



Data Protection Policy

Policy Code:	IT5
Policy Start Date:	March 2024
Policy Review Date:	March 2025

Community Inclusive Trust - **Data Protection Policy**

The Community Inclusive Trust is required to keep and process certain information about its staff members, pupils, their families, volunteers and external contractors in accordance with its legal obligations under Data Protection legislation.

The Trust may, from time to time, be required to share personal information about its staff or pupils with other organisations, mainly the Local Authority (LA), Department for Education (DfE), other schools and educational bodies, and potentially Children's Services.

This policy is in place to ensure all staff and Governors are aware of their responsibilities and outlines how the Trust complies with the following core principles of the UK GDPR.

Organisational methods for keeping data secure are imperative and the Trust believes that it is good practice to keep clear practical policies, backed up by written procedures.

Community Inclusive Trust - **Data Protection Policy**

- 4.1 The Trust will implement appropriate technical and organisational measures to demonstrate that data is processed in line with the principles set out in the UK GDPR, and will provide comprehensive, clear and transparent privacy policies.
- 4.2 Additional internal records of the Trust's processing activities will be maintained and kept up to date

Community Inclusive Trust - **Data Protection Policy**

- Co-operate with the ICO and act as the first point of contact for the ICO and for individuals whose data is being processed.

5.2 The DPO is responsible for:

- Co-ordinating a proactive and preventative approach to Data Protection.

Community Inclusive Trust - **Data Protection Policy**

- Privacy Notice - Staff

There may be circumstances where it is considered necessary to process personal data

7.9 In all other instances with regards to obtaining consent, an appropriate age of consent is considered by the Trust on a case-by-case basis, taking into account the requirements outlined in 7.2.

8. The right to be informed

8.1 Adults and children have the same right to be informed about how the Trust uses their data.

8.2 The Privacy Notices supplied to individuals, including children, in regard to the processing of their personal data will be written in clear, plain, age-appropriate language, which is concise, transparent, easily accessible and free of charge.

8.3 In relation to data obtained both directly from the data subject and not obtained directly from the data subject, the following information will be supplied within the Privacy Notice:

- The identity and contact details of the controller, the controller's representative, where applicable, and the DPO.
- The purpose of, and the lawful basis for, processing the data.
- The legitimate interests of the controller or third party.
- Any recipient or categories of recipients of the personal data.
- Details of transfers to third countries and the safeguards in place. The retention period of criteria used to determine the retention period.
- The existence of the data subject's rights, including the right to:
 - Withdraw consent at any time.
 - Lodge a complaint with a supervisory authority.
- The existence of automated decision making, including profiling, how decisions are made, the significance of the process and the consequences.

8.4 Where data is obtained directly from the data subject, information regarding whether the provision of personal data is part of a statutory or contractual requirement, as well as any possible consequences of failing to provide the personal data, will be provided.

8.5 Where data is not obtained directly from the data subject, information regarding the categories of personal

Community Inclusive Trust - **Data Protection Policy**

- 9.2 Individuals, including children, have the right to submit a subject access request (SAR) to gain access to their personal data in order to verify the lawfulness of the processing.
- 9.3 Where a SAR has been made for information held about a child, the Trust will evaluate whether the child is capable of fully understanding their rights. If the Trust determines the child can understand their rights, it will respond directly to the child.
- 9.4 The Trust will verify the identity of the person making the request before any information is supplied.
- 9.5 A copy of the information will be supplied to the individual free of charge; however, the Trust may impose a 'reasonable fee' to cover the administrative costs of complying with requests that are manifestly unfounded or excessive, or if an individual requests further

10. The right to rectification

- 10.1 Individuals, including children, are entitled to have any inaccurate or incomplete personal data rectified.
- 10.2 Where the personal data in question has been disclosed to third parties, the Trust will inform them of the rectification where possible.

Community Inclusive Trust - **Data Protection Policy**

- Where an individual contests the accuracy of the personal data, processing will be restricted until the Trust has verified the accuracy of the data.
- Where an individual has objected to the processing and the Trust is considering whether their legitimate grounds override those of the individual
- Where processing is unlawful, and the individual opposes erasure and requests restriction instead.
- Where the Trust no longer needs the personal data, but the individual requires the data to establish, exercise or defend a legal claim.

12.4 If the personal data in question has been disclosed to third parties, the Trust will inform them about the restriction on the processing of the personal data, unless it is impossible or involves disproportionate effort to do so.

12.5 Where the Trust is restricting the processing of personal data in response to a request, it will make that data inaccessible to others, where possible, e.g. by 000008866 0 59Wh0.000003(i)5

13.9 The Trust will respond to any requests for portability within one month.

13.10 Where the request is complex, or a number of requests have been received, the timeframe can be extended by two months, ensuring that the individual is informed of the extension and the reasoning behind it within one month of the receipt of the request.

13.11 Where no action is being taken in response to a request, the Trust will, without delay and at the latest within one month, explain to the individual the reason for this and will inform them of their right to complain to the supervisory authority and to a judicial remedy.

14. The right to object

14.1 The Trust will inform individuals, including children, of their right to object at the first point of communication, and this information will be outlined in the Privacy Notice and explicitly brought to the attention of the data subject, ensuring that it is presented clearly and separately from any other information.

14.2 Individuals, including children, have the right to object to the following:

- Processing

Community Inclusive Trust - **Data Protection Policy**

- Where the processing of personal data is necessary for the performance of a public interest task, the Trust is not required to comply with an objection to the processing of the data.
- 14.6 The DPO will ensure that details are recorded for all objections received, including those made by telephone or in person, and will clarify each objection with the individual making the request to avoid later disputes or misunderstandings.
- 14.7 Where the processing activity is outlined above, but is carried out online, the Trust will offer a method for individuals to object online.
- 14.8 The Trust will respond to all objections without undue delay and within one month of

- Ensuring processing is fair and transparent by providing meaningful information about the logic involved, as well as the significance and the predicted impact.
- Using appropriate mathematical or statistical procedures.
- Implementing appropriate technical and organisational measures to enable inaccuracies to be corrected and minimise the risk of errors.
- Securing personal data in a way that is proportionate to the risk to the interests and rights of the individual and prevents discriminatory effects.

16. Data protection by design and default

16.1 The Trust will act in accordance with the UK GDPR by adopting a data protection by design and default approach and implementing technical and organisational measures which demonstrate how the Trust has considered and integrated data protection into all aspects of processing activities.

16.2 In line with the data protection by default approach, the Trust will ensure that only data that is necessary to achieve its specific purpose will be processed.

16.3 The Trust will implement a data protection by design and default approach by using a number of methods, including, but not limited to:

- 16. Considering DW*ⁿ1£ang (en-GB)»BDC q0.00000n(£ang316 01 0 0 1 108.02 550.Us3cCID 17

Community Inclusive Trust - **Data Protection Policy**

- A description of the processing operations and the purposes.
- An assessment of the necessity and proportionality of the processing in relation to the purpose.
- An outline of the risks to individuals.
- The measures implemented in order to address risk.

17.7 Where a DPIA indicates high risk data processing, the Trust will consult the ICO to seek its opinion as to whether the processing operation complies with the UK GDPR.

18. Data breaches

18.1

18.12

19.13 Where personal information that could be considered private or confidential is taken off the premises, either in electronic or paper format, staff will take extra care to follow the same procedures for security, e.g. keeping devices under lock and key. The person taking the information from the Trust premises accepts full responsibility for the security of the data.

19.14 Before sharing data, all staff members will ensure:

- They are allowed to share it.
- That adequate security is in place to protect it.
-

20.3

Community Inclusive Trust - **Data Protection Policy**