



Charlton Park Academy Data Protection Policy

Introduction

The General Data Protection Regulation (GDPR) ensures a balance between an individual's rights to privacy and the lawful processing of personal data undertaken by organisations in the course of their business. It aims to protect the rights of individuals about whom data is obtained, stored, processed or supplied and requires that organisations take appropriate security measures against unauthorised access, alteration, disclosure or destruction of personal data.

The Academy will protect and maintain a balance between data protection rights in accordance with the GDPR. This policy sets out how we handle the personal data of our pupils, parents, suppliers, employees, workers and other third parties.

This policy does not form part of any individual's terms and conditions of employment with the Academy and is not intended to have contractual effect. Changes to data protection legislation will be monitored and further amendments may be required to this policy in order to remain compliant with legal obligations.

All members of staff are required to familiarise themselves with its content and comply with the provisions contained in it. Breach of this policy will be treated as a disciplinary offence which may result in disciplinary action under the Academy's Disciplinary Policy and Procedure up to and including summary dismissal depending on the seriousness of the breach.

SECTION 1 - DEFINITIONS

Personal data

Personal data is any information relating to an individual where the individual can be identified (directly or indirectly) from that data alone or in combination with other identifiers we possess or can reasonably access. This includes special category data and pseudonymised personal data but excludes anonymous data or data that has had the identity of an individual permanently removed.

Personal data can be factual (for examples a name, email address, location or date of birth) or an opinion about that person's actions or behaviour.

Personal data will be stored either electronically or as part of a structured manual filing system in such a way that it can be retrieved automatically by reference to the individual or criteria relating to that individual.

Special Category Data

Previously termed "Sensitive Personal Data", Special Category Data is similar by definition and refers to data concerning an individual Data Subject's racial or ethnic origin, political

or religious beliefs, trade union membership, physical and mental health, sexuality, biometric or genetic data and personal data relating to criminal offences and convictions.

Data Subject

An individual about whom such information is stored is known as the Data Subject. It includes but is not limited to employees.

Data Controller

The organisation storing and controlling such information (i.e. the Academy) is referred to as the Data Controller.

Processing

Processing data involves any activity that involves the use of personal data. This includes but is not limited to: obtaining, recording or holding data or carrying out any operation or set of operations on that data such as organisation, amending, retrieving using, disclosing, erasing or destroying it. Processing also includes transmitting or transferring personal data to third parties.

Automated Processing

Any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to an individual, in particular to analyse or predict aspects concerning that individual's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements.

An example of automated processing includes profiling and automated decision making. Automatic decision making is when a decision is made which is based solely on automated processing which produces legal effects or significantly affects an individual. Automated decision making is prohibited except in exceptional circumstances.

Data Protection Impact Assessment (DPIA)

DPIAs are a tool used to identify risks in data processing activities with a view to reducing them.

Criminal Records Information

This refers to personal information relating to criminal convictions and offences, allegations, proceedings, and related security measures.

SECTION 2 - WHEN CAN THE ACADEMY PROCESS PERSONAL DATA

Data Protection Principles

The Academy is responsible for and adhere to the principles relating to the processing of personal data as set out in the GDPR.

The principles the Academy must adhere to are: -

- (1) Personal data must be processed lawfully, fairly and in a transparent manner.

- (2) Personal data must be collected only for specified, explicit and legitimate purposes.
- (3) Personal data must be adequate, relevant, and limited to what is necessary in relation to the purposes for which it is processed.
- (4) Personal data must be accurate and, where necessary, kept up to date.
- (5) Personal data must not be kept in a form which permits identification of data subjects for longer than is necessary for the purposes for which the data is processed; and
- (6) Personal data must be processed in a manner that ensures its security using appropriate technical and organisational measures to protect against unauthorised or unlawful processing and against accidental loss, destruction, or damage.

Further details on each of the above principles is set out below.

Principle 1: Personal data must be processed lawfully, fairly and in a transparent manner

The Academy only collect, process and share personal data fairly and lawfully and for specified purposes. The Academy must have a specified purpose for processing personal data and special category of data as set out in the GDPR.

Before the processing starts for the first time we will review the purposes of the particular processing activity and select the most appropriate lawful basis for that processing. We will then regularly review those purposes whilst processing continues in order to satisfy ourselves that the processing is necessary for the purpose of the relevant lawful basis (i.e. that there is no other reasonable way to achieve that purpose).

Personal Data

The School may only process a data subject's personal data if one of the following fair processing conditions are met: -

- The data subject has given their consent;
- The processing is necessary for the performance of a contract with the data subject or for taking steps at their request to enter into a contract;
- To protect the data subject's vital interests;
- To meet our legal compliance obligations (other than a contractual obligation);
- To perform a task in the public interest or in order to carry out official functions as authorised by law;
- For the purposes of the Academy's legitimate interests where authorised in accordance with data protection legislation. This is provided that it would not prejudice the rights and freedoms or legitimate interests of the data subject.

Special Category Data

The Academy may only process special category data if they are entitled to process personal data (using one of the fair processing conditions above) AND one of the following conditions are met: -

- The data subject has given their explicit consent;
- The processing is necessary for the purposes of exercising or performing any right or obligation which is conferred or imposed on the Academy in the field of employment law, social security law or social protection law. This may include, but is not limited to, dealing with sickness absence, dealing with disability and making adjustments for the same, arranging private health care insurance and providing contractual sick pay;
- To protect the data subject's vital interests;
- To meet our legal compliance obligations (other than a contractual obligation);
- Where the data has been made public by the data subject;
- To perform a task in the substantial public interest or in order to carry out official functions as authorised by law;
- Where it is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services;
- Where it is necessary for reasons of public interest in the area of public health;
- The processing is necessary for archiving, statistical or research purposes.

The Academy identifies and documents the legal grounds being relied upon for each processing activity.

Consent

Where the Academy relies on consent as a fair condition for processing (as set out above), it will adhere to the requirements set out in the GDPR.

Consent must be freely given, specific, informed and be an unambiguous indication of the data subject's wishes by which they signify agreement to the processing of personal data relating to them. Explicit consent requires a very clear and specific statement to be relied upon (i.e. more than just mere action is required).

A data subject will have consented to processing of their personal data if they indicate agreement clearly either by a statement or positive action to the processing. Consent requires affirmative action so silence, pre-ticked boxes or inactivity will not amount to valid consent.

Data subjects must be easily able to withdraw consent to processing at any time and withdrawal must be promptly honoured.

If explicit consent is required, the Academy will normally seek another legal basis to process that data. However, if explicit consent is required the data subject will be provided with full information in order to provide explicit consent.

The Academy will keep records of consents obtained in order to demonstrate compliance with consent requirements under the GDPR.

Principle 2: Personal data must be collected only for specified, explicit and legitimate purposes

Personal data will not be processed in any matter that is incompatible with the legitimate purposes.

The Academy will not use personal data for new, different or incompatible purposes from that disclosed when it was first obtained unless we have informed the data subject of the new purpose (and they have consented where necessary).

Principle 3: Personal data must be adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed

The Academy will only process personal data when our obligations and duties require us to. We will not collect excessive data and ensure any personal data collected is adequate and relevant for the intended purposes.

When personal data is no longer needed for specified purposes, the Academy shall delete or anonymise the data. [Please refer to the Academy's Data Retention Policy for further guidance].

Principle 4: Personal data must be accurate and, where necessary, kept up to date

The Academy will endeavour to correct or delete any inaccurate data being processed by checking the accuracy of the personal data at the point of collection and at regular intervals afterwards. We will take all reasonable steps to destroy or amend inaccurate or out of date personal data.

Data subjects also have an obligation to ensure that their data is accurate, complete, up to date and relevant. Data subjects have the right to request rectification to incomplete or inaccurate data held by the School.

Principle 5: Personal data must not be kept in a form which permits identification of data subjects for longer than is necessary for the purposes for which the data is processed

Legitimate purposes for which the data is being processed may include satisfying legal, accounting or reporting requirements. The School will ensure that they adhere to legal timeframes for retaining data.

We will take reasonable steps to destroy or erase from our systems all personal data that we no longer require. We will also ensure that data subjects are informed of the period for which data is stored and how that period is determined in our privacy notices.

Please refer to the School's Retention Policy for further details about how the School retains and removes data.

Principle 6: Personal data must be processed in a manner that ensures its security using appropriate technical and organisational measures to protect against unauthorised or unlawful processing and against accidental loss, destruction or damage

In order to assure the protection of all data being processed, the School will develop, implement and maintain reasonable safeguard and security measures. This includes using measures such as: -

- Encryption;
- Pseudonymisation (this is where the School replaces information that directly or indirectly identifies an individual with one or more artificial identifiers or pseudonyms so that the person to whom the data relates cannot be identified without the use of additional information which is meant to be kept separately and secure);
- Ensuring authorised access (i.e. that only people who have a need to know the personal data are authorised to access it);
- Adhering to confidentiality principles;
- Ensuring personal data is accurate and suitable for the process for which it is processed.

The School follow procedures and technologies to ensure security and will regularly evaluate and test the effectiveness of those safeguards to ensure security in processing personal data.

The School will only transfer personal data to third party service providers who agree to comply with the required policies and procedures and agree to put adequate measures in place.

Sharing Personal Data

The Academy will generally not share personal data with third parties unless certain safeguards and contractual arrangements have been put in place. These include if the third party: -

- Has a need to know the information for the purposes of providing the contracted services;
- Sharing the personal data complies with the privacy notice that has been provided to the data subject and, if required, the data subject's consent has been obtained;
- The third party has agreed to comply with the required data security standards, policies and procedures and put adequate security measures in place;
- The transfer complies with any applicable cross border transfer restrictions; and
- A fully executed written contract that contains GDPR approved third party clauses has been obtained.

There may be circumstances where the Academy is required either by law or in the best interests of our pupils, parents or staff to pass information onto external authorities, for example, the local authority, Ofsted or the department of health. These authorities are up to date with data protection law and have their own policies relating to the protection of any data that they receive or collect.

The intention to share data relating to individuals to an organisation outside of our Academy shall be clearly defined within written notifications and details and basis for sharing that data given.

Transfer of Data Outside the European Economic Area (EEA)

The GDPR restricts data transfers to countries outside the EEA in order to ensure that the level of data protection afforded to individuals by the GDPR is not undermined.

The Academy will not transfer data to another country outside of the EEA without appropriate safeguards being in place and in compliance with the GDPR. All staff must comply with the Academy's guidelines on transferring data outside of the EEA. For the avoidance of doubt, a transfer of data to another country can occur when you transmit, send, view or access that data in that particular country.

SECTION 3 - DATA SUBJECT'S RIGHTS AND REQUESTS

Personal data must be made available to data subjects as set out within this policy and data subjects must be allowed to exercise certain rights in relation to their personal data.

The rights data subjects have in relation to how the School handle their personal data are set out below: -

- (a) (Where consent is relied upon as a condition of processing) To withdraw consent to processing at any time;
- (b) Receive certain information about the School's processing activities;
- (c) Request access to their personal data that we hold;
- (d) Prevent our use of their personal data for marketing purposes;
- (e) Ask us to erase personal data if it is no longer necessary in relation to the purposes for which it was collected or processed or to rectify inaccurate data or to complete incomplete data;
- (f) Restrict processing in specific circumstances;
- (g) Challenge processing which has been justified on the basis of our legitimate interests or in the public interest;
- (h) Request a copy of an agreement under which personal data is transferred outside of the EEA;
- (i) Object to decisions based solely on automated processing;
- (j) Prevent processing that is likely to cause damage or distress to the data subject or anyone else;
- (k) Be notified of a personal data breach which is likely to result in high risk to their rights and freedoms;
- (l) Make a complaint to the supervisory authority; and
- (m) In limited circumstances, receive or ask for their personal data to be transferred to a third party in a structured, commonly used and machine-readable format.

If any request is made to exercise the rights above, it is a requirement for the relevant staff member within the School to verify the identity of the individual making the request.

Subject Access Requests

Individuals have a right to make a 'subject access request' to gain access to personal information that the school holds 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
- Where relevant, the existence of the right to request rectification, erasure or restriction, or to object to such processing
- The right to lodge a complaint with the ICO or another supervisory authority
- 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
- The safeguards provided if the data is being transferred internationally

Subject access requests can be submitted in any form, but we may be able to respond to requests more quickly if they are made in writing and include:

- Name of individual
- Correspondence address
- Contact number and email address
- Details of the information requested
- If staff receive a subject access request in any form they must immediately forward it to the DPO.

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, most subject access requests from parents or carers of pupils at our school 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.

Children aged 12 and above are generally regarded to be mature enough to understand their rights and the implications of a subject access request. Therefore, most subject access requests from parents or carers of pupils at our school may not 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.

Responding to subject access requests

When responding to requests, we:

- May ask the individual to provide 2 forms of identification
- 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 (or receipt of the additional information needed to confirm identity, where relevant)
- 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

We may not disclose information for a variety of reasons, such as if it:

- Might cause serious harm to the physical or mental health of the pupil or another individual
- Would reveal that the child is being or has been abused, or is at risk of abuse, where the disclosure of that information would not be in the child's best interests
- Would include another person's personal data that we can't reasonably anonymise, and we don't have the other person's consent and it would be unreasonable to proceed without it
- Is part of certain sensitive documents, such as those related to crime, immigration, legal proceedings or legal professional privilege, management forecasts, negotiations, confidential references, or exam scripts

If the request is unfounded or excessive, we may refuse to act on it, or charge a reasonable fee to cover administrative costs. We will take into account whether the request is repetitive in nature when making this decision.

When we refuse a request, we will tell the individual why, and tell them they have the right to complain to the ICO or they can seek to enforce their subject access right through the courts.

The request should in the first instance be sent to the Principal Registrar.

Direct Marketing

The Academy is subject to certain rules and privacy laws when marketing. For example, a data subject's prior consent will be required for electronic direct marketing (for example, by email, text or automated calls).

The Academy will explicitly offer individuals the opportunity to object to direct marketing and will do so in an intelligible format which is clear for the individual to understand. The Academy will promptly respond to any individual objection to direct marketing.

Employee Obligations

Employees may have access to the personal data of other members of staff, suppliers, parents or pupils of the Academy in the course of their employment or engagement. If so, the Academy expects those employees to help meet the Academy's data protection obligations to those individuals. Specifically, you must: -

- Only access the personal data that you have authority to access, and only for authorised purposes;
- Only allow others to access personal data if they have appropriate authorisation;

- Keep personal data secure (for example by complying with rules on access to Academy premises, computer access, password protection and secure file storage and destruction);
- Not to remove personal data or devices containing personal data from the Academy premises unless appropriate security measures are in place (such as Pseudonymisation, encryption, password protection) to secure the information;
- Not to store personal information on local drives.

SECTION 4 - ACCOUNTABILITY

The Academy will ensure compliance with data protection principles by implementing appropriate technical and organisational measures. We are responsible for and demonstrate accountability with the GDPR principles.

The Academy have taken the following steps to ensure and document GDPR compliance:

Data Protection Officer (DPO)

Please find below details of the School's Data Protection Officer: -

Data Protection Officer: Craig Stilwell

Address: Judicium Consulting Ltd, 72 Cannon Street, London, EC4N 6AE

Email: dataservices@judicium.com

Telephone: 0203 326 9174

The DPO is responsible for overseeing this data protection policy and developing data-related policies and guidelines.

Please contact the DPO with any questions about the operation of this Data Protection Policy or the GDPR or if you have any concerns that this policy is not being or has not been followed. In particular, you must always contact the DPO in the following circumstances:

- (a) If you are unsure of the lawful basis being relied on by the Academy to process personal data;
- (b) If you need to rely on consent as a fair reason for processing (please see below the section on consent for further detail);
- (c) If you need to draft privacy notices or fair processing notices;
- (d) If you are unsure about the retention periods for the personal data being processed but would refer you to the Academy's data retention policy in the first instance;
- (e) If you are unsure about what security measures need to be put in place to protect personal data;
- (f) If there has been a personal data breach and would refer you to the procedure set out in the Academy's breach notification policy;
- (g) If you are unsure on what basis to transfer personal data outside the EEA;
- (h) If you need any assistance dealing with any rights invoked by a data subject;

- (i) Whenever you are engaging in a significant new (or a change in) processing activity which is likely to require a data protection impact assessment or if you plan to use personal data for purposes other than what it was collected for;
- (j) If you plan to undertake any activities involving automated processing or automated decision making;
- (k) If you need help complying with applicable law when carrying out direct marketing activities;
- (l) If you need help with any contracts or other areas in relation to sharing personal data with third parties.

Personal Data Breaches

The GDPR requires the Academy to notify any applicable personal data breach to the Information Commissioner's Office (ICO).

We have put in place procedures to deal with any suspected personal data breach and will notify data subjects or any applicable regulator where we are legally required to do so.

If you know or suspect that a personal data breach has occurred, do not attempt to investigate the matter yourself. Immediately contact the person designated as the key point of contact for personal data breaches (see Data Breach Policy).

Transparency and Privacy Notices

The Academy will provide detailed, specific information to data subjects. This information will be provided through the Academy's privacy notices which are concise, transparent, intelligible, easily accessible and in clear and plain language so that a data subject can easily understand them. Privacy notices sets out information for data subjects about how the Academy use their data and the Academy's privacy notices are tailored to suit the data subject.

Whenever we collect personal data directly from data subjects, including for human resources or employment purposes, we will provide the data subject with all the information required by the GDPR including the identity of the data protection officer, the Academy's contact details, how and why we will use, process, disclose, protect and retain personal data.

When personal data is collected indirectly (for example from a third party or publically available source), we will provide the data subject with the above information as soon as possible after receiving the data. The Academy will also confirm whether that third party has collected and processed data in accordance with the GDPR.

Notifications shall be in accordance with ICO guidance and, where relevant, be written in a form understandable by those defined as "children" under the GDPR

Privacy by Design

The Academy adopt a privacy by design approach to data protection to ensure that we adhere to data compliance and to implement technical and organisational measures in an effective manner.

Privacy by design is an approach that promotes privacy and data protection compliance from the start. To help us achieve this, the Academy takes into account the nature and purposes of the processing, any cost of implementation and any risks to rights and freedoms of data subjects when implementing data processes.

Data Protection Impact Assessments (DPIAs)

In order to achieve a privacy by design approach, the Academy conduct DPIAs for any new technologies or programmes being used by the Academy which could affect the processing of personal data. In any event the Academy carries out DPIAs when required by the GDPR in the following circumstances: -

- For the use of new technologies (programs, systems or processes) or changing technologies;
- For the use of automated processing;
- For large scale processing of special category data;
- For large scale, systematic monitoring of a publicly accessible area (through the use of CCTV).

Our DPIAs contain: -

- A description of the processing, its purposes and any legitimate interests used;
- An assessment of the necessity and proportionality of the processing in relation to its purpose;
- An assessment of the risk to individuals; and
- The risk mitigation measures in place and demonstration of compliance.

Record Keeping

The Academy is required to keep full and accurate records of our data processing activities. These records include: -

- The name and contact details of the Academy;
- The name and contact details of the Data Protection Officer;
- Descriptions of the types of personal data used;
- Description of the data subjects;
- Details of the School's processing activities and purposes;
- Details of any third-party recipients of the personal data;
- Where personal data is stored;
- Retention periods; and
- Security measures in place.

Training

The Academy will ensure all relevant personnel have undergone adequate training to enable them to comply with data privacy laws.

Audit

The Academy through its data protection officer regularly test our data systems and processes in order to assess compliance. These are done through data audits which take place annually in order to review use of personal data.

Related Policies

Staff should refer to the following policies that are related to this data protection policy: -

- Data retention policy (see Appendix I, page 14)
- Data breach policy (see Appendix II, page 21)

These policies are also designed to protect personal data.

SECTION 5 - AUTOMATED PROCESSING AND AUTOMATED DECISION MAKING

Generally automated decision making is prohibited when a decision has a legal or similar significant effect on an individual unless:

- (a) The data subject has given explicit consent;
- (b) The processing is authorised by law; or
- (c) The processing is necessary for the performance of or entering into a contract.

If certain types of sensitive data are being processed, then (b) or (c) above will not be allowed unless it is necessary for the substantial public interest (for example fraud prevention).

If a decision is to be based solely on automated processing, then data subjects must be informed of their right to object. This right will be explicitly brought to their attention and presented clearly and separately from other information. Further, suitable measures must be put in place to safeguard the data subject's rights and freedoms and legitimate interests.

The Academy will also inform the data subject of the logic involved in the decision making or profiling, the significance and envisaged consequences and give the data subject the right to request human intervention, express their point of view or challenge the decision.

The Academy will carry out a data protection impact assessment before any automated processing or automated decision-making activities are undertaken.

Monitoring

We will monitor the effectiveness of this and all of our policies and procedures and conduct a full review and update as appropriate.

Our monitoring and review will include looking at how our policies and procedures are working in practice to reduce the risks posed to the Academy.

Date: **November 2025**
Review Date: **November 2026**

Appendix I

Charlton Park Academy Data Retention Policy

The Academy has a responsibility to maintain its records and record keeping systems. When doing this, the Academy will take account of the following factors: -

- The most efficient and effective way of storing records and information;
- The confidential nature of the records and information stored;
- The security of the record systems used;
- Privacy and disclosure; and
- Their accessibility.

This policy does not form part of any employee's contract of employment and is not intended to have contractual effect. It does, however, reflect the Academy's current practice, the requirements of current legislation and best practice and guidance. It may be amended by the Academy from time to time and any changes will be notified to employees within one month of the date on which the change is intended to take effect. The Academy may also vary any parts of this procedure, including any time limits, as appropriate in any case.

DATA PROTECTION

This policy sets out how long employment-related and pupil data will normally be held by us and when that information will be confidentially destroyed in compliance with the terms of the General Data Protection Regulation (GDPR) and the Freedom of Information Act 2000.

Data will be stored and processed to allow for the efficient operation of the Academy. The Academy's Data Protection Policy outlines its duties and obligations under the GDPR.

RETENTION SCHEDULE

Information (hard copy and electronic) will be retained for at least the period specified in the attached retention schedule. When managing records, the Academy will adhere to the standard retention times listed within that schedule.

Paper records will be regularly monitored by the DPO.

Electronic records will be regularly monitored by DPO.

The schedule is a relatively lengthy document listing the many types of records used by the academy and the applicable retention periods for each record type. The retention periods are based on business needs and legal requirements.

DESTRUCTION OF RECORDS

Where records have been identified for destruction they should be disposed of in an appropriate way. All information must be reviewed before destruction to determine whether there are special factors that mean destruction should be delayed, such as potential litigation, complaints or grievances.

All paper records containing personal information, or sensitive policy information should be shredded before disposal where possible. All other paper records should be disposed of by an appropriate waste paper merchant. All electronic information will be deleted.

The Academy maintains a database of records which have been destroyed and who authorised their destruction. When destroying documents, the appropriate staff member should record in this list at least: -

- File reference (or other unique identifier);
- File title/description;
- Number of files; and
- Name of the authorising officer.

ARCHIVING

Where records have been identified as being worthy of preservation over the longer term, arrangements should be made to transfer the records to the archives. A database of the records sent to the archives is maintained by Iron Mountain. The appropriate staff member, when archiving documents should record in this list the following information: -

- File reference (or other unique identifier);
- File title/description;
- Number of files; and
- Name of the authorising officer.

TRANSFERRING INFORMATION TO OTHER MEDIA

Where lengthy retention periods have been allocated to records, members of staff may wish to consider converting paper records to other media such as digital media or virtual storage centres (such as cloud storage). The lifespan of the media and the ability to migrate data where necessary should always be considered.

RESPONSIBILITY AND MONITORING

Data Controller has primary and day-to-day responsibility for implementing this Policy. The Data Protection Officer, in conjunction with the Academy is responsible for monitoring its use and effectiveness and dealing with any queries on its interpretation. The data protection officer will consider the suitability and adequacy of this policy and report improvements directly to management.

Internal control systems and procedures will be subject to regular audits to provide assurance that they are effective in creating, maintaining and removing records.

Management at all levels are responsible for ensuring those reporting to them are made aware of and understand this Policy and are given adequate and regular training on it.

RETENTION SCHEDULE

FILE DESCRIPTION	RETENTION PERIOD
Employment Records	
Job applications and interview records of unsuccessful candidates	Six months after notifying unsuccessful candidates, unless the school has applicants' consent to keep their CVs for future reference. In this case, application forms will give applicants the opportunity to object to their details being retained
Job applications and interview records of successful candidates	6 years after employment ceases
Written particulars of employment, contracts of employment and changes to terms and conditions	6 years after employment ceases
Right to work documentation including identification documents	2 years after employment ceases
Immigration checks	Two years after the termination of employment
DBS checks and disclosures of criminal records forms	As soon as practicable after the check has been completed and the outcome recorded (i.e. whether it is satisfactory or not) unless in exceptional circumstances (for example to allow for consideration and resolution of any disputes or complaints) in which case, for no longer than 6 months.
Change of personal details notifications	No longer than 6 months after receiving this notification
Emergency contact details	Destroyed on termination
Personnel and training records	While employment continues and up to six years after employment ceases
Annual leave records	Six years after the end of tax year they relate to or possibly longer if

	leave can be carried over from year to year
Consents for the processing of personal and sensitive data	For as long as the data is being processed and up to 6 years afterwards
Working Time Regulations: <ul style="list-style-type: none"> Opt out forms Records of compliance with WTR 	<ul style="list-style-type: none"> Two years from the date on which they were entered into Two years after the relevant period
Disciplinary and training records	6 years after employment ceases
Allegations of a child protection nature against a member of staff including where the allegation is founded	10 years from the date of the allegation or the person's normal retirement age (whichever is longer). This should be kept under review. Malicious allegations should be removed.

Financial and Payroll Records

Pension records	12 years
Retirement benefits schemes – notifiable events (for example, relating to incapacity)	6 years from the end of the scheme year in which the event took place
Payroll and wage records	6 years after end of tax year they relate to
Maternity/Adoption/Paternity Leave records	3 years after end of tax year they relate to
Statutory Sick Pay	3 years after the end of the tax year they relate to
Current bank details	No longer than necessary

Agreements and Administration Paperwork

Collective workforce agreements and past agreements that could affect present employees	Permanently
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Trade union agreements	10 years after ceasing to be effective
School Development Plans	3 years from the life of the plan
Professional Development Plans	6 years from the life of the plan
Visitors Book and Signing In Sheets	6 years
Newsletters and circulars to staff, parents and pupils	1 year

Health and Safety Records

Health and Safety consultations	Permanently
Health and Safety Risk Assessments	3 years from the life of the risk assessment
Any reportable accident, death or injury in connection with work	For at least twelve years from the date the report was made
Accident reporting	Adults – 6 years from the date of the incident Children – when the child attains 25 years of age.
Fire precaution log books	6 years
Medical records and details of: - • control of lead at work • employees exposed to asbestos dust • records specified by the Control of Substances Hazardous to Health Regulations (COSHH)	40 years from the date of the last entry made in the record
Records of tests and examinations of control systems and protection equipment under COSHH	5 years from the date on which the record was made

Temporary and Casual Workers

Records relating to hours worked and payments made to workers	3 years
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Pupil Records

Admissions records	1 year from the date of admission
Admissions register	Entries to be preserved for three years from date of entry
School Meals Registers	3 years
Free School Meals Registers	6 years
Pupil Record	Until the child turns 25
Attendance Registers	3 years from the date of entry
Special Educational Needs files, reviews and individual education plans (this includes any statement and all advice and information shared regarding educational needs)	Until the child turns 25

Date: **October 2025**
Review Date: **October 2026**

Appendix II

Charlton Park Academy Data Breach Policy

The General Data Protection Regulation (GDPR) aims to protect the rights of individuals about whom data is obtained, stored, processed or supplied and requires that organisations take appropriate security measures against unauthorised access, alteration, disclosure or destruction of personal data.

The GDPR places obligations on staff to report actual or suspected data breaches and our procedure for dealing with breaches is set out below. All members of staff are required to familiarise themselves with its content and comply with the provisions contained in it. Training will be provided to all staff to enable them to carry out their obligations within this policy.

Data Processors will be provided with a copy of this policy and will be required to notify the Academy of any data breach without undue delay after becoming aware of the data breach. Failure to do so may result in a breach to the terms of the processing agreement.

Breach of this policy will be treated as a disciplinary offence which may result in disciplinary action under the Academy's Disciplinary Policy and Procedure up to and including summary dismissal depending on the seriousness of the breach.

This policy does not form part of any individual's terms and conditions of employment with the Academy and is not intended to have contractual effect. Changes to data protection legislation will be monitored and further amendments may be required to this policy in order to remain compliant with legal obligations.

Definitions

Personal Data

Personal data is any information relating to an individual where the individual can be identified (directly or indirectly) from that data alone or in combination with other identifiers we possess or can reasonably access. This includes special category data and pseudonymised personal data but excludes anonymous data or data that has had the identity of an individual permanently removed.

Personal data can be factual (for examples a name, email address, location or date of birth) or an opinion about that person's actions or behaviour.

Personal data will be stored either electronically or as part of a structured manual filing system in such a way that it can be retrieved automatically by reference to the individual or criteria relating to that individual.

Special Category Data

Previously termed "Sensitive Personal Data", Special Category Data is similar by definition and refers to data concerning an individual's racial or ethnic origin, political or religious beliefs, trade union membership, physical and mental health, sexuality, biometric or genetic data and personal data relating to criminal offences and convictions.

Personal Data Breach

A personal data breach is a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data or special category data transmitted, stored or otherwise processed.

Data Subject

Person to whom the personal data relates.

ICO

ICO is the Information Commissioner's Office, the UK's independent regulator for data protection and information.

Responsibility

The Principal has overall responsibility for breach notification within the School. They are responsible for ensuring breach notification processes are adhered to by all staff and are the designated point of contact for personal data breaches.

In the absence of the Principal, please do contact the Senior Vice Principal.

The Data Protection Officer (DPO) is responsible for overseeing this policy and developing data-related policies and guidelines.

Please contact the DPO with any questions about the operation of this policy or the GDPR or if you have any concerns that this policy is not being or has not been followed.

The DPO's contact details are set out below: -

Data Protection Officer: Craig Stilwell

Address: Judicium Consulting Ltd, 72 Cannon Street, London, EC4N 6AE

Email: dataservices@judicium.com

Telephone: 0203 326 9174

Security and Data-Related Policies

Staff should refer to the following policies that are related to this data protection policy: -
Security Policy which sets out the Academy's guidelines and processes on keeping personal data secure against loss and misuse.

Data Protection Policy which sets out the Academy's obligations under GDPR about how they process personal data.

These policies are also designed to protect personal data and can be found on Fronter.

Data Breach Procedure

What Is A Personal Data Breach?

A personal data breach is a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data or special category data transmitted, stored or otherwise processed.

Examples of a data breach could include the following (but are not exhaustive): -

- Loss or theft of data or equipment on which data is stored, for example loss of a laptop or a paper file (this includes accidental loss);
- Inappropriate access controls allowing unauthorised use;
- Equipment failure;
- Human error (for example sending an email or SMS to the wrong recipient);
- Unforeseen circumstances such as a fire or flood;
- Hacking, phishing and other “blagging” attacks where information is obtained by deceiving whoever holds it.

When Does It Need to Be Reported?

The Academy must notify the ICO of a data breach where it is likely to result in a risk to the rights and freedoms of individuals. This means that the breach needs to be more than just losing personal data and if unaddressed the breach is likely to have a significant detrimental effect on individuals.

Examples of where the breach may have a significant effect includes: -

- potential or actual discrimination;
- potential or actual financial loss;
- potential or actual loss of confidentiality;
- risk to physical safety or reputation;
- exposure to identity theft (for example through the release of non-public identifiers such as passport details);
- the exposure of the private aspect of a person’s life becoming known by others.

If the breach is likely to result in a high risk to the rights and freedoms of individuals then the individuals must also be notified directly.

Reporting A Data Breach

If you know or suspect a personal data breach has occurred or may occur which meets the criteria above, you should: -

- Complete a data breach report form (which can be obtained from the Principal Registrar);
- Email the completed form to the Principal Registrar at mailbox@charltonparkacademy.co.uk

Where appropriate, you should liaise with your line manager about completion of the data report form. Breach reporting is encouraged throughout the Academy and staff are expected to seek advice if they are unsure as to whether the breach should be reported and/or could result in a risk to the rights and freedom of individuals. They can seek advice from their line manager, or the DPO.

Once reported, you should not take any further action in relation to the breach. In particular you must not notify any affected individuals or regulators or investigate further. The Principal Registrar will acknowledge receipt of the data breach report form and take appropriate steps to deal with the report in collaboration with the DPO.

Managing and Recording the Breach

On being notified of a suspected personal data breach, the Principal Registrar will notify the DPO. Collectively they will take immediate steps to establish whether a personal data breach has in fact occurred. If so they will take steps to:-

- Where possible, contain the data breach;

- As far as possible, recover, rectify or delete the data that has been lost, damaged or disclosed;
- Assess and record the breach in the School's data breach register;
- Notify the ICO;
- Notify data subjects affected by the breach;
- Notify other appropriate parties to the breach;
- Take steps to prevent future breaches.

Notifying the ICO

The DPO will notify the ICO when a personal data breach has occurred which is likely to result in a risk to the rights and freedoms of individuals.

This will be done without undue delay and, where possible, within 72 hours of becoming aware of the breach. If the School are unsure of whether to report a breach, the assumption will be to report it.

Where the notification is not made within 72 hours of becoming aware of the breach, written reasons will be recorded as to why there was a delay in referring the matter to the ICO.

Notifying Data Subjects

Where the data breach is likely to result in a high risk to the rights and freedoms of data subjects, the Principal Registrar will notify the affected individuals without undue delay including the name and contact details of the DPO and ICO, the likely consequences of the data breach and the measures the School have (or intended) to take to address the breach.

When determining whether it is necessary to notify individuals directly of the breach, the Principal Registrar will co-operate with and seek guidance from the DPO, the ICO and any other relevant authorities (such as the police).

If it would involve disproportionate effort to notify the data subjects directly (for example, by not having contact details of the affected individual) then the Academy will consider alternative means to make those affected aware (for example by making a statement on the Academy website).

Notifying Other Authorities

The Academy will need to consider whether other parties need to be notified of the breach. For example: -

- Insurers;
- Parents;
- Third parties (for example when they are also affected by the breach);
- Local authority;
- The police (for example if the breach involved theft of equipment or data).

This list is non-exhaustive.

Assessing the Breach

Once initial reporting procedures have been carried out, the Academy will carry out all necessary investigations into the breach.

The Academy will identify how the breach occurred and take immediate steps to stop or minimise further loss, destruction or unauthorised disclosure of personal data. We will identify ways to recover correct or delete data (for example notifying our insurers or the police if the breach involves stolen hardware or data).

Having dealt with containing the breach, the Academy will consider the risks associated with the breach. These factors will help determine whether further steps need to be taken (for example notifying the ICO and/or data subjects as set out above). These factors include: -

- What type of data is involved and how sensitive it is;
- The volume of data affected;
- Who is affected by the breach (i.e. the categories and number of people involved);
- The likely consequences of the breach on affected data subjects following containment and whether further issues are likely to materialise;
- Are there any protections in place to secure the data (for example, encryption, password protection, pseudonymisation);
- What has happened to the data;
- What could the data tell a third party about the data subject;
- What are the likely consequences of the personal data breach on the school; and
- Any other wider consequences which may be applicable.

Preventing Future Breaches

Once the data breach has been dealt with, the Academy will consider its security processes with the aim of preventing further breaches. In order to do this, we will: -

- Establish what security measures were in place when the breach occurred;
- Assess whether technical or organisational measures can be implemented to prevent the breach happening again;
- Consider whether there is adequate staff awareness of security issues and look to fill any gaps through training or tailored advice;
- Consider whether it's necessary to conduct a privacy or data protection impact assessment;
- Consider whether further audits or data protection steps need to be taken;
- To update the data breach register;
- To debrief governors/management following the investigation.

Reporting Data Protection Concerns

Prevention is always better than dealing with data protection as an after-thought. Data security concerns may arise at any time and we would encourage you to report any concerns (even if they don't meet the criteria of a data breach) that you may have to the Principal Registrar or the DPO. This can help capture risks as they emerge, protect the Academy from data breaches and keep our processes up to date and effective.

Monitoring

We will monitor the effectiveness of this and all of our policies and procedures and conduct a full review and update as appropriate.

Our monitoring and review will include looking at how our policies and procedures are working in practice to reduce the risks posed to the Academy.

Date: October 2025
Review Date: October 2026