



## **Pope John XXIII Catholic Multi-Academy Company**

# **DATA PROTECTION POLICY**

**Approved by Finance, Resources and Staffing Committee: 13<sup>th</sup> February 2017**  
**Ratified by the Board of Directors: 28<sup>th</sup> March 2017**  
**Date of Review: 1<sup>st</sup> January 2020**

**For: Corpus Christi Catholic Primary Academy**  
**Holy Rosary Catholic Primary Academy**  
**Our Lady and St Chad Catholic Academy**  
**St Mary's Catholic Primary Academy**

## **DATA PROTECTION POLICY**

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## **1. Statement of intent**

The Pope John XXIII Catholic Multi-Academy Company (MAC) and its constituent schools, are required to keep and process certain information about its staff members and pupils and other data subjects in accordance with its legal obligations under the Data Protection Act 1998.

This policy will outline how will comply with the key principles of the Data Protection Act:

1. Data must be processed fairly and lawfully.
2. Data must only be acquired for one or more lawful purposes and should not be processed for other reasons.
3. Data must be adequate, relevant and not excessive.
4. Data must be kept accurate and up-to-date.
5. Data must not be kept for longer than is necessary.
6. Data must be processed in accordance with the data subject's rights.
7. Appropriate measures must be taken to prevent unauthorised or unlawful access to the data and against loss, destruction or damage to data.
8. Data must not be transferred to a country or territory unless it ensures an adequate level of protection for the rights of the subject.

## **2. Data controller**

- 2.1 Pope John XXIII Catholic Multi-Academy Company (MAC), (*a Private Company Limited by Guarantee with Charitable Status registered address Pope John XXIII Catholic MAC c/o OLSC, Old Fallings Lane Wolverhampton, WV10 8BL company number No. 09441910*) as the corporate body is the registered Data Controller. (ICO registration ZA106278.)

The MAC processes in data in various forms: paper, electronic records, audio, video, CCTV and biometric data in some cases.

The Board of Directors of Pope John XXIII Catholic MAC therefore has overall responsibility for ensuring that records are maintained, including security and access arrangements in accordance with regulations.

***It is the MAC's obligation as Data Controller to ensure compliance with the Data Protection Act 1998. This policy applies to all personal data held by the MAC and its schools and includes manual/paper records and personal data that is electronically processed by computer systems or other means such as CCTV systems***

- 2.2 The MAC Business Director will have overall responsibility for managing the process relating to data protection across the MAC, and coordinating a response if it relates to collating information from across the MAC.
- 2.3 The Principal or Executive Headteacher, and the Business Manager in each Academy will have responsibility for day-to day matters relating to data protection in their schools, and for providing information to the MAC Business Director to enable them to respond to a MAC – wide information request.

## **3. Responsibilities**

- 3.1 Pope John XXIII Catholic MAC staff members whether permanent or temporary, are required to read, understand and accept any policies and procedures that relate to personal data that they may handle in the course of their work.

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- 3.2 All staff must understand the main concepts within the legislation and how it applies to them and will receive training and information in their responsibilities under the Data Protection Act as part of their induction to the Company.
- 3.3 All staff have a responsibility for data protection and are required to adhere to this policy, any associated procedures and to attend any associated training.
- 3.4 All Directors, Academy Committee Representatives will receive training and information in their responsibilities under the Data Protection Act as part of their induction to the Company.
- 3.5 The MAC is the employer of all staff within the company, and staff members are responsible for checking that information in respect of their employment is accurate and up-to-date; the MAC cannot be held accountable for any errors unless the employee has informed the MAC about such changes see Appendix1
- 3.6 Parents/carers will also receive information on the MAC Data Protection Policy upon registration of their child at a school within the Pope John XXIII Catholic MAC, as well as an overview of the information that the school will keep about their child see Appendix 2
- 3.7 While staff undertake to regularly check data for accuracy, parents/carers are also responsible for checking that any information that they provide to the Pope John XXIII Catholic MAC in regard to a registered pupil is accurate and up-to-date; the MAC cannot be held accountable for any errors unless the parent/carer has informed the school about such changes.

**4 Data security**

- 4.1 Employees of the Pope John XXIII Catholic MAC will ensure that personal data is secured in accordance with the provisions of the Data Protection Act by:
- Keeping the data in a locked filing cabinet, drawer or safe.
  - Ensuring that computerised data is coded, encrypted or password protected, both on a local hard drive and on a network drive that is regularly backed up off-site.
  - Ensuring that where data is saved on removable storage, the storage device will be held in a locked filing cabinet, drawer or safe.
- 4.2 Pope John XXIII Catholic MAC takes its duties under the Data Protection Act seriously and any unauthorised disclosure may result in disciplinary action.
- 4.3 Sharing of data will be limited, justifiable under the Act, and subject to the MAC being satisfied that it will be processed securely, used for the purpose for which it was shared and kept securely and destroyed within an appropriate time limit.

**5. Subject Consent**

- 5.1 Pope John XXIII Catholic MAC understands that subjects have certain legal rights to their personal data, which will be respected.
- 5.2 The MAC/school only processes personal data where the following conditions exist:
- the consent of the data subject;
  - The processing is necessary for the performance of a contract to which the data subject is party or in the taking of steps with a view to entering a contract.
  - the processing is necessary for compliance with a legal obligation to which the MAC/school is subject.

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- The processing is necessary for the administration of justice, legal functions of persons or departments, or functions of a public nature exercised in the public interest.
- Where the processing is necessary for the purposes of legitimate interests of the MAC and its schools, unless the decision prejudices the rights, freedoms or legitimate interests of the data subject.

5.3 All employees of the MAC, as well as Directors and Academy Representatives, will be required to undergo a Disclosure and Barring Service (DBS) check as a condition of employment, or as a condition of serving on the MAC Board and Academy Committees.

5.4 **Sensitive data**, including information relating to a data subject's racial or ethnic origin, political opinions, religious beliefs, trade union membership, physical or mental health, their sexuality or gender identity or the commission of any offence will only be processed with explicit consent of the data subject, or when the following conditions are met

- It is necessary to protect the data subject's vital interests.
- It is carried out in the course of legitimate activities with appropriate safeguards.
- It is necessary for the administration of justice or other legal purposes.
- It has been ordered by the Secretary of State.
- It is necessary to prevent fraud.
- It is necessary for medical purposes.
- It is necessary for equality reasons.
- It was made public deliberately by the data subject.

## 6. Rights to access information

6.1 All employees, registered pupils (of sufficient maturity) and parents/carers of registered pupils not of sufficient maturity, and other data subjects are entitled to:

- Know what information the school holds and processes about them or their child and why.
- Understand how to gain access to it.
- Understand how to keep it up-to-date.
- Understand what the MAC and its schools are doing to comply with their obligations under the Data Protection Act.

6.2 All employees, registered pupils (of sufficient maturity) and parents/carers of registered pupils not of sufficient maturity and other data subject have the right under the Data Protection Act 1998 to access certain personal data being held about them known as a subject access request: **see section 11 below for contact details for the MAC and its schools**

The MAC aims to comply with requests for access to personal information as quickly as possible, but will ensure that it meets its duty under the Data Protection Act to provide it within 40 working days. The MAC may make a charge, no more than £10 on each occasion that a subject access request is made. An exception to this is if the request includes information on a pupil's educational record when additional charges can be made, you will be informed of the cost when you make a request if this applies.

However, the MAC is not obliged to provide **unstructured personal data** if the administrative cost is deemed to exceed the limit of £450 as contained in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations.

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**7. Publication of information**

7.1 This policy relates to handing of personal data only. The MAC is also subject to the Freedom of Information Act and Environmental Information Regulations in respect of non-personal data. Please see our website [www.popejohn23mac.co.uk](http://www.popejohn23mac.co.uk) for our Freedom of information policy and publication scheme, or contact the MAC **Business Director, Pope John XXIII Catholic MAC, c/o OLSC, Old Fallings Lane, Wolverhampton, WV10 8BL or telephone: 01902 558250 or email info@olscmail.org.uk**

**8. Data retention**

8.1 The Data Protection Act 1998 states that data should not be kept for longer than is necessary. In the case of Pope John XXIII Catholic MAC, unrequired data will be deleted as soon as practicable. Data will be made unreadable/un-reconstructable and/or securely destroyed in accordance with statutory requirements or best practice processes and might include:

- Shredding -paper records should be shredded using a cross-cutting shredder
- CDs / DVDs / Floppy Disks should be cut into pieces
- Audio / Video Tapes and Fax Rolls should be dismantled and shredded
- Hard Disks should be dismantled and sanded

8.2 Some educational records relating to a former pupil or employee of the MAC may be kept for an extended period for legal reasons, but also to enable the provision of references or academic transcripts.

8.3 **Records of DBS checks will be destroyed immediately, although the date that the check was made will be retained in the MAC/school's file**

**9. Challenges**

9.1 Pope John XXIII Catholic MAC understands that staff members and the parents/carers of registered pupils have the right to prevent the processing of personal data if it is likely to cause damage or distress.

9.2 Concerns related to the processing of personal data should be raised either, with the designated data controller, the MAC Business Director; or in the first instance, the Principal/Executive Head of the school where you are an employee or parent/carer of a registered pupil. In the event you are not satisfied with the outcome of raising your concerns in this way you may contact **the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF**

**11. Contacts**

11.1 For general enquiries about the MAC Data Protection Policy, please contact us at the company's registered office addressed to: **Business Director, Pope John XXIII Catholic MAC, c/o OLSC, Old Fallings Lane, Wolverhampton, WV10 8BL or telephone: 01902 558250 or email info@olscmail.org.uk**

11.2 For data protection enquiries for individual school you can contact the MAC Business Director address as above, or individual schools as below.

School	Telephone	Email
The Principal, <b>Corpus Christi Catholic Primary Academy,</b> Ashmore Avenue,	01902 866 840	corpuschristiprimaryschool@wolverhampton.gov.uk

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Ashmore Park, Wolverhampton, WV11 2LT		
The Executive Headteacher <b>Holy Rosary Catholic Primary Academy</b> Hickman Avenue Wolverhampton, WV1 2BS	01903 878440	holyroaryprimaryschool@wolverhampton.gov.uk
Executive Headteacher <b>St Mary's Catholic Primary Academy</b> Cannock Road Wolverhampton, WV10 8PG	01902 308870	stmarysprimaryschool@wolverhampton.gov.uk
The Principal <b>Our Lady and St Chad Catholic Academy</b> Old Fallings Lane, Wolverhampton, WV10 8BL	01902 558250	info@olscmail.org.uk

<b>Version</b>  <b>1.0</b>	Date approved by Finance, Resources and Staffing Committee	13 <sup>th</sup> February 2017
	Date approved/ratified by Board of Directors	28 <sup>th</sup> March 2017
	Signature of Chair of Board of Directors	

**Appendix 1- Privacy Notice Staff**



**Pope John XXIII Catholic Multi-Academy Company (MAC) Privacy Notice under Data Protection Act 1998**

**Data Protection Act 1998: How we use your information**

Pope John XXIII Catholic MAC is the employer of staff who work in our schools. We process personal data relating to those we employ to work at, or otherwise engage to work at, our MAC or its schools This is for employment purposes to assist in the running of the MAC and the schools and/or to enable individuals to be paid. The collection of this information will benefit both national and local users by:

- improving the management of workforce data across the sector
- enabling development of a comprehensive picture of the workforce and how it is deployed
- informing the development of recruitment and retention policies
- allowing better financial modelling and planning
- enabling ethnicity and disability monitoring; and
- supporting the work of the School Teachers' Review Body

This personal data includes identifiers such as names and National Insurance numbers and characteristics such as ethnic group, employment contracts and remuneration details, qualifications and absence information.

**Disclosure**

We will not share information about you with third parties without your consent unless the law allows us to. We are required, by law, to pass on some of this personal data to:

- the Department for Education (DfE)

If you require more information about how we store and use your data please contact us

For DfE s please visit: <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

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If you want to see a copy of information about you that we hold, please contact the Business Manager at the appropriate school as below:

**Contact details.**

<b>School</b>	<b>Telephone</b>	<b>Email</b>
<b>Corpus Christi Catholic Primary Academy,</b> Ashmore Avenue, Ashmore Park Wolverhampton, WV11 2LT	01902 866 840	corpuschristiprimaryschool@wolverhampton.gov.uk
<b>Holy Rosary Catholic Primary Academy</b> Hickman Avenue Wolverhampton, WV1 2BS	01903 878440	holynosaryprimaryschool@wolverhampton.gov.uk
<b>St Mary's Catholic Primary Academy</b> Cannock Road Wolverhampton, WV10 8PG	01902 308870	stmarysprimaryschool@wolverhampton.gov.uk
<b>Our Lady and St Chad Catholic Academy</b> Old Fallings Lane, Wolverhampton, WV10 8BL	01902 558250	info@olscmail.org.uk

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**Appendix 2- Privacy Notice to parents**



**Pope John XXIII Catholic Multi-Academy Company (MAC) Privacy Notice under Data Protection Act 1998**

**Data Protection Act 1998: How we use pupil information**

**Pupils in all our MAC schools**

The Pope John XXIII Catholic MAC, and its constituent schools, collect and hold personal information relating to pupils in our schools and may also receive information about them from their previous school, local authority and/or the Department for Education (DfE). This personal data is used to:

- support our pupils' learning
- monitor and report on their progress
- provide appropriate pastoral care; and
- assess the quality of our services

This information will include their contact details, national curriculum assessment results, attendance information, any exclusion information, where they go after they leave us and personal characteristics such as their ethnic group, any special educational needs they may have as well as relevant medical information. For pupils enrolling for post 14 qualifications, the Learning Records Service will give us the unique learner number (ULN) and may also give us details about your learning or qualifications.

**Disclosure of Information**

We will not give information about our pupils to anyone without your consent unless the law and our policies allow us to do so. If you want to receive a copy of the information about your son/daughter that we hold, please contact the school directly *see below, for contact details*

We are required, by law, to pass some information about our pupils to the Department for Education (DfE). This information will, in turn, then be made available for use by the LA.

DfE may also share pupil level personal data that we supply to them, with third parties. This will only take place where legislation allows it to do so and it is in compliance with the Data Protection Act 1998.

Decisions on whether DfE releases this personal data to third parties are subject to a robust approval process and are based on a detailed assessment of who is requesting the data, the purpose for which it is required, the level and sensitivity of data requested and the arrangements in place to store and handle the data. To be granted access to pupil level data, requestors must comply with strict terms and conditions covering the confidentiality and handling of data, security arrangements and retention and use of the data.

For more information on how this sharing process works, please visit: <https://www.gov.uk/guidance/national-pupil-database-apply-for-a-data-extract>

For information on which third party organisations (and for which project) pupil level data has been provided to, please visit: <https://www.gov.uk/government/publications/national-pupil-database-requests-received>

If you need more information about how the Local authorities and/or DfE collect and use your information, please visit: Local authority's website or

- the DfE website at <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

**Our Lady and St Chad Catholic Academy- pupils 13+**

Once our pupils reach the age of 13, the law requires us to pass on certain information to the relevant Local Authorities who have responsibilities in relation to the education or training of 13-19 year olds. We may also share certain personal data relating to children aged 16 and over with post-16 education and training providers or careers advice services in order to secure appropriate services for them. A parent/guardian can request that **only** their child's name, address and date of birth be passed to the relevant Local Authority by contacting OLSC Catholic Academy. This right is transferred to the child once he/she reaches the age 16. For more information about services for young people, please go to the appropriate local authority website.

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Contact details.

<b>School</b>	<b>Telephone</b>	<b>Email</b>
The Principal, <b>Corpus Christi Catholic Primary Academy</b> , Ashmore Avenue, Ashmore Park Wolverhampton, WV11 2LT	01902 866 840	corpuschristiprimaryschool@wolverhampton.gov.uk
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Executive Headteacher <b>St Mary's Catholic Primary Academy</b> Cannock Road Wolverhampton, WV10 8PG	01902 308870	stmarysprimaryschool@wolverhampton.gov.uk
The Principal <b>Our Lady and St Chad Catholic Academy</b> Old Fallings Lane, Wolverhampton, WV10 8BL	01902 558250	info@olscmail.org.uk