LINCOLN ANGLICAN ACADEMY TRUST
DIOCESE OF LINCOLN

Data Protection and Freedom of Information Policy

Church schools serving their communities through excellence, exploration and encouragement within the love of God.

The diocese of Lincoln is called to faithful worship, confident discipleship and joyful service and our church schools bear witness to our belief that every child is made in the image of God and loved by Him. They were founded for the good of their local communities so that children can be educated through the values and stories of Christianity.

Policy Owner: LAAT CEO
Policy Date: October 2015
Policy Review Date: September 2017

Excellence *Exploration* *Encouragement*

Contents

1. Introduction

1.1 LAAT and the academies within hold information on students and employees, and as such must comply with the requirements of the 1998 Data Protection Act.

1.2 The aim of this policy is to outline LAAT's responsibilities in relation to the Data Protection Act and the Freedom of Information Act and to provide clear guidance for our staff.

1.3 All staff when commencing their induction with the LAAT are requested to sign a form indicating their awareness and compliance with the Data Protection Act. It is our intention that everyone handling personal data must understand and comply with the principles of the Data Protection Act.

2. Definition of Personal Data

2.1 The Data Protection Act 1998 defines personal data which relates to a living individual who can be identified

- From the data
- From the data and other information which is in the possession of, or is likely to come into possession of, the data controller.

2.2 Academies are data controllers under the Act in that they process 'personal data' in which people can be identified individually. When data is obtained from data subjects the data controller must ensure, so far as is practicable, that the data subjects have, or are provided with, or have readily available to them, the following information, referred to as the 'fair processing information':

- Details of the data that they hold on them
- The purposes for which they hold the data
- Any third parties to whom the information may be passed

2.3 This means that the data held about students must only be used for specific purposes that are stated as permissible. The rules regarding personal data also applies to all employees, both teaching and support staff.

2.4 The 8 main protection principles which must be complied with ensure that personal information are : -

- Fairly and lawfully processed and that the processing meets conditions listed in schedules 2 and 3 of the Act
- Processed for limited purposes
- Adequate, relevant and not excessive
- Accurate and up to date
- Not kept longer than is necessary
- Processed in line with individual's rights
- Secure
- Not transferred to countries outside the European Economic Area (EEA) without adequate protection.

3. Information Security

3.1 Effective methods must be put in place by employees across the LAAT to prevent the inappropriate disclosure or loss of personal data

3.2 Paper files must be securely locked away, with designated key holders and electronic systems must be password protected, with only authorised users being given access. Members of the public and other agencies must not be allowed free access to paper records or screens which display confidential data relating to other individuals. Staff working away from the office must ensure records are adequately protected at all times, preventing damage, theft/loss and unauthorised access to personal data.

3.3 Personal data must never be stored on a computer desktop or on an unencrypted mobile device such as a memory stick.

3.4 Desktop computers must be password protected and locked when left unattended. Staff and students must not disclose passwords to colleagues/peers or use other people's login details. The password holder will, in most circumstances, be held liable for any breach of the Act.

4. Secure Transfer of data

4.1 The transfer of data in all formats must be completed in a secure manner. This includes by writing, fax, face to face or by telephone. This will help prevent personal data being misplaced or disclosed in error.

4.2 There are exceptional circumstances in which personal data may be disclosed without obtaining the data subjects consent such as safeguarding and to assist with the prevention and detection of crime. Wherever possible or practical, express informed consent for sharing sensitive personal data will be sought from the data subject, or their parents. Where this is not possible or contrary to the public interest, the LAAT will ensure that the sharing of data meets the relevant condition or exemptions from the non-disclosure provision contained within the Act.

5. Academy website

5.1 We are proud of our academy websites and feel they offer a useful communication tool between ourselves, students, parents and the wider community.

5.2 We have considered the following points in relation to internet safety

- We will take care to protect the identity of students; where a child's image appears, the name will not, and vice versa
- Parental permission should be obtained before using images of students on any of our websites.

6. CCTV

6.1 In order to ensure the protection of students, staff and the school site there may be usage of CCTV cameras around our premises. We have the correct licence for these, and the images captured could be used for a variety of reasons, such as

- To deter crime
- To reduce the fear of damage or crime
- To provide evidence to staff in circumstances where students may have contravened school rules
- To provide evidence to the police in relation to criminal activity

7. Breaches of the Act

7.1 A breach of the Act may arise from a theft, accidental loss, unauthorised use of personal data by an employee or equipment failure.

8. Our Legal Responsibilities

8.1 At the LAAT we are responsible for our own Data Protection. We are committed to ensuring compliance with the Act and will

- Respect the rights of each individual
- Provide training and support to those handling personal data in the course of their duties

8.2 Our academies, like any other data user, must conform to the requirements of the Data Protection Act (1998). We must formally notify the office of the Information Commissioner of;

- The purposes for which the school holds personal data
- What data it holds
- The source of the data
- To whom the data is disclosed
- To which countries the data may be transferred

9. Quick Do's and Don'ts for Staff

9.1 The purposes for which data is used are listed with the Data Protection Registrar. A copy of the academy's registration must be held in the General Office of the individual academy.

9.2 The Deputy CEO has been designated as the member of staff in the LAAT with responsibility for Data Protection related issues. If the Deputy CEO is unavailable please refer the matter to the CEO.

9.3 Do not disclose information to anyone other than those names in our registration document. If a third party requests information we may not be authorised to disclose it. Check first!

DON'T:

- Take data home to work on unless you are authorised to do so
- Leave printouts or information where anyone can see it
- Disclose your username/passwords to anyone
- Leave a computer unattended while you are logged on
- Tell anyone information they are not authorised to know

DO:

- Ensure that you understand the Data Protection Act and your responsibilities relating to it
- Unless the request falls under the realms of Freedom of Information, ensure you know the identity and right of someone requesting information.
- Do not disclose any information to third parties without consulting with the Deputy CEO/CEO first. (This includes reference requests, requests for information from the Police, etc)
- Make a written record of any disclosures and ensure that the Deputy CEO receives a copy.
- Do report any challenges for information or accuracy to the Data Manager in the individual academies as well as the Deputy CEO/CEO.

1. The Freedom of Information Act

1.1 This Act gives a general right of access to all types of 'recorded' information held by the LAAT. Under this Act we have two main responsibilities.

- We have a written guide available which displays the information that we hold
- We will respond to individual requests for information

1.2 The Act states that all requests for information must be made in writing to us. We will accept these in the following forms: -

- Letter
- Email
- Fax

1.3 The following information must be included

- The requestor's full name
- An address for correspondence, (this can be a postal or email address)
- A clear description of the information required.

1.4 We will respond to requests for information within a 20 day period, (during term time). If further clarification is required, our staff will write to the requestor and the request will be temporarily placed on hold until sufficient information is available to begin processing the request

1.5 We will not charge those making a Freedom of Information request. In some circumstances we may be allowed to charge an appropriate fee for complying with some requests for information.

2. Review Process

2.1 Under section 45 of the Act a requestor can ask for a formal review of any refusal notice and/or the administration of their request. The request for a review must be made in writing and received by the Chair to the Directors within 40 working days of the alleged failure to comply with the Act.

2.2 On receipt of a request to review the Chair of Directors and CEO will conduct a full assessment and aim to respond within 20 working days, (during term time).

2.3 If upon following this process the requestor remains dissatisfied they should then contact the Information Commissioner's Office for advice.