



DATA PROTECTION POLICY

Policy Devised: July 2012
Adopted on: 30th June 2014
Review date: June 2017

1. Purpose

To implement the requirements of the Data Protection Act 1988.

2. Scope

- This policy applies to all personal data held by the Academy. It encompasses paper records; data held on computer and associated equipment, including CCTV, of whatever type and at whatever location, used by or on behalf of the Academy.
- The Data Protection Act applies to 'personal data' that is, data about identifiable living individuals.
- Personal Data covers both facts and opinions about the individual and includes information regarding the intentions of the data controller towards the individual.
- The obligations outlined in this policy statement apply to all those who have access to personal data, whether employees, governors (or other public representatives), trustees, employees of associated organisations or volunteers. It includes those who work at home or from home, who must follow the same procedures as they would in an office environment.
- Any individual who knowingly or recklessly processes data for purposes other than those for which it is intended or makes an unauthorised disclosure is liable to prosecution. All individuals permitted to access personal data must agree to comply with this policy.
- Individuals processing data on behalf of the Academy must comply with the eight enforceable principles of good practice which say that data must be:
 - Fairly and lawfully processed
 - Processed for limited purposes and not in any manner incompatible with those purposes

- Adequate, relevant and not excessive
- Accurate
- Not kept for longer than is necessary
- Processed in line with the data subject's right
- Secure
- Not transferred to countries without adequate protection

Expanded information on each of the principles is available in Schedule 1 part 2 of the Act.

3. Responsibility

The Governing Body designates the Business Manager the Data Protection Officer for the Academy.

4. Quality Objectives

Pool Academy regards the lawful and correct treatment of personal information as very important to successful operations and to maintaining the confidence of those with whom we deal. We will always do our utmost to ensure that we comply with the Data Protection Principles as defined in the Act.

5. Policy Detail

a) Confidentiality and Security

Paper records will be managed so that access is restricted to those who need to use the information and stored in secure locations to prevent unauthorised access.

Computer systems will be designed, and computer files created, with adequate security levels to preserve confidentiality.

Personal data will only be disclosed to the data subject and other organisations and persons who are pre-defined as notified recipients.

b) Ownership of data

The Academy is responsible for the personal data that it holds. This responsibility extends to data that is processed by a third party.

c) Collection of data

The Academy will inform data subjects of the reason why the data is being collected and to whom the data may be disclosed.

d) Contents of Accuracy of data files

The Academy will hold the minimum personal data necessary to enable it to perform its functions. The data will be erased once the need to hold it has passed. Every effort will be made to ensure that the data is accurate and up-to-date and that any inaccuracies, once discovered, are corrected immediately.

e) Processing

All processing of personal data will comply with the Data Protection Principles as defined in the Data Protection Act 1998. In the situation where data is processed by a third party, the third party will be required to act in a manner which ensures compliance with the Data Protection Act 1998. Data will only be processed for the purpose for which it was collected and should not be used for additional purposes without the consent of the data subject.

f) Disclosure of information

Personal data must not be disclosed without the permission of the Data Subject, except where disclosures are required by law or made in connection with legal proceedings as follows:

- Where the disclosure is required by or under any enactment, by any rule of law or by the order of a court;
- Where the disclosure is necessary
 - For the purposes of or in connection with, any legal proceedings (including prospective legal proceedings) or
 - For the purposes of obtaining legal advice

Or is otherwise necessary for the purposes of establishing, exercising or defending legal rights (Section 35)

g) The Academy will provide on request of any individual information regarding their personal data with a statement of whether or not the Academy holds personal data about them. If it does hold personal data, then it will provide a written copy of the current data held about them and details of disclosures that have been made. (The information will not include associated information relating to another individual who has not given permission for a disclosure to be made).

Data may be withheld in specific circumstances defined in the Act or within other legislation. The Academy may also refuse to meet requests for information which the Governing Body believes to be made with undue frequency. In deciding on the nature of "undue frequency", regard will be had to the sensitivity of the information and the frequency with which it is changed or updated.

h) Policy Statement on Data Protection

To minimise the risk of accidental misidentification or deliberate impersonation, the Business Manager will ask applicants to supply sufficient information to enable them to be satisfied about the identities of the person making requests.

i) Correction of inaccurate data

When, as a result of an enquiry, a material inaccuracy or omission is discovered, the personal data must be corrected or erased immediately. If the data has been disclosed to a third party, then the third party must be informed of any corrections.

6. Monitoring and review

Monitoring will be undertaken by the Governing Body. The policy will be reviewed every three years or as legislation dictates.