



**Federation of  
Westminster Special Schools  
& Bi-Borough Inclusion Service**

# **Data Protection Policy**

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## 1. Aims

The Federation of Westminster Special Schools, Bi Borough inclusion Service (henceforth ‘the Federation’) aims to ensure that all personal data collected about staff, pupils, parents, governors, visitors and other individuals is collected, stored and processed in accordance with the [General Data Protection Regulation \(GDPR\)](#) and the provisions of the Data Protection Act 2018 (DPA 2018) as previously set out in the [Data Protection Bill](#).

This policy applies to all personal data, regardless of whether it is in paper or electronic format.

## 2. Legislation and guidance

This policy meets the requirements of the GDPR and the provisions of the DPA 2018. It is based on guidance published by the Information Commissioner’s Office (ICO) on the [GDPR](#) and the ICO’s [code of practice for subject access requests](#).

It also reflects the ICO’s [code of practice](#) for the use of surveillance cameras and personal information.

In addition, this policy complies with regulation 5 of the [Education \(Pupil Information\) \(England\) Regulations 2005](#), which gives parents the right of access to their child’s educational record.

## 3. Definitions

| Term                                       | Definition   |
|--|--|
| <b>Personal data</b>                       | Any information relating to an identified, or identifiable, individual.<br><br>This may include the individual’s: <ul style="list-style-type: none"><li>• Name (including initials)</li><li>• Identification number</li><li>• Location data</li><li>• Online identifier, such as a username</li></ul> It may also include factors specific to the individual’s physical, physiological, genetic, mental, economic, cultural or social identity.  |
| <b>Special categories of personal data</b> | Personal data which is more sensitive and so needs more protection, including information about an individual’s: <ul style="list-style-type: none"><li>• Racial or ethnic origin</li><li>• Social issues</li><li>• Religious or philosophical beliefs</li><li>• Trade union membership</li><li>• Disability and health data</li><li>• Biometrics (such as fingerprints, retina and iris patterns), where used for identification purposes</li><li>• Health – physical or mental</li><li>• Sex life or sexual orientation</li></ul> |
| <b>Processing</b>                          | Anything done to personal data, such as collecting,  |

|                             |  |
|-----------------------------|--|
|                             | <p>recording, organising, structuring, storing, adapting, altering, retrieving, using, disseminating, erasing or destroying.</p> <p>Processing can be automated or manual.</p> |
| <b>Data subject</b>         | The identified or identifiable individual whose personal data is held or processed.  |
| <b>DPO</b>                  | A person or organisation that determines the purposes and the means of processing of personal data.  |
| <b>Data processor</b>       | A person or other body, other than an employee of the data controller, who processes personal data on behalf of the DPO.   |
| <b>Personal data breach</b> | A breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data.                              |

#### 4. The data controller

The Federation processes personal data relating to parents, pupils, staff, governors, visitors and others, and therefore is a data controller.

The Federation is registered as data controller with the ICO and will renew registrations annually or as otherwise legally required.

#### 5. Roles and responsibilities

This policy applies to **all staff** employed by the Federation and to external organisations or individuals working on our behalf. *Staff who do not comply with this policy may face disciplinary action.*

##### 5.1 Governing board

The Governing Board has overall responsibility for ensuring that the Federation complies with all relevant data protection obligations and has appointed a GDPR Champion, to ensure compliance.

##### 5.2 Data protection officer

The data protection officer (DPO) is responsible for overseeing the implementation of this policy, monitoring our compliance with data protection law, and developing related policies and guidelines where applicable.

They will provide an annual report of their activities directly to the Governing Board and, where relevant, report to the board their advice and recommendations on school data protection issues. The DPO will also meet regularly with the Governor Champion to assess compliance and explore improvements as agreed.

The DPO is also the first point of contact for individuals whose data the school processes, and for the ICO.

Full details of the DPO's responsibilities are set out in their job description.

Our DPO is Mark Middleton the Federation Business Manager and is contactable via email:

[m.middleton@qe2cp.westminster.sch.uk](mailto:m.middleton@qe2cp.westminster.sch.uk)

##### 5.3 Head Teachers & Bi Borough inclusion service Manager

The Head teachers and the Head of the Bi-borough Inclusion Service as appropriate will act as the representative of the DPO on a day-to-day basis, supported by the HR Manager who holds operational responsibility for highlighting and

addressing issues and questions. Decisions about how data is handled and stored should be made with reference to the legal basis. Where clarification or guidance is required, this should be done with the DPO and the EHT.

#### 5.4 All staff

Staff are responsible for:

- Collecting, storing and processing any personal data in accordance with this policy
- Informing the HR Manager of any changes to their personal data, such as a change of address
- Contacting the DPO in the following circumstances:
  - With any questions about the operation of this policy, data protection law, retaining personal data or keeping personal data secure
  - If they have any concerns that this policy is not being followed
  - If they are unsure whether or not they have a lawful basis to use personal data in a particular way
  - If they need to rely on or capture consent, draft a privacy notice, deal with data protection rights invoked by an individual, or transfer personal data outside the European Economic Area
  - If there has been a data breach
  - Whenever they are engaging in a new activity that may affect the privacy rights of individuals
  - If they need help with any contracts or sharing personal data with third parties

#### 5.5 GDPR Champion

The Federation's GDPR Champion is Carole Melson, Federation governor, responsible for:

- Monitoring visits to the school and reporting back to the Governing Board
- Working with the DPO on policy and procedure
- Ensuring the Federation's policies are robust and proportionate and considered by her to be legally compliant.

## 6. Data protection principles

The GDPR is based on data protection principles that the Federation must comply with.

The principles say that personal data must be:

- Processed lawfully, fairly and in a transparent manner
- Collected for specified, explicit and legitimate purposes
- Adequate, relevant and limited to what is necessary to fulfil the purposes for which it is processed
- Accurate and, where necessary, kept up to date
- Kept for no longer than is necessary for the purposes for which it is processed
- Processed in a way that ensures it is appropriately secure
- Erased or rectified on request (within legislative framework)

This policy sets out how the Federation aims to comply with these principles.

## 7. Collecting personal data

### 7.1 Lawfulness, fairness and transparency

The Federation will only process personal data where we have one of 6 'lawful bases' (legal reasons) to do so under data protection law:

- The data needs to be processed so that the Federation can **fulfil a contract** with the individual, or the individual has asked the school to take specific steps before entering into a contract
- The data needs to be processed so that the Federation can **comply with a legal obligation**
- The data needs to be processed to ensure the **vital interests** of the individual e.g., to protect someone's life.

- The data needs to be processed so that the Federation, as a public authority, can perform a task **in the public interest** and carry out its official functions
- The data needs to be processed for the **legitimate interests** of the Federation or a third party (provided the individual's rights and freedoms are not overridden)
- The individual (or their parent/carer when appropriate in the case of a pupil) has freely given clear **consent**

For special categories of personal data, we will also meet one of the special category conditions for processing which are set out in the Data Protection Act 2018.

### **Primary pupils**

When we offer online services to pupils, such as classroom apps, lessons and equipment, we intend to rely on consent as a basis for processing, we will get parental consent (except for online counselling and preventive services).

We will seek explicit consent to communicate with parents via 'Teachers to Parents' and use this communication channel only as set out within the terms of the consent.

### **Secondary pupils**

When we offer online services to pupils, such as classroom apps, lessons and equipment, we intend to rely on consent as a basis for processing, we will get parental consent where the pupil is under 18 (except for online counselling and preventive services).

We will seek explicit consent to communicate with parents via 'Teachers to Parents' and use this communication channel only as set out within the terms of the consent.

Whenever we first collect personal data directly from individuals, we will provide them with the relevant information required by data protection law.

## **7.2 Limitation, minimisation and accuracy**

We will only collect personal data for specified, explicit and legitimate reasons. We will explain these reasons to the individuals when we first collect their data.

If we want to use personal data for reasons other than those given when we first obtained it, we will inform the individuals concerned before we do so, and seek consent where necessary.

Staff must only process personal data where it is necessary in order to do their jobs.

When staff no longer need the personal data they hold, they must ensure it is deleted or anonymised. This will be done in accordance with the Federation's 'Information and Records Management Society's Toolkit for Schools' (a copy of this is in the staff shared drive on the Federation network and the Federation retention periods in Appendix 2).

## **8. Sharing personal data**

We will not normally share personal data with anyone else, but may do so where:

- There is an issue with a pupil or parent/carer that puts the safety of our staff and / or pupils at risk
- We need to liaise with other agencies – we will seek consent as necessary before doing this
- Our suppliers or contractors need data to enable us to provide services to our staff and pupils – for example, IT companies. When doing this, we will:
  - Only appoint suppliers or contractors who can provide sufficient guarantees that they comply with data protection law
  - Establish a data sharing agreement with the supplier or contractor, either in the contract or as a standalone agreement, to ensure the fair and lawful processing of any personal data we share
  - Only share data that the supplier or contractor needs to carry out their service, and information necessary to keep the Federation safe while working with us.

We will also share personal data with law enforcement and government bodies where we are legally required to do so, including for:

- The prevention or detection of crime and/or fraud
- The apprehension or prosecution of offenders
- The assessment or collection of tax owed to HMRC

- In connection with legal proceedings
- Where the disclosure is required to satisfy our safeguarding obligations
- Research and statistical purposes, as long as personal data is sufficiently anonymised or consent has been provided

We may also share personal data with emergency services and local authorities to help them to respond to an emergency situation that affects any of our pupils or staff.

Where we transfer personal data to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

## 9. Subject access requests and other rights of individuals

### 9.1 Subject access requests

Individuals have a right to make a 'subject access request' to gain access to personal information that each Federation 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
- The source of the data, if not obtained directly from 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

Subject access requests should include:

- Name of individual
- Correspondence address
- Contact number and email address
- Details of the information requested

If staff receive a subject access request, they must immediately forward it to the DPO.

(Appendix Three: Information Diagram)

### 9.2 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, subject access requests from parents or carers of pupils in either of the Federation schools will 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 and within any child protection context.

Children aged 12-16 are generally regarded to be mature enough to understand their rights and the implications of a subject access request. However, the children within either of the Federation schools are unlikely to be able to make informed decisions on the data held. Therefore, most subject access requests from parents or carers of pupils in Federation schools will 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 16+ will be making a number of decisions, often with staff and parent/carer support. However, there is an expectation that the children can and should make decisions for themselves when it is demonstrable that they understand their rights. Therefore, subject access requests from parents or carers of pupils in either of the Federation schools who are over 16 will 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 and within any child protection context.

### 9.3 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
- 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 will not disclose information if it:

- Might cause serious harm to the physical or mental health of the pupil or another individual
- Would reveal that the child is at risk of abuse, where the disclosure of that information would not be in the child's best interests
- Is contained in adoption or parental order records
- Is given to a court in proceedings concerning the child

If the request is unfounded or excessive, we may refuse to act on it, or charge a reasonable fee which takes into account administrative costs.

A request will be deemed to be unfounded or excessive if it is repetitive or asks for further copies of the same information.

When we refuse a request, we will tell the individual why, and tell them they have the right to complain to the ICO.

### 9.4 Other data protection rights of the individual

In addition to the right to make a subject access request (see above), and to receive information when we are collecting their data about how we use and process it (see section 7), individuals also have the right to:

- Withdraw their consent to processing at any time
- Ask us to rectify, erase or restrict processing of their personal data, or object to the processing of it (in certain circumstances)
- Prevent use of their personal data for direct marketing
- Challenge processing which has been justified on the basis of public interest
- Request a copy of agreements under which their personal data is transferred outside of the European Economic Area
- Object to decisions based solely on automated decision making or profiling (decisions taken with no human involvement, that might negatively affect them)
- Prevent processing that is likely to cause damage or distress
- Be notified of a data breach in certain circumstances
- Make a complaint to the ICO
- Ask for their personal data to be transferred to a third party in a structured, commonly used and machine-readable format (where possible)

Individuals should submit any request to exercise these rights to the DPO. If staff receive such a request, they must immediately forward it to the DPO.

### 9.5 The right to erasure (right to be forgotten)

#### ***What is the right to erasure?***

Under Article 17 of the GDPR individuals have the right to have personal data erased. This is also known as the 'right to be forgotten'. The right is not absolute and only applies in certain circumstances.

When does the right to erasure apply?



Individuals have the right to have their personal data erased if:

- the personal data is no longer necessary for the purpose which you originally collected or processed it for;
- you are relying on consent as your lawful basis for holding the data, and the individual withdraws their consent;
- you are relying on legitimate interests as your basis for processing, the individual objects to the processing of their data, and there is no overriding legitimate interest to continue this processing;
- you are processing the personal data for direct marketing purposes and the individual objects to that processing;
- you have processed the personal data unlawfully (i.e. in breach of the lawfulness requirement of the 1st principle);
- you have to do it to comply with a legal obligation; or
- you have processed the personal data to offer information society services to a child.

#### ***How does the right to erasure apply to data collected from children?***

There is an emphasis on the right to have personal data erased if the request relates to data collected from children. This reflects the enhanced protection of children's information, especially in online environments, under the GDPR.

Therefore, if you process data collected from children, you should give particular weight to any request for erasure if the processing of the data is based upon consent given by a child – especially any processing of their personal data on the internet. This is still the case when the data subject is no longer a child, because a child may not have been fully aware of the risks involved in the processing at the time of consent.

#### ***Do we have to tell other organisations about the erasure of personal data?***

The GDPR specifies two circumstances where you should tell other organisations about the erasure of personal data:

- the personal data has been disclosed to others; or
- the personal data has been made public in an online environment (for example on social networks, forums or websites).

If you have disclosed the personal data to others, you must contact each recipient and inform them of the erasure, unless this proves impossible or involves disproportionate effort. If asked to, you must also inform the individuals about these recipients.

The GDPR defines a recipient as a natural or legal person, public authority, agency or other body to which the personal data are disclosed. The definition includes controllers, processors and persons who, under the direct authority of the controller or processor, are authorised to process personal data.

The right to be forgotten does not take precedent over the statutory responsibilities, to keep information for assigned periods of time e.g. children's files up to the age of 25.

## **10. Parental requests to see the educational record**

Parents, or those with parental responsibility, have a legal right to free access to their child's educational record (which includes most information about a pupil) within 15 school days of receipt of a written request.

## **11. Biometric recognition systems**

If and when the Federation use pupils' biometric data as part of an automated biometric recognition system (for example, pupils use finger prints to receive school dinners instead of paying with cash) we will comply with the requirements of the Protection of Freedoms Act 2012.

## **12. CCTV**

We use CCTV in various locations around the Federation sites to ensure it remains safe. We will adhere to the ICO's [code of practice](#) for the use of CCTV.

We do not need to ask individuals' permission to use CCTV, but we make it clear where individuals are being recorded. Security cameras are clearly visible and accompanied by prominent signs explaining that CCTV is in use.

Any enquiries about the CCTV system or access to the system by third parties should be directed to Mark Middleton, The Federation Business Manager.

### 13. Photographs and videos

As part of our school activities, we may take photographs and record images of individuals within our Federation.

We will obtain written consent from parents/carers and staff for photographs and videos to be taken of their child for communication, marketing and promotional materials. We will clearly explain how the photograph and/or video will be used to both the parent/carer and pupil. Stored photographs will be disposed of at the end of the academic year.

We will obtain written consent from parents/carers, or pupils aged 18 and over, for photographs and videos to be taken of pupils for communication, marketing and promotional materials.

When the Federation needs parental consent, we will clearly explain how the photograph and/or video will be used to both the parent/carer and pupil. Stored photographs will be disposed of, at the end of the academic year.

Uses may include:

- Within school on notice boards and in school magazines, brochures, newsletters, etc.
- Outside of school by external agencies such as the school photographer, newspapers, campaigns
- Online on the Federation website or social media pages

Consent can be refused or withdrawn at any time. If consent is withdrawn, we will delete the photograph or video and not distribute it further.

When using photographs and videos in this way we will not accompany them with any other personal information about the child, to ensure they cannot be identified.

See our Safeguarding and Child Protection policy for more information on our use of photographs and videos.

### 14. Data protection by design and default

We will put measures in place to show that we have integrated data protection into all of our data processing activities, including:

- Appointing a suitably qualified DPO and ensuring they have the necessary resources to fulfil their duties and maintain their expert knowledge
- Only processing personal data that is necessary for each specific purpose of processing and always in line with the data protection principles set out in relevant data protection law (see section 6)
- Completing privacy impact assessments where the Federation's processing of personal data presents a high risk to rights and freedoms of individuals, and when introducing new technologies (the DPO will advise on this process)
- Integrating data protection into internal documents including this policy, any related policies and privacy notices
- Regularly training members of staff on data protection law, this policy, any related policies and any other data protection matters. We will also keep a record of attendance.
- Regularly conducting reviews and audits to test our privacy measures and make sure we are compliant
- Maintaining records of our processing activities, including:
  - For the benefit of data subjects, making available the name and contact details of our Federation and DPO and all information we are required to share about how we use and process their personal data (via our privacy notices)
  - For all personal data that we hold, maintaining an internal record of the type of data, data subject, how and why we are using the data, any third-party recipients, how and why we are storing the data, retention periods and how we are keeping the data secure

### 15. Data security and storage of records

We will protect personal data and keep it safe from unauthorised or unlawful access, alteration, processing or disclosure, and against accidental or unlawful loss, destruction or damage.

In particular:

- Paper-based records and portable electronic devices, such as laptops and hard drives that contain personal data are kept under lock and key when not in use

- Papers containing confidential personal data must not be left on office and classroom desks, on staffroom tables, pinned to notice/display boards, or left anywhere else where there is general access
- Where personal information cannot be taken off site, staff must access files through the secure network.
- Passwords that are at least 8 characters long containing letters and numbers are used to access school computers, laptops and other electronic devices. Staff and pupils are required to change their passwords at regular intervals.
- Encryption software is used to protect all portable devices and removable media, such as laptops and external hard drives.
- Staff, pupils or governors who store personal information on their personal devices are expected to follow the same security procedures as for school-owned equipment (see our online safety policy/ICT acceptable use agreement)
- Where we need to share personal data with a third party, we carry out due diligence and take reasonable steps to ensure it is stored securely and adequately protected (see section 8)
- Staff sending emails with personal information that can clearly identify a pupil or staff must use secure email.
- All emails to external agencies e.g. health professionals must be encrypted and accessible by the recipient only.
- Documents both paper and electronic will be held securely in line with retention periods; all paper files will be stored at QEII in the Federation's archive store and will be revised in July annually.
- All electronic records will be revised in July annually.
- All digital data is secured on the Federation's IT network. This data is backed up daily to the Cloud by Atomwide, using Gridstore Redstor back up technology. Back-ups cover a three week period.

## 16. Disposal of records

(Appendix Two: Retention Periods)

Personal data that is no longer needed will be disposed of securely. Personal data that has become inaccurate or out of date will also be disposed of securely, where we cannot or do not need to rectify or update it.

For example, we will shred or incinerate paper-based records, and overwrite or delete electronic files. We may also use a third party to safely dispose of records on the Federation's behalf. If we do so, we will require the third party to provide sufficient guarantees that it complies with data protection law.

## 17. Personal data breaches

The Federation will make all reasonable endeavours to ensure that there are no personal data breaches.

In the unlikely event of a suspected data breach, we will follow the procedure set out in appendix 1.

Where appropriate, we will report the data breach to the ICO within 72 hours. Such breaches in a school context may include, but are not limited to:

- A non-anonymised dataset being published on the Federation website which shows the exam results of pupils eligible for the pupil premium
- Safeguarding information being made available to an unauthorised person
- The theft of a Federation laptop containing non-encrypted personal data about pupils

## 18. Training

All staff and governors are provided with data protection training as part of their induction process.

Data protection will also form part of continuing professional development, where changes to legislation, guidance or the school's processes make it necessary.

## 19. Monitoring arrangements

The DPO is responsible for monitoring and reviewing this policy.

This policy will be reviewed and updated when changes to the Data Protection Act make it necessary. Otherwise .... or from then on, this policy will be reviewed **every 2 years** and approved by the full Governing Board.

## 20. Links with other policies

This data protection policy is linked to our:

- Freedom of information publication scheme
- Safeguarding and child protection policy (including e-safety)
- Acceptable use of IT policy
- Pupil premium policy
- School meal debt policy
- Performance appraisal policy
- Managing unsatisfactory performance and capability policy
- Financial procedures
- Pay policy
- Sickness absence policy
- Cover policy
- School behaviour and rewards policy
- Special educational needs and disability policy
- Information and records management society's toolkit for schools
- EHCP

## Appendix 1: Personal data breach procedure

This procedure is based on [guidance on personal data breaches](#) produced by the ICO.

On finding or causing a breach, or potential breach, the staff member or data processor must immediately notify the DPO

The DPO will investigate the report, and determine whether a breach has occurred. To decide, the DPO will consider whether personal data has been accidentally or unlawfully:

- Lost
- Stolen
- Destroyed
- Altered
- Disclosed or made available where it should not have been
- Made available to unauthorised people

The DPO will alert the relevant Head teacher or the Bi Borough inclusion manager and the Executive Head teacher.

The DPO will make all reasonable efforts to contain and minimise the impact of the breach, assisted by relevant staff members or data processors where necessary. (Actions relevant to specific data types are set out at the end of this procedure)

The DPO will assess the potential consequences, based on how serious they are, and how likely they are to happen

The DPO will determine whether the breach must be reported to the ICO. This must be judged on a case-by-case basis. To decide, the DPO will consider whether the breach is likely to negatively affect people's rights and freedoms, and cause them any physical, material or non-material damage (e.g. emotional distress), including through:

- Loss of control over their data
- Discrimination
- Identify theft or fraud
- Financial loss
- Unauthorised reversal of the use of pseudonyms (for example, key-coding)
- Damage to reputation
- Loss of confidentiality
- Any other significant economic or social disadvantage to the individual(s) concerned

If it is likely that there will be a risk to people's rights and freedoms, the DPO must notify the ICO.

The DPO will document the decision (either way) in case it is challenged at a later date by the ICO or an individual affected by the breach. Documented decisions are stored within the Every <sup>1</sup>issue log, as are the notes, investigation records and audit trail.

Where the ICO must be notified, the DPO will do this via the '[report a breach](#)' page of the [ICO website](#) within 72 hours. As required, the DPO will set out:

- A description of the nature of the personal data breach including, where possible:
  - The categories and approximate number of individuals concerned
  - The categories and approximate number of personal data records concerned
- The name and contact details of the DPO
- A description of the likely consequences of the personal data breach

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<sup>1</sup> Every is a business management tool used by the support teams to manage buildings, contracts, training, risks and issues

- A description of the measures that have been, or will be taken, to deal with the breach and mitigate any possible adverse effects on the individual(s) concerned.

If all the above details are not yet known, the DPO will report as much as they can within 72 hours. The report will explain that there is a delay, the reasons why and when the DPO expects to have further information. The DPO will submit the remaining information as soon as possible.

The DPO will also assess the risk to individuals, again based on the severity and likelihood of potential or actual impact. If the risk is high, the DPO will promptly inform, in writing, all individuals whose personal data has been breached. This notification will set out:

- The name and contact details of the DPO
- A description of the likely consequences of the personal data breach
- A description of the measures that have been, or will be, taken to deal with the data breach and mitigate any possible adverse effects on the individual(s) concerned

The DPO will notify any relevant third parties who can help mitigate the loss to individuals – for example, the police, insurers, banks or credit card companies

The DPO will document each breach, irrespective of whether it is reported to the ICO. For each breach, this record will include the:

- Facts, causes and effects
- Action taken to contain it and ensure it does not happen again (such as establishing more robust processes or providing further training for individuals)

Records of all breaches will be stored in the 'every issue log'.

The DPO, Head Teacher, Governor Champion and Executive Headteacher will meet to review what happened and how it can be prevented from happening again. This meeting will happen as soon as is reasonably possible.

### **Actions to minimise the impact of data breaches**

We will take the actions set out below to mitigate the impact of different types of data breach, focusing especially on breaches involving particularly risky or sensitive information and we will report to the ICO accordingly as per the guidance set out above. We will review the effectiveness of these actions and amend them as necessary after any data breach.

#### **Sensitive information being disclosed via email (including safeguarding records)**

- If special category data (sensitive information) is accidentally made available via email to unauthorised individuals, the sender must attempt to recall the email as soon as they become aware of the error.
- Members of staff who receive personal data sent in error must alert the sender and the DPO as soon as they become aware of the error.
- If the sender is unavailable or cannot recall the email for any reason, the DPO will ask the IT Technical Support to recall it.
- In any cases where the recall is unsuccessful, the DPO will contact the relevant unauthorised individuals who received the email, explain that the information was sent in error, and request that those individuals delete the information and do not share, publish, save or replicate it in any way.
- The DPO will ensure we receive a written response from all the individuals who received the data, confirming that they have complied with this request.
- The DPO will carry out an internet search to check that the information has not been made public; if it has, we will contact the publisher/website owner or administrator to request that the information is removed from their website and deleted.

Other breaches include:

- Details of pupil premium interventions for named children being published on the Federation website
- A Federation IT device containing non-encrypted sensitive personal data being stolen or hacked
- Sensitive data being taken off site
- Sensitive data being published on social media

- Personal data being left on desks
- Mobile phones with personal data being passed on to other staff.