



HARINGEY EDUCATION PARTNERSHIP

DATA PROTECTION POLICY

PREPARED BY	Data Protection Officer
AUTHORISED BY	
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VERSION	
REVISED	
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8.1. For Personal Data to be processed lawfully, certain conditions have to be met. These may include:.....	Error! Bookmark not defined.
8.1.1. where we have the Consent of the Data Subject;	Error! Bookmark not defined.
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DATA PROTECTION POLICY

1. Introduction

1.1. Haringey Education Partnership (HEP) collects, holds and processes lots of information including personal information about the people it serves, and its employees. The type of information that we may be required to handle include details of job applicants, current employees, pupils, parents / carers and other members of pupils' families, directors, governors, suppliers and other individuals that we communicate with. The information, which may be held on paper or on a computer or other media, is subject to certain legal safeguards specified in the General Data Protection Regulation ("GDPR") and other legislation. The GDPR imposes restrictions on how we may use that information.

1.2. This Data Protection policy should be read in conjunction with HEP's Privacy Notice.

2. Policy statement

2.1. HEP fully recognises its responsibilities to treat the handling of personal information in an appropriate and lawful manner, and to uphold the rights of individuals in respect of that information.

The Data Protection Act 2018 ("the Act") is, with the General Data Protection Regulations (GDPR), the legal framework that ensures personal information relating to living individuals is handled properly and gives individuals rights in relation to their personal information, such as to access the information that is held about them. In this Policy "the Legislation" means (i) unless and until the GDPR is no longer directly applicable in the UK, the General Data Protection Regulation ((EU) 2016/679) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then (ii) any successor legislation to the GDPR or the Data Protection Act 2018.

2.2. This Policy sets out how HEP will comply with the Legislation. It should be read in conjunction with HEP IT Security policies which set out the technical measures in place to ensure that information on our IT systems is held securely and the measures to ensure privacy by design and default in procurement and development of our IT systems.

2.3. This policy does not form part of any employee's contract of employment and it may be amended at any time. Any breach of this policy by members of staff will be taken seriously and may result in disciplinary action and serious breaches may result in dismissal. Breach of the GDPR may expose HEP to enforcement action by the Information Commissioner's Office (ICO), including fines. Furthermore, certain breaches can give rise to personal criminal liability for HEP's employees. At the very least, a breach of the GDPR could damage our reputation and have serious consequences for HEP and for our stakeholders.

2.4. In this Policy, "Personal Data" means any information relating to an identified or identifiable natural person ("Data Subject"); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

3. Aim

3.1. This policy aims to ensure that:

- procedures are in place to ensure HEP complies with its legal responsibilities in relation to the Legislation
- HEP understands and undertake its responsibilities in relation to the Legislation
- Compliance with this Policy is monitored and HEP is able to evidence that it is complying with its legal responsibilities.

3.2. This Policy applies to all employees, contractors, consultants, agency staff and other users of HEP's information.

3.3. The Policy applies to all Personal Data created, received, stored, used and disposed of by HEP irrespective of where or how it is held.

4. Key roles and responsibilities and the treatment of Personal Data

4.1. HEP has commissioned Haringey Council as the Data Protection Officer.

4.2. The Chief Executive of HEP must ensure that HEP is compliant with the Legislation and with this policy. They must disseminate any associated procedures and guidance to staff and ensure that staff complete data protection training.

4.3 The Data Protection Officer's (DPO) key responsibilities will be:

- To inform and advise HEP about its obligations to comply with the Legislation.
- To monitor compliance with the Legislation including managing internal data protection activities, advising on data protection impact assessments; training staff and conducting internal audits.
- To be the first point of contact for supervisory authorities and for individuals whose data is processed (employees, customers etc).

4.4 All staff responsible for processing Personal Data must comply with the Data Protection principles. These provide that:

- Personal Data shall be processed lawfully, fairly and in a transparent manner;
- Personal Data will only be collected for a specified, explicit and legitimate purpose and will not be further processed or archived in a manner that is incompatible with

those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;

- HEP will ensure we collect Personal Data that is adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed;
- HEP will take all reasonable steps to keep Personal Data accurate and up-to-date, and correct or delete inaccuracies in a timely manner;
- Personal Data will not be kept in a personally identifiable form for longer than necessary for the purposes for which it is processed; and if stored for longer periods for archiving in public interest, research or statistical purposes will be subject to appropriate technical and organisational measures required by the Legislation to safeguard the rights and freedoms of individuals; and
- HEP will ensure through technical and organisational measures, the appropriate security and integrity of the Personal Data it holds against unauthorised or unlawful processing, accidental loss, destruction or damage.

5. Sensitive Personal Data

5.1. The Legislation applies additional safeguards to information relating to race; ethnic origin; political opinions; religious or philosophical beliefs; trade union membership; genetic data; biometric data (used for the purpose of uniquely identifying a natural person); data concerning health or a natural person's sex life or sexual orientation, also criminal conviction and offences data. These are considered to be more sensitive and you may only process them in more limited circumstances.

5.2 HEP will not hold Sensitive Personal Data unless it is necessary to do so. Where Sensitive Personal Data or Biometric Data is held, HEP will ensure that one of the necessary conditions at Schedule 1 of the Act is met and that this is supported by an appropriate policy document, where applicable.

6. Documenting our processing activities

6.1. We will keep and maintain a Record of Processing Activities (ROPA) for all HEP's functions that involve handling Personal Data. "Processing" means any operation or set of operations which is performed on Personal Data or on sets of Personal Data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction. The ROPA will include the following:

- The purposes of the Processing
- The appropriate legal basis for Processing (as contained in the Legislation)

- Who processes the Personal Data (HEP staff or others on our behalf according to our instruction)
- The location of the Personal Data
- Information regarding the security measures HEP has in place in relation to Processing
- The different groups of people whose Personal Data is processed,
- The categories of Personal Data we process
- The recipients of Personal Data
- Whether we use the Personal Data to make automated decisions or conduct profiling of the Data Subject
- How long the Personal Data is kept

6.2. The ROPA will be compiled, held and monitored by the Data Protection Officer and made available on request to members of the public, partners and the ICO.

7. Privacy Notices

7.1. We will inform the people whose Personal Data we process how and why we process their information by providing appropriate privacy notices when we obtain their data.

8. Consent

8.1. Where we rely on Consent as the legal basis for our data processing activities, we will ensure that genuine and explicit consent is obtained and that we are able to demonstrate compliance with Consent requirements.

9. Individual Rights

9.1. HEP will uphold the rights of Data Subjects relating to their Personal Data contained in the Legislation:

- The right to be informed about the collection and use of their Personal Data
- The right of access to Personal Data
- The right to rectification of inaccurate or incomplete Personal Data
- The right to erasure
- The right to restrict processing
- The right to data portability
- The right to object to processing
- Rights in relation to automated decision making and profiling
- The right to withdraw Consent at any time
- The right to complain to the ICO

9.2. The Data Protection Officer will ensure that appropriate procedures are in place to enable people to exercise their data protection rights in compliance with the Legislation.

Individual rights requests will be managed by the Data Protection Officer under our service level agreement with Haringey Council. HEP staff will notify the Data Protection Officer as soon as they become aware that an individual has made a request in relation to the exercise of their data rights.

10. Training

10.1. Staff will have access to up-to-date policies, procedures, guidance and training. HEP's Office Manager will maintain a record of training attendance by HEP staff.

11. Privacy by design and default

11.1. We will institute organisational measures to ensure that data protection and privacy issues are incorporated into our consideration of new policies, business processes and projects.

11.2. Our IT service will ensure that appropriate technical measures are taken to ensure privacy by design and default in procurement and development of our IT systems and so as to ensure compliance with the Legislation.

12. Personal data security breaches

These will be managed by the Data Protection Officer under the service level agreement that HEP has with Haringey Council. HEP staff will notify the Data Protection Officer as soon as they become aware of a breach or potential breach.

13. Approval & Review

13.1. This policy has been approved by the Chief Executive of Haringey Education Partnership

13.2. This policy will be reviewed by HEP and the Data Protection Officer biennially or on an exceptional basis if there are any changes to the Legislation and guidance, any applicable audit recommendations or any other reason to review or amend the policy.