

General Data Protection Regulations (GDPR) Policy



*Learning together in a changing
world, creating success for all.*

TRINITY FIELDS SCHOOL and RESOURCE CENTRE

Policy for General Data Protection Regulations (GDPR)

Trinity Fields is a Rights Respecting School, a Healthy School and an Inclusive School.

This policy should be read in conjunction with our pupil friendly and adult version of our “**Shared Values and Aims**”.

Trinity Fields is a Rights Respecting School

Trinity Fields is a Rights Respecting School and we are committed to the principles and values of the United Nations Convention on the Rights of the Child (UNCRC) across all areas of our work.

Trinity Fields is a school where pupils are at the heart of everything we do. As part of our aim to promote a happy and successful school we have successfully been awarded UNICEF’s “**Rights Respecting School Award**” (January 2017).

The ‘Rights Respecting School’ Award (RRSA) helps our pupils become more confident, caring and as independent as possible both in school and within the wider community. By learning about their rights our pupils, your children, also learn about the importance of respecting the rights of others, that is, their responsibilities.

Our pupils are encouraged wherever possible to reflect on how their behaviour and actions affect those around them, which allows us to build and maintain a positive and safe learning environment for all, both in the classroom and around the school site.

Please refer to the pupil friendly “**Pupil Participation**” policy and our whole school “**Pupil Participation**” policy for further details.

Trinity Fields is a Healthy School

We are also a Healthy School and we take responsibility for maintaining and promoting the health and wellbeing of the Trinity Fields team (pupils, parents/carers, staff, governors etc.). This includes teaching pupils about how to lead healthy lives and enabling both pupils and staff to take control over aspects of the school environment which influence their health.

Please refer to the “**Health and Well-being for Pupils**” policy and our whole school “**Health and Wellbeing**” policy for further details.

Trinity Fields is an Inclusive School (IQM Flagship School status)

We have demonstrated through national annual assessment that we have the capacity to play a strong leadership role in developing inclusion best practice across a network of schools; as well as being committed to extending those networks and publish classroom-based research.

Please refer to the “**Inclusion**” policy and to **IQM assessment reports** for further details.

Our work with pupils and their families will be developed building upon Wales’ National Mission. This national mission is ambitious, innovative and confident ensuring that we all take responsibility for all of our pupils to have equal opportunities to reach the highest possible standards.

Trinity Fields will continue to develop as a learning organisation to ensure it has the capacity to adapt to and explore a range of new approaches which results in improved outcomes and well-being for all of our pupils.

In order to realise our shared vision and approaches in delivering Wales’ transformational curriculum that will enable all of the pupils at Trinity Fields to make the progress commensurate with their individual needs we are committed to the 4 key enabling objectives, detailed in “**Education in Wales: Our National Mission (2017)**”. These are:

- Developing a high-quality education profession.
- Inspirational leaders working collaboratively to raise standards.
- Strong and inclusive schools committed to excellence, equity and well-being.
- Robust assessment, evaluation and accountability arrangements supporting a self-improving system.

The core purposes and values that are associated with these prestigious national awards are encapsulated in our vision and aims:

“We believe that everyone at Trinity Fields is entitled to have access to the very best learning opportunities. These will be provided within a safe, caring and stimulating environment that will enable all learners to achieve their full potential through learning opportunities that meet their individual needs”.

This policy is based upon the LA model policy for data protection.

1. Policy objective

- 1.1 The delivery of education and related services requires the school to process personal data. Trinity Fields School & Resource Centre is committed to handling personal data lawfully, fairly, securely and transparently in order to maintain trust and confidence.
- 1.2 This policy sets out the school’s approach to collecting, using, storing, sharing and disposing of personal data.

2. Scope and definitions

- 2.1 This policy sets out the school’s obligations under UK General Data Protection Regulation (UK GDPR), Data Protection Act 2018 and other applicable UK data protection and privacy legislation.
- 2.2 ‘Personal data’ means any information relating to an identified or identifiable natural person who can be identified directly or indirectly from that information. Certain categories of personal data are subject to additional protection. These include:

- Racial or ethnic origin
- Religious or other beliefs of a similar nature
- Political opinion
- Physical or mental health or condition
- Genetic data
- Biometric data (where used for identification purposes)
- Sexual life or orientation
- Trade union membership
- Criminal allegations, proceedings, outcomes and sentences

2.3 'Processing' personal data means carrying out any operation on personal data, whether by automated means or otherwise, including collecting, recording, organising, storing, retrieving, using, sharing, erasing and disposing of it.

2.4 This policy applies to all employees, volunteers, governors, contractors and other individuals or organisations acting on behalf of the school who have access to personal data for which the school is responsible.

2.5 Detailed procedures and guidance support this policy and explain how personal data must be processed lawfully, fairly and transparently in practice.

3 Data protection principles

3.1 The school will process personal data relating to pupils, parents and carers, staff, governors, volunteers, suppliers and others in accordance with data protection law. Personal data must be:

- a) processed lawfully, fairly and in a transparent manner ('lawfulness, fairness and transparency');
- b) collected for specified, explicit and legitimate purposes ('purpose limitation');
- c) adequate, relevant, and limited to what is necessary ('data minimisation');
- d) accurate and, where necessary, kept up to date ('accuracy');
- e) kept in a form which permits identification of data subjects for no longer than necessary ('storage limitation'); and
- f) processed in a manner that ensures appropriate security, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ('integrity and confidentiality').

3.2 The accountability principle requires the school not only to comply with data protection law, but also to be able to demonstrate that compliance.

3.3 The school will demonstrate accountability by respecting the rights of individuals under data protection law, including the right:

- **to be informed** about how their personal data is collected, used, stored, shared and protected.
- **of access (subject access)** to request access to the personal data held about them, subject to any lawful exemptions.
- **to rectification** of inaccurate or incomplete personal data.

- **to erasure** to request deletion of personal data in certain circumstances, except where the school is required by law to retain it.
- **to restriction** to request that the school limits the way personal data is used in certain circumstances.
- **to data portability** in certain circumstances, to receive personal data they have provided in a portable format.
- **to object** to the processing of personal data in certain circumstances.
- **in relation to automated decision-making and profiling** not to be subject to a decision based solely on automated processing where this produces legal or similarly significant effects.

These rights are subject to applicable legal conditions, exemptions and limitations.

- 3.4 Requests relating to personal data rights should be made to the school in the first instance and will be managed in accordance with data protection law and the school's procedures.

4. Accountability and monitoring

- 4.1 The Headteacher has overall operational responsibility for the school's information governance arrangements and is accountable to the Governing Body for ensuring that appropriate systems and controls are in place.
- 4.2 The school has appointed Caerphilly County Borough Council to provide the statutory Data Protection Officer (DPO). The DPO will advise the school on its compliance with data protection law and associated good practice.
- 4.3 Data Protection Impact Assessments (DPIAs) will be carried out where a type of processing is likely to result in a high risk to the rights and freedoms of individuals. In considering whether a DPIA is required, the school will take account of the nature, scope, context and purposes of the processing, together with the likely impact on the personal data involved.

A DPIA is a form of risk assessment that helps the school identify, assess and minimise data protection risks before new or changed processing begins.

- 4.4 The school will maintain an appropriate record of its personal data processing activities (ROPA) and will review its data handling arrangements regularly, including through DPIAs where appropriate.
- 4.5 The school will provide clear and timely privacy information so that individuals understand how their personal data is collected, used, stored, shared and protected.
- 4.6 Personal data will only be shared where there is a clear lawful basis to do so and where appropriate safeguards are in place, including through:
- the Wales Accord on Sharing Personal Information (WASPI) framework for regular or one-way data sharing with partner organisations, such as the NHS, the police or the fire service; and
 - Data Processing Agreements with suppliers that process personal data on the school's behalf, setting out the responsibilities and liabilities of each party.

Trinity Fields School & Resource Centre may also receive ad hoc requests for information from external agencies, such as the police, the Home Office and the Department for Work

and Pensions. Any such request will be considered carefully, and personal data will only be disclosed where the law permits or requires this.

- 4.7 All staff, governors, volunteers, contractors and others handling personal data on behalf of the school are expected to maintain confidentiality and to access personal data only where necessary for a legitimate school purpose.
- 4.8 The school will identify and document an appropriate lawful basis for its processing of personal data and, where required, an additional condition for processing special category or criminal offence data.
- 4.9 Where a third-party processes personal data on behalf of the school, the school will ensure that processing is governed by a written contract or Data Processing Agreement that meets the requirements of data protection law.
- 4.10 Personal data will be retained only for as long as necessary and will be disposed of securely in accordance with the school's Records Retention and Disposal Procedure.
- 4.11 All staff and others who process personal data on behalf of the school will receive appropriate guidance, instruction and training, including regular refresher training where required.

5. Complaints and data security incidents

- 5.1 Failure to comply with data protection law may result in:
 - harm or distress to the individuals concerned, including embarrassment, anxiety or financial loss;
 - damage to the school's reputation and loss of confidence in its ability to manage information properly;
 - compensation claims, financial penalties or other costs;
 - regulatory or enforcement action by the Information Commissioner; and
 - disciplinary, professional or criminal consequences where applicable.
- 5.2 Concerns, complaints or suspected data protection incidents must be reported to Trinity Fields School & Resource Centre without delay and will be handled in accordance with the school's Complaints Policy, data breach procedures and, where relevant, safeguarding procedures. Where required, the school will assess whether a personal data breach must be reported to the Information Commissioner's Office within the applicable statutory timescale.
- 5.3 Any actual or suspected personal data breach must be reported without delay in accordance with the school's data breach procedures so that appropriate containment, risk assessment and notification steps can be taken.

6. Related policies and procedures

- 6.1 This policy should be read alongside the school's related policies and procedures, including:
 - Records Management Policy
 - Access to Unpublished Information Policy
 - IT Security Policy

7. Further information

- 7.1 Trinity Fields School & Resource Centre maintains a school archive to preserve records of historical significance to the school and local community. Personal data held within the archive will be managed in accordance with data protection law, retention requirements and appropriate access controls.
- 7.2 Further information about this policy is available from the school office, the Headteacher or the school's Data Protection Officer. Contact details are available on the school website.

1. Policy objective

- 1.1 Administration and delivery of quality services involves processing personal information about people. The school is committed to managing personal information effectively and legally to maintain confidence between those with whom we deal and the school.
- 1.2 This policy describes the school's approach to personal information.

2. Scope and definitions

- 2.1 This policy covers the school's obligations under all legislation applicable in the UK covering data protection and privacy and references the definitions in the General Data Protection Regulation 2016 (GDPR).
- 2.2 'Personal Information' is defined as any information relating to an identifiable person who can be directly or indirectly identified. Certain categories of data are subject to additional protections; these include:
- Criminal allegations, proceedings, outcomes and sentences
 - Physical or mental health condition
 - Politics
 - Racial or ethnic origin
 - Religion or other beliefs of a similar nature
 - Sex life
 - Sexual orientation
 - Trade union membership
 - Genetics
 - Biometrics (where used for identification purposes)
- 2.3 'Processing' personal information means any activity involving personal information throughout the information lifecycle, from collecting and creating the personal information, to using it, making it available to others when necessary, storing it, and disposing of it when no longer required.
- 2.4 The policy applies to all employees, the governing body and other individuals/organisations acting on behalf of the school who have access to personal information that the school is responsible for. Detailed procedures accompany this policy to direct the processing of personal information in a fair, lawful and transparent manner.

3. Data protection principles

- 3.1 Personal information of all stakeholders – current, former and prospective pupils and their families, employees/volunteers, suppliers and others - will only be processed in compliance with laws on privacy and data protection, specifically adhering to the GDPR principles that personal information must be:
1. processed lawfully, fairly and in a transparent manner.
 2. collected for specified, explicit and legitimate purposes.
 3. adequate, relevant and limited to what is necessary.
 4. accurate and, where necessary, kept up to date.
 5. kept in a form which permits identification of data subjects for no longer than necessary, and
 6. processed in a manner that ensures appropriate security, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.
- 3.2 The school will demonstrate accountability in adhering to the rights of individuals set out in data protection law, including their right:
- to be informed
 - of access
 - to rectification
 - to erasure
 - to restrict processing
 - to data portability
 - to object, and
 - in relation to automated decision making and profiling.

4. Accountability and monitoring

- 4.1 The Headteacher is the Information Asset Owner for the School, reporting to the Governing Body.
- 4.2 The school has contracted with Caerphilly County Borough Council to provide a Statutory Data Protection Officer (DPO) to advise on management of personal information.
- 4.3 Data Protection/Privacy Impact Assessments will be undertaken at an early stage whenever use of personal information is proposed and particularly during new collaborations.
- 4.4 A record of personal information processing activities is maintained and the way that the information is managed is regularly evaluated using Data Protection Impact Assessments where appropriate.
- 4.5 Clear and timely privacy notices are communicated that enable the subject of the data to understand how their personal information is being used.
- 4.6 Sharing of personal information is carried out in compliance with approved protocols, including the Wales Accord on Sharing Personal Information and data processor agreements.
- 4.7 Disposal of personal information will be strictly in line with the School's Records Retention and Disposal Procedure.
- 4.8 Everyone processing personal information understands their responsibilities and receives appropriate information to support them, including annual training.

5. Complaints and data security incidents

5.1 Failure to comply with the law on data protection may result in:

- Serious consequences for individuals that the data relates to, including embarrassment, distress, financial loss.
- Irreparable damage to the school's reputation and loss of confidence in the school's ability to manage information properly.
- Monetary penalties and compensation claims.
- Enforcement action from the Information Commissioner.
- Personal accountability for certain criminal offences and for breaching professional codes of conduct.

5.2 Complaints or concerns can be made to the school's Data Protection Officer.

6. Further Information

6.1 Further Information is available on the school website or from the Headteacher.

Policy review

This policy will be reviewed as detailed in the school's policy review cycle. It may also be necessary to review and amend it sooner to reflect both local and national changes.

Signed		Headteacher
Signed		Chair of Governors
This policy will be reviewed in line with the school's policy review cycle.		

As a Rights Respecting School, we are committed to embedding the principles and values of the United Nation Conventions for the Rights of the Child (UNCRC). This policy enables our pupils to access and enjoy the following articles of the convention.

Article 12: Every child has the right to be heard.

Article 28: Every child has the right to an education.

Article 29: Education must develop every child's personality, talents and abilities to the full.

Article 42: Every child has the right to know their rights.

