



Data Protection Policy

Mission Statement

We are a Catholic Sixth Form dedicated to the education and development of the whole person, so that all students can realise their full potential.

To achieve this as a community we will:

- Provide the highest standards of teaching and learning.
- Expect students to show commitment to their studies and the Christian values of the Sixth Forms.
- Provide equality of opportunity, with mutual respect and positive encouragement.
- Build and further develop a partnership with parents, schools, parishes, higher education, employers and the local community.
- Value staff and support their professional development.

In doing this we will reflect Christ's teaching in the life and work of the whole Sixth Forms.

1 Introduction

- 1.1 Christ the King has developed its data protection policy in the context of its Catholic Mission and the legal framework established by the Data Protection Acts of 1998 and 2018.
- 1.2 We collect and use certain types of personal information about employees, students, parents, governors, and other individuals and organisations who come into contact with us, and are committed to protecting the personal information that we collect.
- 1.3 This policy is intended to ensure that Christ the King and its employees comply with the data protection principles set out in the Data Protection Act by:
 - Collecting and using information fairly
 - Storing, transferring and disposing of information securely
 - Ensuring that the data is relevant, accurate and kept up to date
 - Not disclosing any information to any other person or organisation unlawfully
 - Not withholding information from any person or organisation unlawfully

2 Implementation

2.1 Data Protection Statement:

Christ the King Sixth Forms is the data controller for the purposes of the Data Protection Act 1998 (DPA 1998) and as such we are registered with the Information Commissioner's Office (registration number Z7256834). The Data Protection Officer is Debbie Baldwin.

All staff involved with the collection, processing and disclosure of personal information receive training on their role/s to ensure they are aware of their duties and responsibilities as detailed in this policy.

2.2 Data Protection Principles:

Christ the King is committed to complying with the data protection principles as outlined in the DPA 1998. Data must be:

1. Fairly and lawfully processed
2. Obtained only for specific and lawful purposes
3. Adequate, relevant and not excessive in relation to the purpose for which it was collected
4. Accurate and, where necessary, kept up to date
5. Not kept for longer than necessary for the purpose for which it was collected
6. Processed in line with an individual's rights
7. Kept as secure as is possible using appropriate technical and organisational measures
8. Not transferred to a country outside the European Economic Area (EEA) unless that country ensures an appropriate level of protection for the rights and freedoms of the data

2.4 Our responsibilities:

The Data Protection Act was introduced to ensure the safety and transparency of the use of personal data collected and held by an organisation. It is the commitment of Christ the King and all of its employees to ensure that the documentation held by us is relevant, accurate and kept up to date and that it is processed fairly, lawfully and in accordance with a person's rights.

All personal information about students, staff, parents and governors is subject to data protection law. The law is designed to allow us to share personal information with people when there is a good reason to do so.

2.5 How we process data

In order to conduct its daily business, members of staff at Christ the King will sometimes need to access or process the personal data that we hold on file. Examples of this could be for monitoring student progress and achievement, ensuring all of our policies and procedures are being adhered to, conducting staff performance management, or conducting equal opportunities monitoring. We will not contact those whose data we

access each time that we do this in normal circumstances and will instead use a Privacy Notice.

2.5.1 Privacy Notices

Our privacy notices state the reasons that we may access the data that we hold. This will ensure that all of those whose data we hold are aware of this. They will be updated if the ways we are using personal data change. On registering as a staff member or a student at Christ the King, individuals will be informed that their personal data will be processed for normal business and will be informed of what this includes through Christ the King's privacy notices. Most of the purposes for which we collect and use personal data do not require consent, but instead rely on another lawful basis. This is set out in the privacy notices.

2.5.2 Consent

If we need consent to collect personal data for specific purposes, this will be sought in writing from staff, from parents, or from students as required. Parents will be informed that we are doing this in relation to their son/daughter.

2.5.3 Exceptions

There are some important exceptions to this rule in which we may share personal or sensitive personal information without informing students or getting consent first. We may share information about an individual with others without getting consent from the individual:

- When we are required to do so by the law. For example: we are required by law to provide the Department for Education with information about our staff and students.
- If we are ordered to do so by a court. For example: in a criminal or family law case.
- If it is in the interests of the safety or welfare of the individual or others, and it is not practical or advisable to get consent in advance. For example: when sharing information with social services in child protection cases or with the police in some criminal investigations.

Any employee who would like to share personal information that Christ the King holds with a new 3rd party or for a new purpose, will first consult this policy and the data protection officer.

2.6 Data protection by design

At Christ the King, we take our responsibilities in terms of protecting our students, parents, staff and governors seriously. We operate the principal of 'data protection by design', which is to say that we think about any issues relating to data protection at the outset of any new project or system implementation. We use Privacy Impact Assessments when planning significant new systems or projects involving personal data and we integrate any risks or concerns into our planning and monitoring. All of our staff receive regular training on data protection. We have a data protection compliance framework in place to assure our systems are being followed effectively.

2.7 Access to data

An individual whose data is held by Christ the King will have the right, upon written request, to see a copy of the data that is held about them. They will also have the right to be informed of the source of the data and to whom it may be disclosed.

Any request such as this must be submitted in a written format. Viewing the requested data on site can be organised free of charge. The individual can also be provided with a copy of the data free of charge within 7 days.

All responses to requests for personal information must be approved by the data protection officer before they are sent to the requester. The person preparing the response must submit it to the data protection officer in sufficient time for them to approve it so that it can be issued within the timescales set out above.

2.7.1 Obtaining a copy of a personal file

If an individual would like to request access to their or their son/daughters file, they should:

1. Make the request in writing: either in a letter or in an e-mail.
2. Include their name, address, date of birth and the information they are requesting.
3. Provide two forms of identification- one must be proof of address and one must be photographic.
4. If they would like to take a copy of the data, this will be provided within 7 working days.

The above procedure is written into Christ the King's Privacy Notice so that it is easily accessible to the individuals whose data we hold.

2.8 Data Storage, transfer and destruction

All personal data collected and held by Christ the King is stored, transferred and destroyed in line with our retention of information statement. Please review this statement for further information (Appendix A).

2.9 Reporting breaches to this policy

If a member of staff is aware of any breach or potential breach to this policy, it is their responsibility to report it. In order to do this, the member of staff can contact is Debbie Baldwin.

Once the Data Protection Officer has been made aware of a potential breach of this policy, it will be fully investigated and reported to the Information Commissioner's Office if the law requires that.

Christ the King has a duty to record any personal data breaches and to report personal data breaches that may result in a high risk to the rights and freedoms of individuals to the Information Commissioner's Office within 72 hours, and so it is very important that individuals take the responsibility to report any potential losses of data, breaches in data security, or instances in which procedures have not been followed, immediately. Failure to do so by a member of staff could result in disciplinary action.

3 Management of Data

- 3.1 The Personnel Director has overall responsibility for data protection at Christ the King Sixth Forms. The Personnel Director is the data controller for information regarding employees and the Head of Student Services is the data controller for information regarding students.

- 3.2 Christ the King Sixth Forms 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.
 - Periodically review information that is held.
 - Ensure that the rights of people about whom information is held can be fully exercised under the 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, rectify, block or erase information which is regarded as the wrong information.)
 - Take appropriate technical and organisational security measures to safeguard personal information.
 - Ensure that personal information is not transferred abroad without suitable safeguards.
- 3.3 In its capacity as employer, Christ the King needs to keep information about employees for purposes connected to their employment, including information on their recruitment, termination of their employment, training records, appraisal information and lesson observation notes. The sort of information held may include both computer and/or paper based records including information for payroll purposes, references, contact names and addresses and records relating to the employee's contract of employment.
- 3.4 These uses will be consistent with the employment relationship and with the principles of the Data Protection Act 1998. Such data may be processed only if it is necessary for the performance of an employee's contract with Christ the King and/or is necessary for the purposes of exercising or performing any legal right or obligation of Christ the King.
- 3.5 In its capacity as a provider of teaching and learning Christ the King holds information about students which is both essential to support their progress and well being and also required by legislation. This includes data stored electronically and in paper format and comprises:
- Personal information including ethnicity and religion, and any notes made from private discussions with Christ the King Staff.
 - Contact details of parents/guardians.
 - Previous school, exam results attained and previous work experience and training.
 - Details of any special requirements and/or learning needs.
 - Performance monitoring details.
 - Choice of course and course information including examination entry
 - Attendance data.
 - Copies of all correspondence.
 - Copies of UCAS applications and information received on final destinations.
 - Notes and minutes made from Counselling sessions.
 - Copies of references sent and received by Christ the King.

- 3.6 Christ the King is legally obliged to disclose personal details held, to external authorities including the Police, Immigration Service, and Tax Inspectors in order to detect unlawful Activity. Christ the King is required by law not to inform the student or member of staff. This includes information requested that relates to minors.
- 3.7 Christ the King will inform parents of this legal obligation in relation to the Data Protection Act through correspondence issued during the start of the autumn term. Parents will be informed that, although rarely requested, if the appropriate authorities ask for information Christ the King must disclose it without notifying parents.

4 Data Protection Principles

4.1 There are eight data protection principles which all staff at Christ the King must comply with, although some staff will also have specific responsibilities, eg Personnel Director and Head of Student Services. These principles are listed below and ensure that data is:

1. Obtained and processed fairly and lawfully and shall not be processed unless certain conditions are met.
2. Obtained for a specified and lawful purpose and shall not be processed in any manner incompatible with that purpose.
3. Adequate, relevant and not excessive for those purposes.
4. Accurate and kept up to date.
5. Not kept for longer than is necessary for that purpose.
6. Processed in accordance with the data subject's rights.
7. Kept safe from unauthorised access, accidental loss or destruction.
8. Not transferred to a country outside the European Economic Area, unless that country has equivalent levels of protection for personal data.

4.2 In order to ensure Christ the King complies with the Act the sections below replicate these numbered points. At Christ the King Sixth Forms:

4.2.1 All persons including staff, students, governors, contractors are entitled to:

- Know what categories of information Christ the King holds and processes about them and why.
- Know how to request information.
- Know what Christ the King is doing to comply with its obligations under the 1998 Act.

This information is available via the policy section on the Christ the King website. Christ the King will obtain the consent of all staff and students regarding the holding and processing of data, unless the data has to be processed for legal purposes, eg Inland Revenue.

4.2.2 Holding of data which is adequate, relevant and not excessive.

Every two years Christ the King will review the categories of data held on staff to ensure that it is still relevant.

Christ the King will only hold data on students, which is required by legislation and is relevant and necessary to support their progress and well being. Each year Christ the King is issued with a revised list of data requirements from its funding agency and other external agencies. An annual review is subsequently undertaken on all student documentation to ensure compliance.

4.2.3 Christ the King Sixth Forms will ensure that data is accurate and kept up to date.

Christ the King will obtain information on staff through the application process and during their employment at Christ The King. Data will only be held on staff, which it believes is entirely necessary for Christ the King to carry out its functions as an employer.

At enrolment, students are present when information is entered onto the main computer system and are asked to confirm accuracy. At intervals during the year, Christ the King issues summary student and course information to students to confirm or correct.

All staff are responsible for:

- Checking that any information that they provide to Christ the King in connection with their employment is accurate and up to date.
- Informing Christ the King of any changes to information which they have provided, eg change of address.
- Checking the information that Christ the King will send out from time to time.
- Informing Christ the King of any errors or changes. Christ the King cannot be held responsible for any errors unless the staff member has informed the Christ the King about them.

Students are also responsible for informing Christ the King of any changes to personal details, eg change of address, name.

4.2.4 Personal data on staff, students and users will be processed in accordance with the rights described in the Act.

Christ the King will always consider the rights of individuals in respect of their data. This means:

- Consent will be obtained if data is to be kept and used for any purpose.
- Individuals are entitled to know what data is kept about them and to whom it has been disclosed.
- No personal data will be disclosed to anyone outside or inside Christ the King who does not strictly need to know that data for their job without the individual's consent.

Staff do not have the right to access certain information which is held about them. For example information held for management planning such as plans to promote, or make an employee redundant. Also staff cannot read references written by Christ the King, although they are entitled to have access to this information when they have transferred to another organisation. This aspect of the policy has already been agreed and included in the Protocol for Drafting References (please see Policy Manual).

Sometimes it is necessary to process information which is sensitive for example about a person's health, criminal convictions. This may be to ensure that the Christ the King is a safe place for everyone or to operate Christ the King policies such as sick pay or equal opportunities. Because this information is sensitive and processing may cause anxiety to individuals, staff, students and users will be asked to give their express consent for this to take place.

Offers of employment or a place at Christ the King may be withdrawn if an individual refuses to give consent without good reason.

Sensitive data will only be handled by designated staff unless the processing of data is in the best interests of the student or staff member.

Disclosure and Barring Service checks for new staff and students undergoing work experience will only be seen by those authorised to receive it in the course of their duties. A record is maintained of those to whom certificate information has been revealed and Christ the King understands it is a criminal offence to pass this information to anyone who is not entitled to receive it.

The Data Protection Policy is consistent with policies in use in Christ the King.

4.2.5 Christ the King will ensure that all data relating to staff, students and users is held securely.

All staff are responsible for ensuring that:

- Any personal data which they hold is kept secure.
- Personal information is not disclosed either orally or in writing to any unauthorised third party unless transfers are made without consent, as expressed in the 1998 Act. For example, data may be disclosed to protect the vital interests of the data subject such as:
 - The release of medical data where failure to release the data would result in harm to, or the death of, the data subject.
 - Staff should note that unauthorised disclosure will usually be a disciplinary matter and may be considered gross misconduct in some cases.

All of the written information on staff, students and users will be held in offices and in non-portable locked desks or filing cabinets. Authorised administrators will monitor access to this information.

All of the information held electronically will only be accessible by authorised users. These users need to log-on to the system using a secure protocol.

Data stored electronically is backed up on a daily basis and a copy is stored in a separate secure location to ensure the prevention of accidental data loss

4.2.6 Information on staff, students and users will not be transferred to a country outside the European Economic Area, unless that country has equivalent levels of protection for personal data.

5 Individual Rights Under the Data Protection Act

- 5.1 Christ the King will ensure that individual rights under the Data Protection Act are safeguarded.
- 5.2 If an individual believes that the policy has been contravened he or she should raise the issue immediately:
- In the case of an employee this should be with the line manager or if the line manager is involved in the contravention, with the Personnel Director.
 - In the case of a student this should be with the relevant Head of Hall or if the Head of Hall is involved in the contravention, with the Co-Collegiate Principal.
 - In the case of other individuals this should be with the Personnel Manager.

If the issue cannot be resolved the individual has the right to make a complaint under Christ the King's complaints policy. The individual also has the right to request that the Information Commission make an assessment as to whether any provision in the Act has been contravened.

6 Communication

All Staff - There are procedures in place regarding access to personal data and information cannot be given out or accessed without following this policy. The data protection regulations should be taken into account whenever a staff member is processing any personal data. Once during each academic year during a staff briefing about data protection.

Students, parents and governors - There are procedures in place regarding access to personal data and information cannot be given out or accessed without following this policy.

7 Monitoring and Evaluation

This policy will be reviewed every three years or when there is a change to legislation. A compliance check will be carried out annually by the data protection officer, spot-checking a variety of files and security measures with regards to personal data handling to ensure compliance with this policy. The Data Protection Compliance Framework report will be updated annually with a report on Christ the King's data protection compliance status and this will be reported to SLT and Governors annually in the summer term.

Reviewed: September 2019
Next Review Due: September 2021

Retention of Information Statement

In accordance with ICO and DfE guidance, information will not be kept for longer than is necessary and institutions should continue to develop and own their own data retention policy based upon local justification and necessary task.

Christ the King will hold information on staff for ten years from their leaving date unless legal requirements or other issues to safeguard staff require Christ the King to do otherwise e.g. pension data. Data will be disposed of by shredding or incineration and will be held securely until its destruction so that there is no accidental disclosure to third parties. Data from job applicants will be kept no longer than six months, except in the case of speculative applications where people request that details are kept on file.

Student records including personal information, academic achievements and conduct will be kept for ten years from the date that the student leaves.

Other records will be kept in accordance with the retention schedule below and in keeping with guidance from the ICO and DfE:

- <https://ico.org.uk/media/about-the-ico/policies-and-procedures/2259025/retention-and-disposal-schedule-for-website.pdf>
- https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/747620/Data_Protection_Toolkit_for_Schools_OpenBeta.pdf

Type of Record	Suggested Retention Period	Reason for Length of Period
Personnel Records		
Personnel files including training records and notes of disciplinary and grievance hearings	6 years from the end of employment	References and potential litigation.
Application forms/interview notes	At least 6 months from the date of the interviews	Time limits on litigation
General Annual Leave Information	3 years from the end of the Financial Year	The National Archives Retention Scheduling: Employee Personnel Records
Disclosure and Barring Service (DBS) Criminal Record Checks (a) Certificate Unique Reference Number, Issue Date, Certificate Type (b) Certificate Contents	(a) 6 years from the end of employment (b) A maximum of six months, or longer in consultation with the DBS	(a) Safeguarding and Safer Recruitment and Selection Guidelines (b) Disclosure and Barring Service Code of Practice
Facts relating to redundancies where less than 20 redundancies	6 years from the date of redundancy	Time limits on litigation
Facts relating to redundancies where 20 or more redundancies	12 years from the date of the redundancies	Limitation Act 1980
Financial Information		
Financial Information	At least 6 years after the end of the financial year to which the records related	HM Treasury guidelines, National Audit Office Advice, Companies Act 2006

Payroll Capita Reports	6 years	HM Treasury guidelines, National Audit Office Advice, Companies Act 2006
Statutory Sick Pay records and calculations	At least 3 years from the end of the financial year	Statutory Sick Pay (General) Regulations 1982
Maternity, Paternity and Adoption leave and pay	At least 3 years from the end of the financial year	Statutory Maternity Pay (General) Regulations 1986 Statutory Paternity and Statutory Adoption Pay (Administration) Regulations 2002
Staff Pension, Pay History and Termination Reasons	100 years from DOB	The National Archives Retention Scheduling: Employee Personnel Records
Health & Safety Records		
Accident books, and records and reports of accidents	3 years after the date of the last entry	Social Security (Claims and Payments) Regulations 1979; RIDDOR 1985
Health & Safety Inspections	6 years	Management of Health and Safety at Work Regulations
Health Records where reason for termination of employment is connected with health, including stress related illness	3 years	Limitation period for personal injury claims
Medical records kept by reason of the Control of Substances Hazardous to Health Regulations 1999	40 years	Control of Substances Hazardous to Health Regulations 1999
Ionising Radiation Records	At least 50 years after last entry	Ionising Radiations Regulations 1985
Student Records		
Student records, including academic achievements and conduct	At least 10 years from the date that the student leaves the institution, in case of litigation for negligence	Limitation period for negligence.
	At least 10 years for personal and academic references.	Permits institution to provide references for a reasonable length of time.
	Certain personal data may be held in perpetuity.	While personal and academic references may become 'stale', some data e.g. transcripts of student marks may be required throughout the student's future career. Upon the death of the data subject, data relating to him/her ceases to be personal data.