



# Data Protection, Retention and disposal Policy

## 1 Fundamental Movement Academy (FMA) will comply with:

- 1.1 The terms of the 1998 Data Protection Act, Data Retention Act 2014 and any subsequent relevant legislation, to ensure personal data is treated in a manner that is secure, fair and lawful.
- 1.2 The purpose of this policy is to detail the procedures for the retention and disposal of information to ensure that we carry this out consistently and that we fully document any actions taken. Unless otherwise specified this policy refers to both hard and soft copy documents.

## 2 Data Gathering

- 2.1 All personal data relating to staff, pupils or other people with whom we have contact, whether held on computer or in paper files, are covered by the Act.
- 2.2 Only relevant personal data may be collected and the person from whom it is collected should be informed of the data's intended use and any possible disclosures of the information that may be made.

## 3 Data Storage

- 3.1 Personal data will be stored in a secure and safe manner.
- 3.2 Electronic data will be password protected.
- 3.3 Computer workstations in administrative areas will be positioned so that they are not visible to casual observers waiting either in the office or at the reception area. When unattended they will be locked or closed down.
- 3.4 Manual data will be stored where it not accessible to anyone who does not have a legitimate reason to view or process that data.
- 3.5 Particular attention will be paid to the need for security of sensitive personal data.

## 4 Data Checking

- 4.1 The Academy will issue regular, annual reminders to staff and parents to ensure that personal data held is up-to-date and accurate.
- 4.2 The Academy will check all DBS's and first aid certificates are in date.
- 4.3 Any errors discovered would be rectified and, if the incorrect information has been disclosed to a third party, any recipients will be informed of the corrected data.
- 4.4 Responsibility for monitoring this policy rests with the Director. The policy should be reviewed annually.

## 5 Data Disclosures

- 5.1 Personal data will only be disclosed to organisations or individuals for whom consent has been given to receive the data, or organisations that have a legal right to receive the data without consent being given.
- 5.2 When requests to disclose personal data are received by telephone it is the responsibility of the Academy to ensure the caller is entitled to receive the data and that they are who they say they are. It is advisable to call them back to ensure the possibility of fraud is minimised.



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5.3 If a personal request is made for personal data to be disclosed it is again the responsibility of the Academy to ensure the caller is entitled to receive the data and that they are who they say they are. If the person is not known personally, proof of identity should be requested.

5.4 Requests from parents or children for printed lists of the names of children in particular classes, which are frequently sought at Christmas, should be politely refused as permission would be needed from all the data subjects contained in the list.

(Note: A suggestion that the child makes a list of names when all the pupils are present in classes will resolve the problem.)

5.5 Personal data will not be used in newsletters, websites or other media without the consent of the data subject.

5.6 Routine consent issues will be incorporated into the Academies pupil data gathering sheets, to avoid the need for frequent, similar requests for consent being made by the Academy.

5.7 Personal data will only be disclosed to Police Officers if they are able to supply a WA170 form which notifies of a specific, legitimate need to have access to specific personal data. This form is the agreed procedure between City Council and West Midlands Police.

5.8 A record should be kept of any personal data disclosed so that the recipient can be informed if the data is later found to be inaccurate.

## **6 Subject Access Requests**

6.1 If the Academy receives a written request from a data subject to see any or all personal data that the Academy holds about them this should be treated as a Subject Access Request and the Academy will respond within the 40 day deadline.

6.2 Informal requests to view or have copies of personal data will be dealt with wherever possible at a mutually convenient time but, in the event of any disagreement over this, the person requesting the data will be instructed to make their application in writing and the Academy will comply with its duty to respond within the 40 day time limit.

6.3 Such a request may be liable to a charge.

## **7 This policy is available to all staff.**

### **How long we keep our records.**

- Records will be kept for as long as they are needed to meet the operational needs of the Academy in conjunction with legal and regulatory requirements.
- Accident books will be kept until child is 18 + 3 years. They will then be shredded.
- Staff training records will be kept for up to 5 years. They will then be shredded.

**8. Data Protection forms that are used to collect personal data will be kept in a locked cupboard securely. When a member cancels their membership with the Academy their personal data forms will be shredded.**

APPROVED JUNE 2020