

Policy Number

19

**Statutory Data Protection Policy**

**Including Privacy Notice**

Signed: 

Dated: April 16

Review Date: April 18

Review Period: Every 2 years

Ebor Academy Trust Statutory Data Protection Policy

1. **Rationale**

This policy has been developed to protect the data of individuals within the Ebor Academy Trust. The policy refers to the protection of all data held by the Ebor Trust including paper records; data held on computer and associated equipment and where applicable CCTV coverage throughout the academies within the partnership to ensure personal data is treated in a fair and lawful manner in accordance with the Data Protection Act 1998.

The Ebor Academy Trust Directors have overall responsibility for ensuring compliance with the Data Protection Act. The day to day compliance of this policy will be delegated to the Head of School and/or Office Managers at individual schools.

All personnel with access to personal data must comply with the guidance laid out in the Data Protection Act 1998 which is outlined and emphasised within this policy.

1. **Aims**

The Ebor Academy Trust will adhere to the eight enforceable principles of good practice within the Data Protection Act 1998 which state that data should be;

* Fairly & lawfully processed
* Obtained only for one or more specified and lawful purposes
* Adequate, relevant & reasonable for the purpose for which it is processed
* Accurate and kept up to date
* Keep only as long as necessary and reasonable
* Processed in accordance with the data subject’s rights
* Held securely for the protection of individuals
* Not transferred to a country outside the EEC unless that country ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data
1. **Guidance**
	1. **Data Gathering**

The person from whom the data is collected will be informed to the reason for the collection and the intended use including any possible disclosures. Appropriate privacy notices will be distributed to staff and parents/carers in respect of use of personal data.

* 1. **Processing**

All processing of personal data will comply with the Data Protection principles as defined above. Third party processing will be required to comply with the same principles as defined in the Data Protection Act 1998. Data should only be used for the purpose it was collected and any other use should be at the consent of the individual from whom it was collected.

* 1. **Data Storage**

The minimum amount of personal data will be obtained and erased once it is no longer necessary for it to be retained. The data will be stored in a secure and safe manner. Firewalls, password protection and encryption to be used as appropriate.

* 1. **Data Checking**

Periodically reminders will be sent to staff and parents/carers to ensure personal details are up to date.

* 1. **Data Disclosures**
* Personal data will only be disclosed to organisations or individuals with consent unless legally permission is not necessary.
* Consent should be gained prior to use of data in newsletters, websites or other media.

**f. Confidentiality and Security**

Personal data will be treated as confidentiality and treated using the principles of the Protection Act 1998 as detailed above.

**Ebor Academy Trust - PRIVACY NOTICE**

***Pupils in Schools, Alternative Provision and Pupil Referral Units and children in Early Years Settings***

**Privacy Notice - Data Protection Act 1998**

All schools within the Ebor Academy Trust are a data controller for the purposes of the Data Protection Act. We collect information from you and may receive information about you from your previous school and the Learning Records Service. We hold this personal data and use it to:

* Support your teaching and learning
* Monitor and report on your progress
* Provide appropriate pastoral care
* Assess how well your school is doing

This information includes your contact details, national curriculum assessment results, attendance information**[[1]](#footnote-1)** and personal characteristics such as your ethnic group, any special educational needs and relevant medical information. If you are enrolling for post 14 qualifications we will be provided with your unique learner number (ULN) by the Learning Records Service and may also obtain from them details of any learning or qualifications you have undertaken.

**In addition for Secondary and Middle deemed Secondary Schools**

Once you are aged 13 or over, we are required by law to pass on certain information to providers of youth support services in your area. This is the local authority support service for young people aged 13 to 19 in England. We must provide both your and your parent’s/s’ name(s) and address, and any further information relevant to the support services’ role. However, if you are over 16, you (or your parent(s)) can ask that no information beyond names, address and your date of birth be passed to the support service. This right transfers to you on your 16th birthday. Please inform *(Insert name of School Administrator)*if youwish to opt-out of this arrangement. For more information about young peoples’ services, please go to the Directgov Young People page at [*www.direct.gov.uk/en/YoungPeople/index.htm*](http://www.direct.gov.uk/en/YoungPeople/index.htm)*or* the LA website shown above.

***We will not give information about you to anyone outside the school without your consent unless the law and our rules allow us to.***

 Attendance information is not collected as part of the Censuses for the Department for Education for the following pupils / children - those aged under 4 years in Maintained schools and those in Alternative Provision and Early Years Settings. This footnote can be removed where Local Authorities collect such attendance information for their own specific purposes.

We are required by law to pass some information about you to the Local Authority and the Department for Education (DfE) and where appropriate we will send to relevant national health service personnel (e.g. school nurses) information on individual pupils changing school (or address) to ensure continuity of health care.

If you want to see a copy of the information about you that we hold and/or share, please contact the school office.

If you require more information about how the Local Authority (LA) and/or DfE store and use your information, then please go to the following websites:

<http://www.york.gov.uk/info/200600/data_protection/177/data_protection/4> and

<http://www.education.gov.uk/researchandstatistics/datatdatam/b00212337/datause>

If you are unable to access these websites we can send you a copy of this information. Please contact the LA or DfE as follows:

* Information Governance Officer
West Offices,

Station Rise,

York

YO1 6GA

email: data.protection@york.gov.uk Telephone: (01904) 552933

* Public Communications Unit
Department for Education
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT

 Website: [www.education.gov.uk](http://www.education.gov.uk/)

 email: <http://www.education.gov.uk/help/contactus>
Telephone: 0370 000 2288

1. [↑](#footnote-ref-1)