    - Damage to reputation
    - Loss of confidentiality
    - Any other significant economic or social disadvantage to the individual(s) concerned

  If it's likely that there will be a risk to people's rights and freedoms, the DPO will notify the ICO.

- The Headteacher will ensure the decision is documented on the Breach log (either way), in case it is challenged at a later date by the ICO or an individual affected by the breach. Documented decisions are stored in the Breach-Log in electronic format.
- Where the ICO must be notified, the DPO or Headteacher will do this via the 'report a breach' page of the ICO website. As required, the report will set out:
    - A description of the nature of the personal data breach including, where possible:
        - The categories and approximate number of individuals concerned
        - The categories and approximate number of personal data records concerned
    - The name and contact details of the DPO
    - A description of the likely consequences of the personal data breach
    - A description of the measures that have been, or will be taken, to deal with the breach and mitigate any possible adverse effects on the individual(s) concerned
- If all the above details are not yet known, the Trust will report as much as they can within 72 hours. The report will explain that there is a delay, the reasons why, and when they expect to have further information. The Headteacher or DPO will submit the remaining information as soon as possible

- The Trust will also assess the risk to individuals, again based on the severity and likelihood of potential or actual impact. If the risk is high, the Trust will promptly inform, in writing, all individuals whose personal data has been breached. This notification will set out:
    - The name and contact details of the DPO
    - A description of the likely consequences of the personal data breach
    - A description of the measures that have been, or will be, taken to deal with the data breach and mitigate any possible adverse effects on the individual(s) concerned
- The Trust will notify any relevant third parties who can help mitigate the loss to individuals – for example, the police, insurers, banks or credit card companies
- The Trust will document each breach, irrespective of whether it is reported to the ICO. For each breach, this record will include the:
    - Facts and cause
    - Effects
    - Action taken to contain it and ensure it does not happen again (such as establishing more robust processes or providing further training for individuals)

  Records of all breaches will be stored are in the Breach-Log document in electronic format.
- The DPO and Headteacher will review what happened and how it can be stopped from happening again. This will happen as soon as reasonably possible

Actions to Minimise the Impact of Data Breaches

An example of the actions we will take to mitigate the impact of a data breach are set out below, focusing especially on a breach involving particularly risky or sensitive information. We will review the effectiveness of these actions and amend them as necessary after any data breach.

Sensitive information being disclosed via email (including safeguarding records)

- If special category data (sensitive information) is accidently made available via email to unauthorised individuals, the sender must attempt to recall the email as soon as they become aware of the error
- Members of staff who receive personal data sent in error must alert the sender and the DPO as soon as they become aware of the error
- If the sender is unavailable or cannot recall the email for any reason, the DPO will ask the ICT department to recall it
- In any cases where the recall is unsuccessful, the DPO will contact the relevant unauthorised individuals who received the email, explain that the information was sent in error, and request that those individuals delete the information and do not share, publish, save or replicate it in any way
- The DPO will ensure we receive a written response from all the individuals who received the data, confirming that they have complied with this request
- The DPO will carry out an internet search to check that the information has not been made public; if it has, we will contact the publisher/website owner or administrator to request that the information is removed from their website and deleted

Other types of breach might include:

- Details of pupil premium children being published on the Trust or school website
- Non-anonymised pupil data or staff pay information being shared with Governors or Directors
- A school laptop containing non-encrypted sensitive personal data being stolen or hacked