Wirral Academy Trust

Data Protection Policy

THE BIRKENHEAD PARK SCHOOL

Adopted by Board: 8 December 2015
Review Period: 2yr
Review Date: December 2017
Person responsible for policy: Clerk

Wirral Academy Trust

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DATA PROTECTION POLICY

1) Introduction

Wirral Academy Trust is committed to the highest standards of ethical conduct and integrity in its activities. This policy outlines Wirral Academy Trust's position on processing relevant personnel data regarding employees as part of its operation and shall take all reasonable steps to do so in accordance with this.

Processing may include obtaining, recording, holding, disposing, destroying or otherwise using data. The Trust will endeavour to ensure that all personal data is processed in compliance with this policy and the principles of the Data Protection Act 1998.

Wirral Academy Trust has appointed a Data Protection Controller ("DPC"). Please ask your Line Manager if you require the details.

The DPC will endeavour to ensure that all personal data is processed in compliance with this policy and the principles of the Data Protection Act 1998.

2) The Principles

Wirral Academy Trust is required to comply with the Data Protection principles ("the principles") contained in the Data Protection Act to ensure all data is:-

a) Fairly and lawfully processed

b) Processed for limited purposes

c) Adequate, relevant and not excessive

d) Accurate and up to date

e) Not kept for longer than necessary

f) Processed in accordance with the data subject rights

g) Protected and Secure

h) Not transferred to other countries without adequate protection

3) Personal Data

Personal Data covers both facts and opinions about an individual. Personal data may include, but is not limited to names and addresses, bank details, academic, disciplinary, attendance records and references.

4) Processing of Personal Data or Business Contacts

Any information which falls within the definition of personal data and is not otherwise exempted will remain confidential and will only be disclosed to third parties with the consent of the appropriate individual or under the terms of this Policy.

5) Sensitive Personal Data

Wirral Academy Trust may from time to time be required to process sensitive personal data regarding an employee. Where sensitive personal data is processed by the Trust, the explicit consent of the appropriate individual will generally be required in writing.

The processing of sensitive personal data is subject to the above mentioned eight data protection principles.

6) Rights of Access

Individuals have a right of access to personal data held by Wirral Academy Trust relating to themselves. Any individual wishing to access their personal data should put their request in writing to their Line Manager. The Trust will endeavour to respond to any such written request as soon as is reasonably practicable and in any event usually within 40 days.

Please note that Wirral Academy Trust may charge an administration fee of up to a maximum of £10.00 for providing this information.

You should be aware that certain data is exempt from the right of access under the Data Protection Act. This may include information which identifies other individuals, information which Wirral Academy Trust reasonably believes is likely to cause damage, distress or information which is subject to legal professional privilege.

Wirral Academy Trust will also treat as confidential any reference given to the Trust for the purpose of training or employment or prospective training or employment of any employee. However such a reference will only be disclosed if such disclosure will not identify the source of the reference or where, notwithstanding this, the referee has given their consent or if disclosure is reasonable in all the circumstances.

7) Exemptions

Certain data is exempted from the provisions of the Data Protection Act which includes data relating to the following:

a) The prevention or detection of crime.

b) The assessment of any tax or duty.

c) Whether processing is necessary to exercise a right or obligation conferred or imposed by law upon Wirral Academy Trust.

The above are examples of only some of the exemptions under the Act.

8) Disclosure of Information

Wirral Academy Trust may receive requests from third parties to disclose personal data it holds about employees. The Trust confirms it would generally disclose information unless the individual has withheld their consent. In particular the Trust will disclose such data as is necessary to third parties in order to provide a reference for an employee when they are seeking alternative employment.

Where Wirral Academy Trust receives a disclosure request from a third party, it will take reasonable steps to verify the identity of that party before making any disclosure.

9) Accuracy

Wirral Academy Trust will endeavour to ensure that all personal data held in relation to an employee is accurate. Employees must notify their Line Manager of any changes to information held about them. An employee has the right to request that inaccurate information about them is erased or corrected.

10) Security

All employees will be made aware of this Policy and their duties under the Data Protection Act. Wirral Academy Trust will ensure that all personal information is held securely and is not accessible to unauthorised persons.

11) Enforcement

If an individual believes Wirral Academy Trust has not complied with this policy or acted otherwise than in accordance with the Data Protection Act, they should utilise the Grievance Procedure and should also notify their Line Manager.

12) Further Information

For further information/guidance contact your Line Manager.