

# Trinity Christian School Nursery, Primary & Secondary



TRINITY  
CHRISTIAN SCHOOL

## DATA PROTECTION (GDPR) POLICY

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Reviewed by SLT & Governors:	Summer 2024
Next Review due:	Summer 2026

# DATA PROTECTION (GDPR) POLICY

## Incorporating the School Data Breach Procedure

### Purpose

This policy is intended to ensure that personal information is dealt with correctly and securely and in accordance with the Data Protection Act 1998, and other related legislation. It will apply to information regardless of the way it is collected, used, recorded, stored and destroyed, and irrespective of whether it is held in paper files or electronically. It also considers the provisions of the General Data Protection Regulation (GDPR 2018).

Trinity Christian School collects and uses personal information about staff, pupils, parents and other individuals who come into contact with the school. This information is gathered to safeguard, enable it to provide education and other associated functions. There may be a legal requirement to collect and use information to ensure that the school complies with its statutory obligations.

This policy statement applies to all School Governors/Trustees, employees, other staff, and individuals about whom the School processes personal information, as well as other partners and companies with which the School undertakes its business. All staff involved with the collection, processing and disclosure of personal data will be aware of their duties and responsibilities by adhering to these guidelines.

### Data Controllers

Schools are 'Data Controllers' under the Data Protection Act 1998 and must 'Notify' (register with), the Information Commissioner's Office.

Mrs J Kneen is the person who is responsible for ensuring that the ICO Registration Fee is paid annually and for maintaining effective records and receipts of this payment.

Trinity Christian School first registered with the ICO in Dec 2003 and the Certificate of Registration (Z8298185) is displayed in the Office.

Registration with the ICO can be completed via:

<https://ico.org.uk/for-organisations/register/>

Review frequency: At least every two years (Registration is annual):

<https://ico.org.uk>

Legislation: The Data Protection Act 1998 (with consideration to the eight data protection principles appearing in Schedule 1):

<http://www.legislation.gov.uk/ukpga/1998/29/contents>

We at Trinity Christian School are the Data Controller for the purposes of the Data Protection Act.

Trinity Christian School is required under Data Protection legislation to comply with essential good practice in respect of the information collected here and to manage it securely. All records/information will be kept confidential. We will not pass on information to any third parties unless we have received permission to do so or if there is a legitimate basis to do so. The individuals who are the subject of the information or who have parental/guardian responsibility

are generally entitled to see the information and are encouraged to help keep the information up to date. This information will be used for educational, planning or managerial purposes and to keep parents and staff informed of school events and dates.

Schools also have a duty to issue a **Fair Processing Notice** to all pupils/parents; this summarises the information held on pupils, why it is held and the other parties to whom it may be passed on. See Appendix 1

### **Data Protection Officer / Lead**

The Data Protection Officer / Lead in **Trinity Christian School** is **Christopher O’Gorman**. His role is to oversee and monitor the school’s data protection procedures, and to ensure they are compliant with the GDPR.

### **Personal Information**

Personal information or data is defined as data which relates to a living individual who can be identified from that data, or other information held. The GDPR applies to both automated personal data and to manual filing systems where personal data is accessible according to specific criteria.

As a school we need to collect and use certain types of personal information about people with whom we deal in order to operate. These include current, past and prospective employees, pupils, suppliers, clients, and others with whom we communicate. In addition, it may be required by law to collect and use certain types of information to comply with the requirements of government departments.

This personal information must be dealt with properly however it is collected, recorded and used - whether on paper, in a computer, or recorded on other material - and there are safeguards to ensure this in the Data Protection Act 1998. We regard the lawful and correct treatment of personal information by the School as very important in order to secure the successful carrying out of operations and the delivery of our services, and maintaining confidence with those whom we deal. The School wishes to ensure that it treats personal information lawfully, correctly and in compliance with the 1998 Act.

To this end we fully endorse the obligations of the Act and adhere to the Principles of Data Protection, as enumerated in the 1998 Act.

We collect information from parents/carers and may receive information about students from their previous school.

We hold this personal data and use it to:

- Support teaching and learning;
- Monitor and report on progress;
- Provide appropriate pastoral care,
- Assess how well the school is doing.
- Complete other records e.g - IEP Reviews, Safeguarding Meetings, Parental

### Concern/Complaints Meetings etc

This information includes contact details, attendance information, special educational needs and any relevant medical information.

We will not give information to anyone outside the school without consent unless there is a legal or legitimate basis to do so.

We are required by law to pass some information to the Local Authority (LA), and the Department for Education (DfE) and other third party agencies.

If anyone would like to see a copy of the information we hold and share about them personally, then please contact the Office by emailing [office@trinityschool.org.uk](mailto:office@trinityschool.org.uk)

### **Data Protection Principles**

Specifically, the principles require that personal information:

- shall be processed fairly and lawfully and, in particular, shall not be processed unless specific conditions as set out in the 1998 Act are met;
- shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes;
- shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed;
- shall be accurate and, where necessary, kept up to date;
- shall not be kept for longer than is necessary for that purpose or those purposes;
- shall be processed in accordance with the rights of the data subject under the 1998 Act;
- shall be kept secure i.e. protected by an appropriate degree of security;

and that:

- appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data;
- information shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

### **Our Commitment**

Trinity Christian School will, through appropriate management and application of criteria and controls:

- observe fully conditions regarding the fair collection and use of information;
- meet its legal obligations to specify the purposes for which information is used;
- collect and process appropriate information, and only to the extent that it is needed to fulfil operational needs or to comply with any legal requirements;

- ensure the quality of information used, including its accuracy and relevancy for the purpose(s) specified;
- apply strict checks to determine the length of time information is held - see Records Management of Data Policy;
- ensure that the rights of people about whom information is held can be fully exercised under the 1998 Act.

These include:

- the right to be informed that processing is being undertaken;
- the right of access to one's personal information;
- the right to prevent processing in certain circumstances;
- the right to correct, block or erase information which is regarded as erroneous;
- taking appropriate technical and organisational security measures to safeguard personal information;
- ensuring that personal information is not transferred abroad without suitable safeguards.

### **Compliance**

In addition, the Trinity Christian School will take steps to ensure that:

- there is an understanding that everyone is personally responsible for Data Protection within the school;
- everyone managing and handling personal information understands that they are responsible for following good data protection practice;
- everyone managing and handling personal information is appropriately supervised;
- anybody wanting to make enquiries about handling personal information knows what to do;
- queries about handling personal information are promptly and courteously dealt with;
- methods of handling personal information are clearly described;
- methods of handling personal information are regularly assessed and evaluated;
- it disseminates to employees, information on good practice in respect of handling, using, and storing personal information.

### **Procedures/Methods**

- All staff (employed and voluntary) must take appropriate technical and organisational security measures to safeguard personal information.
- Personal information must be protected from unauthorised or accidental disclosure.
- Staff are responsible for ensuring that the personal information which they use during their role is appropriately secured and any concerns regarding its security are brought to the attention of The Data Protection Officer / Lead. This includes ensuring that personal

information is removed from desks out of hours and sensitive personal information is locked in filing cabinets or desks when not in use.

- The Data Protection Officer / Lead is responsible for ensuring that personal information when in use is only accessible by those with a need and right to access it to perform their function or role.
- Staff must respect the privacy of the subject of the personal information they are handling by treating personal information about others as we would expect information about ourselves to be treated.
- Careful consideration must be given to the transmitting of Personal Data. Personal data must not normally be transmitted **externally** via email. **Although it is acceptable to transmit personal data internally, you should consider choosing another method if possible.**
- Personal information must be disposed of safely and securely.
- Documents and any storage media containing input to and output from systems (paper or electronic) detailing personal information must be held, transported and disposed of with due regard to its sensitivity.
- Where information is particularly sensitive it may be appropriate to ensure that the information is shredded on site.
- Publishing personal information on the Internet would make it available internationally therefore personal information must not be published on the internet, other than the names and work contact details of some employees and members if appropriate to their role.

### Use of Images

An 'image' is personal data if the subject can be identified and therefore the Data Protection Act 1998 principles apply. Photographs, videos and webcams of *clearly identifiable people* must not be processed for any other purpose other than that it was originally collected for.

The school will get the permission for all use of photographic images and video footage by ensuring parents sign a consent form when a child is admitted to the school.

Images taken (including video) at an event attended by others, such as a sports event or assemblies are only to be used for personal viewing (or if taken by the school the purpose for which it is being collected) and the person in charge should address everyone to alert them to this and give them the opportunity to move away.

In the case of children, the purpose for which the images are to be used should be covered by a school consent form, but if not, a separate, signed parental consent form for each child will be obtained for that specific project.

Photographic/Video images used on a website will not include the child's first name in the accompanying text or photo caption. If a child is named in the text, a photograph will not be included unless specific parental consent has been given.

Photographs may be taken for security reasons to enable access to buildings for example and this is a legitimate business purpose for processing personal data.

### **Inappropriate and Unacceptable Use**

Unacceptable use includes:

- unauthorised access of personal information
- unauthorised disclosure of personal information
- unauthorised use of personal information (e.g. not for reason given to access personal information)
- non adherence to the school's information-sharing protocol
- unauthorised deletion
- employee or customer personal information must not be used for:
  - any illegal purpose;
  - any purpose which is inappropriate in the workplace by virtue of the fact that it may cause embarrassment or distress to another person or may bring the school into disrepute;
  - any purpose which is not in accordance with the staff member's role or job description.

This is not an exhaustive list. Cases where staff do not comply with this Policy or legislation will be dealt with under the Disciplinary Procedure and, depending on the circumstances; non-compliance may be deemed an act of gross misconduct.

Staff are required to notify an appropriate person, if they become aware, or suspect that personal information is being misused or handled inappropriately.

### **Subject Access**

Staff have a right to access their own personal information. Requests by individuals for copies of their own information must be made in writing and supported by original proof of identity - copies are not acceptable (Passport, Driving Licence, Birth or Marriage certificate). Parents may request their child's information by giving proof of their own identity, and proof of parental responsibility e.g. birth certificate naming them as the parent. The decision on whether to release information in the event of a request will be that of The Data Protection Officer (Christopher O'Gorman) Subject Access requests will be supplied within 30 school days for pupils and 30 days for staff. Where an investigation of a member of staff has commenced and Subject Access has been requested by them, the processing should be done as quickly as possible.

### **Complaints**

In the event that a complaint is received regarding Subject Access complaints will be dealt with in accordance with the school's complaints policy. Complaints relating to information handling may be referred to the Information Commissioner (the statutory regulator).

### **Training**

All staff will be trained on Data Protection on induction to the school by using this policy or by online training, and the Data Protection Officer will ensure staff are kept up to date with any changes in legislation.

## **General Statement**

The school is committed to maintaining the above principles always. Therefore, the school will:

- inform individuals why the information is being collected when it is collected
- inform individuals when their information is shared, and why and with whom it was shared
- check the quality and the accuracy of the information it holds
- ensure that information is not retained for longer than is necessary
- ensure that when obsolete information is destroyed that it is done so appropriately and securely
- ensure that clear and robust safeguards are in place to protect personal information from loss, theft and unauthorised disclosure, irrespective of the format in which it is recorded
- share information with others only when it is legally appropriate to do so
- set out procedures to ensure compliance with the duty to respond to requests for access to personal information, known as Subject Access Requests
- ensure our staff are aware of and understand our policies and procedures

## **School Data Breach Procedure**

### **Important Note:**

**This procedure has been produced based on current General Data Protection Regulations (GDPR) information. As further updates are released this procedure may be updated to reflect the changes.**

### **Policy Statement**

Trinity Christian School holds large amounts of personal and sensitive data. Every care is taken to protect personal data and to avoid a data protection breach. In the event of data being lost or shared inappropriately, it is vital that appropriate action is taken to minimise any associated risk as soon as possible. This procedure applies to all personal and sensitive data held by Trinity Christian School and all school staff, Governors/Trustees, volunteers and contractors, referred to herein after as 'staff'.

### **Purpose**

This breach procedure sets out the course of action to be followed by all staff at Trinity Christian School if a data protection breach takes place.

### **Legal Context**

Article 33 of the General Data Protection Regulations.

Notification of a personal data breach to the supervisory authority.

1. In the case of a personal data breach, the Data Controller shall without undue delay and, where feasible, not later than 72 hours after having become aware of it, notify the personal data breach to the supervisory authority competent in accordance with Article 55, unless the personal data breach is unlikely to result in a risk to the rights and freedoms of natural persons. Where the notification to the supervisory authority is not made within 72 hours, it shall be accompanied by reasons for the delay.



2. The processor shall notify the Data Controller without undue delay after becoming aware of a personal data breach.
3. The notification referred to in paragraph 1 shall at least:
  - (a) describe the nature of the personal data breach including where possible, the categories and approximate number of data subjects concerned, and the categories and approximate number of personal data records concerned;
  - (b) communicate the name and contact details of the data protection officer or other contact point where more information can be obtained;
  - (c) describe the likely consequences of the personal data breach;
  - (d) describe the measures taken or proposed to be taken by the Data Controller to address the personal data breach, including, where appropriate, measures to mitigate its possible adverse effects.
4. Where, and in so far as, it is not possible to provide the information at the same time, the information may be provided in phases without undue further delay.
5. The Data Controller shall document any personal data breaches, comprising the facts relating to the personal data breach, its effects and the remedial action taken. That documentation shall enable the supervisory authority to verify compliance with this Article.

### **Types of Breach**

Data protection breaches could be caused by several factors. Several examples are shown below:

- loss or theft of pupil, staff or governing body data and/ or equipment on which data is stored;
- inappropriate access controls allowing unauthorised use;
- equipment failure;
- poor data destruction procedures;
- human error;
- cyber-attack;
- hacking.

### **Managing a Data Breach**

In the event that the School identifies or is notified of a personal data breach, the following steps should be followed:

1. The person who discovers/receives a report of a breach must IMMEDIATELY inform the Data Protection Officer and the Chair Governor. If the breach occurs or is discovered outside normal working hours, this should begin as soon as is practicable.

2. The Data Protection Officer must ascertain whether the breach is still occurring. If so, steps must be taken immediately to minimise the effect of the breach. An example might be to shut down a system, or to alert relevant staff such as the IT technician (Jim Towell).
3. The Data Protection Officer must inform the Chair of Governors as soon as possible. As a registered Data Controller, it is the school's responsibility to take the appropriate action and conduct any investigation.
4. The Data Protection Officer must also consider whether the Police need to be informed. This would be appropriate where illegal activity is known or is believed to have occurred, or where there is a risk that illegal activity might occur in the future. In such instances, advice from the School's legal support should be obtained.
5. The Data Protection Officer must quickly take appropriate steps to recover any losses and limit the damage.

Steps might include:

- a. Attempting to recover lost equipment.
- b. Contacting the relevant County Council Departments, so that they are prepared for any potentially inappropriate enquiries ('phishing') for further information on the individual or individuals concerned. Consideration should be given to a global email to all school staff. If an inappropriate enquiry is received by staff, they should attempt to obtain the enquirer's name and contact details if possible and confirm that they will ring the individual, making the enquiry, back. Whatever the outcome of the call, it should be reported immediately by the Data Protection Officer
- c. Contacting the County Council's Communications Division if part of the crisis service, so that they can be prepared to handle any press enquiries.
- d. The use of back-ups to restore lost/damaged/stolen data.
- e. If bank details have been lost/stolen, consider contacting banks directly for advice on preventing fraudulent use.
- f. If the data breach includes any entry codes or IT system passwords, then these must be changed immediately, and the relevant agencies and members of staff informed.

### **Investigation**

In most cases, the next stage would be for the Data Protection Officer to fully investigate the breach. The Data Protection Officer should ascertain whose data was involved in the breach, the potential effect on the data subject and what further steps need to be taken to remedy the situation. The investigation should consider:

- The type of data;
- Its sensitivity;

- What protections were in place (e.g. encryption);
- What has happened to the data;
- Whether the data could be put to any illegal or inappropriate use;
- How many people are affected;
- What type of people have been affected (pupils, staff members, suppliers etc) and whether there are wider consequences to the breach.

A clear record should be made of the nature of the breach and the actions taken to mitigate it. The investigation should be completed as a matter of urgency due to the requirements to report notifiable personal data breaches to the Information Commissioner's Office. A more detailed review of the causes of the breach and recommendations for future improvements can be done once the matter has been resolved.

### **Notification**

Some people/agencies may need to be notified as part of the initial containment. However, the decision will normally be made once an initial investigation has taken place. The Data Protection Officer should, after seeking expert or legal advice, decide whether anyone is notified of the breach. In the case of significant breaches, the Information Commissioner's Office (ICO) must be notified within **72 hours** of the breach. Every incident should be considered on a case by case basis.

When notifying individuals, give specific and clear advice on what they can do to protect themselves and what the School is able to do to help them. You should also give them the opportunity to make a formal complaint if they wish (see the School's Complaints Procedure). The notification should include a description of how and when the breach occurred and what data was involved. Include details of what you have already done to mitigate the risks posed by the breach.

### **Review and Evaluation**

Once the initial aftermath of the breach is over, the Data Protection Officer should fully review both the causes of the breach and the effectiveness of the response to it. It should be reported to the next available Senior Management Team and **full Governors/Trustees** meeting for discussion. If systemic or ongoing problems are identified, then an action plan must be drawn up to put correct these. This breach procedure may need to be reviewed after a breach or after legislative changes, new case law or new guidance.

### **Implementation**

The Data Protection Officer should ensure that staff are aware of the School's Data Protection policy and its requirements including this breach procedure. This should be undertaken as part of induction, supervision and ongoing training. If staff have any queries in relation to the School's Data Protection policy and associated procedures, they should discuss this with the Data Protection Officer or the nominated person.

## **Review**

This policy will be updated as necessary (at least once every two years) to reflect best practice in data management, security, and control to ensure compliance with any changes or amendments made to the Data Protection Act 1998.

## **Information Commissioner's Office Registration/Notification/Renewal**

Date of Registration/Notification with the Information Commissioner's Office: 10<sup>th</sup> Dec 2003  
Registration number - Z8298185

Registration/Notification to be renewed annually.

The ICO Certificate of registration will be displayed in the Office specifying the renewal date.

## Appendix 1

### **GDPR Privacy Notice**

Trinity Christian School is the Data Controller of the personal information you provide to us. This means the school determines the purposes for which, and the manner in which, any personal data relating to pupils and their families is to be processed.

In some cases, your data will be outsourced to a third party processor (e.g. the school that a child is transferring to); as the law requires the school to share your data. Where the school outsources data to a third-party processor, the same data protection standards that Trinity Christian School upholds are imposed on the processor.

Christopher O'Gorman is the Data Protection Officer. His role is to oversee and monitor the school's data protection procedures, and to ensure they are compliant with the GDPR. The data protection officer can be contacted at [office@trinityschool.org.uk](mailto:office@trinityschool.org.uk)

### **Why we collect and use your information?**

Trinity Christian School holds the legal right to collect and use personal data relating to pupils and their families, and we may also receive information regarding them from other schools and outside agencies. We collect and use personal data in order to meet legal requirements and legitimate interests set out in the GDPR and UK law, including those in relation to the following:

- Article 6 and Article 9 of the GDPR
- Education Act 1996
- Section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013

In accordance with the above, the personal data of pupils and their families is collected and used for the following reasons:

- To maintain effective communication with families and users of school
- To support pupil learning
- To monitor and report on pupil progress
- To provide appropriate pastoral care
- To assess the quality of our service
- To comply with statutory requirements e.g. The keeping of accurate Admissions and Register Procedures
- To comply with the law regarding data sharing
- For safeguarding and health care

### **Which data is collected?**

The categories of pupil information that the school collects, holds and shares include the following:

- Personal information - e.g. names, pupil numbers and addresses
- Characteristics - e.g. ethnicity, language, nationality, country of birth
- Attendance information - e.g. number of absences and absence reasons
- Assessment information - e.g. internal/external assessment results
- Relevant medical information
- Information relating to SEND
- Behavioural information
- Photographs - these will be used to aid our records management and attendance procedures as well as on promotional material for our website and Facebook page.

Whilst the majority of the personal data you provide to the school is mandatory, some may be provided on a voluntary basis. When collecting data, the school will inform you whether you are required to provide this data or if your consent is needed. Where consent is required, the school will provide you with specific information with regards to the reasons the data is being collected and how the data will be used.

### **How long is your data stored for?**

Personal data relating to pupils at Trinity Christian School and their families is stored in line with the school's GDPR Data Protection Policy.

In accordance with the GDPR, the school does not store personal data indefinitely; data is only stored for as long as is necessary to complete the task for which it was originally collected.

### **Will my information be shared?**

The school is required to share pupils' data with the DfE/Ofsted/ISI and other educational organisations on a statutory basis, this includes the following:

- EYFS Assessment Data
- School census data
- Pupil SEN & Attendance information
- Pupils starting or transferring to the school
- Pupils' leaving the school and their destination

Trinity Christian School will not share your personal information with any third parties without your consent, unless the law allows us to do so.

The school routinely shares pupils' information with:

- Admissions departments
- The Local Authority Education Services
- The NHS
- Other outside agencies that may be involved in the education/welfare of students

### **What are your rights?**

Parents and pupils have the following rights in relation to the processing of their personal data.

You have the right to:

- Be informed about how Trinity Christian School uses your personal data.
- Request access to your own personal data that Trinity Christian School holds.
- Request that your personal data be amended if it is inaccurate or incomplete.
- Request that your personal data is erased where there is no compelling reason for its continued processing.
- Request that the processing of your data is restricted.
- Object to your personal data being processed.

Where the processing of your data is based on your consent, you have the right to withdraw this consent at any time.

If you have a concern about the way Trinity and/or the DfE is collecting or using your personal data, you can raise a concern with the school's Data Protection Officer or the ICO directly.

Christopher O'Gorman, (DPO) & Headteacher: 0161 303 0674, Monday-Friday, 8.15-4pm  
The ICO can be contacted on 0303 123 1113, Monday-Friday, 9am-5pm.