



## Data Protection Policy



### Statement

The Sanctuary Teaching School, part of Sola Fide MAT, is required to process relevant personal data regarding individuals as part of its operation (statutory purpose) and shall take all reasonable steps to do so in accordance with this Policy. Processing may include obtaining, recording, holding, disclosing, destroying or otherwise using personal data.

The Policy meets the requirements and expectations of the General Data Protection Regulation (GDPR) introduced in law on 25<sup>th</sup> May 2018.

### Data Protection Officer

The MAT has appointed Karen Greenhalgh as Data Protection officer (DPO). Any questions or concerns about the operation of this policy should be referred, in writing, to her.

### Data Protection Principles

The processing of personal data must comply with the eight principles of good practice within the requirements of the GDPR.

- Fairly and lawfully processed
- Processed for a lawful purpose
- Adequate, relevant and not excessive
- Accurate and up-to-date
- Retained only as long as is necessary
- Processed in accordance with the data subjects' rights
- Secure
- Not transferred abroad without adequate protection.

### Types of Personal Data Processed by The Sanctuary Teaching School

This could include:

- Name, address, Date of Birth, employer, teacher number, NI number, telephone number, email address
- Individuals' academic qualifications
- References
- Images of course participants engaging in teaching and learning activities (with consent)

Generally, The Sanctuary receives personal data from the individual or their employer directly. However, in some circumstances personal data may be supplied by third parties.

Personal data includes facts and opinions about an individual and could include personal data relating to current, past and prospective individuals.

## **Sensitive Personal Data**

The Sanctuary may, on occasion, process sensitive personal data regarding individuals. This may include information regarding an individual's physical or mental health, religious beliefs, trade union membership or criminal records and proceedings. Sensitive personal data will only be processed by The Sanctuary as permitted under GDPR or with the consent of the appropriate individual.

## **Use of Personal data**

The Sanctuary will process personal data as part of its operations for a number of purposes including:

- Confirm identity of individuals
- Provide educational services, monitor progress
- For management planning and forecasting, statistical analysis, enable relevant authorities to monitor The Sanctuary's performance
- To provide and receive information and references about past, current and prospective individual's institutions previously attended/employed or proposed new establishments
- Safeguarding purposes for welfare, pastoral and medical care and to take appropriate action in the event of an emergency (including the disclosure of an individual's medical condition where it is in the individual's best interest)
- The appropriate use of photographic images of individuals in accordance with The MAT's policy on taking, storing and using images.
- Security purposes and for regulatory and legal purposes e.g. health and safety and to comply with its legal obligations
- Where otherwise reasonably necessary for The Sanctuary's purpose

## **Other Contact**

Occasionally The Sanctuary may use the contact details of course participants to keep them updated about Sanctuary activities.

Should you wish to object to such use, please contact The DPO in writing

## **Right of Access to Personal Data (Data Subject Access)**

Individuals have the right under the Act to access personal data held by The Sanctuary subject to certain exemptions and limitations as set out in the Act. Any individual wishing to access their personal data should put their request in writing to the DPO.

The Sanctuary will endeavour to respond to written requests as soon as is reasonably practicable and, in any event, within statutory time limits (one month).

In line with the GDPR we recognise the following rights in relation to data:

- Right of access (with some exemptions)
- Right of rectification of inaccurate personal data and the right to provide additional data to complete any incomplete personal data
- Right to erasure (in certain cases)
- Right to restrict processing (applicable for a certain period and/or certain situation)
- Right to data portability
- Right to object (in certain cases)
- Right to be not subject to Automated Individual decision making
- Right to file complaints
- Right to compensation

## **Exemptions**

It is important to note that certain data is exempt from the right of access under the Act. As a result, in some cases it will not be possible to make public some or all of the information requested. This may include information that identifies other individuals or information that is subject to legal professional privilege. Examples include:

- Where the process is necessary to exercise a right or obligation conferred or imposed by law upon The Sanctuary
- Information which might cause serious harm to the physical/mental health of the individual
- The prevention/detection of crime
- Assessment of tax or duty

Further exemptions may include information that identifies others or where The Sanctuary believes it is likely to cause damage or distress.

Entire requests can be refused under the following circumstances:

- It would cost too much or take too much staff time to deal with the request
- The request is vexatious
- The request repeats a previous request from the same person

The Sanctuary will treat as confidential any reference given by it for the purpose of education, training or employment. The Sanctuary acknowledges that an individual may have the right to access a reference relating to them. However, such a reference will only be disclosed if the disclosure will not identify the source of the reference or where, notwithstanding this, the referee has given consent if disclosure is reasonable in all the circumstances.

## **Disclosure of Information**

The Sanctuary may receive requests from third parties to disclose personal data it holds about individuals. The Sanctuary confirms that it will generally not disclose information unless there is consent, or one of the specific exemptions under the Act applies. However, The Sanctuary does intend to disclose such data as is necessary to third parties for the following:

- To complete participant records
- To resolve disputes

- To provide a confidential reference to an establishment relating to an individual which it is proposed the individual may attend

## **Accuracy**

The Sanctuary will endeavour to ensure that all personal data held in relation to an individual is as up-to-date and as accurate as possible. Individuals must notify The Sanctuary of any changes to information held about them. An individual has the right to request that inaccurate information about them is erased or corrected (subject to certain exemptions and limitations under the Act) and may do so by contacting the DPO in writing.

## **Retention of Data**

The Sanctuary will only retain personal data for as long as is necessary for the purpose(s) for which it was collected.

An exception to this is the retention of NQT records, which will be kept in line with the TRA induction guidance. Therefore, NQTs who successfully complete and pass their NQT Induction will have their record retained for seven years, after which it will be securely disposed of.

NQTs who have had a data loss or other issue in their NQT Induction will have their record retained for a period of 15 years, after which it will be securely disposed of.

## **Data Security**

The Sanctuary will take appropriate technical and organisational steps to ensure the security of personal data. Members of staff will only have access to personal data relating to individuals where it is necessary for them to do so. The Sanctuary will ensure that appropriate security measures are taken against unlawful or unauthorised processing of personal data and against accidental loss or damage to such data.

## **Data Breaches**

The Sanctuary takes seriously any data breach, and will endeavour to minimise such risk. However, in the rare circumstances surrounding a data breach due process will be followed. In such circumstances it would be appropriate for The Sanctuary to consider the following before referring to The Information Commissioner's Office (ICO):

### *Scale*

How many individuals' data is involved?

### *Content*

What is the nature of the data?

How identifiable is the data?

### *Outcomes*

What is the likelihood of the data being returned not having been accessed or shared?

### *Reputational Risk*

What would the reputational risk to The Sanctuary be if it was not reported?

Significant breaches of data will be referred to the ICO within 72 hours.

## **Charges**

In most cases The Sanctuary cannot charge a fee for a Data Subject Access request. However, where the request is manifestly unfounded or excessive, The Sanctuary will charge a “reasonable fee” (ICO) for the administrative costs of complying with the request.

A “reasonable fee” can also be charged if an individual requests further copies of their data following a request. This fee will be based on the administrative costs of providing further copies.