



**Focus 1st Academy**

**Data Protection Policy**

**Focus 1st Academy is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment!**

Working in Partnership with North London Schools & Local Authorities since 2000

Accredited Independent School Status 2014 (Registration N0. 308/6003)

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Focus Inception

*Focus 1st Academy was set up in the year 2000 using European Social Fund to provide education and training and to-date has defied all the odds and was awarded the Independent School status in August 2014. This enables us to work in partnership with schools and local authorities to provide an alternative method of education for 14 to 16 year olds. Our student referrals are some of the most vulnerable young people and it is our duty to ensure that they are equipped with the appropriate skills and qualifications to ensure full participation within the modern workplace. Our team of professionals consisting of tutors, tutor assistance, pastoral support staff and mentors to nurture the students ensuring our work-based-learning approach alongside a variety of techniques are utilised and compatible to ensure the prevention of social and economic exclusion prior to adulthood which is underpinned through the subjects delivered whilst in classroom environment as well as on an individual basis.*

Focus Ethos

*Our programme fulfils the need of students who are disengaged from academic studies and may be exhibiting behavioural problems as a result. Our hands-on approach to learning creates an inspirational motivation for students wishing to pursue a career via the vocational route. The students are taught methods on how to improve their social skills in preparation for work/apprenticeship schemes and/or further education by learning in real-life situations and participating in sports, art and drama to express emotions. We believe that all individuals have a certain quality, which is sometimes concealed due to lack of confidence, mixed sentiments or disabilities. As such, recognising and coming to terms with barriers is a small part of the conflict, we are certain that all individuals are aware of their own weaknesses; the most vital part is engaging with professionals and adhere to individual training plans set which in turn prepares our students for economic and social integration into adulthood.*

Data Protection Policy

* + 1. Introduction

Focus 1st Academy collects, stores and uses personal information about staff, students, parents/guardians and other individuals who come into contact with the school. This information is gathered in order to enable us to provide education and other associated functions. In addition, there may be a legal requirement to collect and use information to ensure that the school complies with its statutory obligations. We follow the GDPR statutory guidelines that underpins all of our policies.

* + 1. Purpose

This policy is intended to ensure that personal information is dealt with correctly and securely and in accordance with the Data Protection Act 2018, and other related legislation. It will apply to information regardless of the way it is collected, used, recorded, stored and destroyed, and irrespective of whether it is held in paper files or electronically. All staff involved with the collection, processing and disclosure of personal data will be aware of their duties and responsibilities by adhering to these guidelines.

What is Personal Information?

Personal information or data is defined as data which relates to a living individual who can be identified from that data, or other information held

* Personal data shall be processed fairly and lawfully
* Personal data shall be obtained only for one or more specified and lawful purposes
* Personal data shall be adequate, relevant and not excessive
* Personal data shall be accurate and where necessary, kept up to date
* Personal data processed for any purpose shall not be kept for longer than is necessary for that purpose or those purposes
* Personal data shall be processed in accordance with the rights of data subjects under the Data Protection Act 2018
* Personal data shall be kept secure i.e. protected by an appropriate degree of security
* Personal data shall not be transferred to a country or territory outside the UK, unless that country or territory ensures an adequate level of data protection
  + 1. General Statement

Focus 1st Academy is committed to maintaining the above principles at all times. Therefore the school will,

* Inform individuals why the information is being collected when it is collected
  + Inform individuals when their information is shared, and why and with whom it was shared and check the quality and the accuracy of the information it holds
  + Ensure that information is not retained for longer than is necessary
  + Ensure that when obsolete information is destroyed that it is done so appropriately and securely
  + Ensure that clear and robust safeguards are in place to protect personal information from loss, theft and unauthorised disclosure, irrespective of the format in which it is recorded
  + Share information with others only when it is legally appropriate to do so
  + Set out procedures to ensure compliance with the duty to respond to requests for access to personal information, known as Subject Access Requests
  + Ensure our staff are aware of and understand our policies and procedures
    1. Complaints

Complaints will be dealt with in accordance with the school’s complaints policy. Complaints relating to information handling may be referred to the Information Commissioner (the statutory regulator).

* + 1. Review

This policy will be reviewed as it is deemed appropriate, but no less frequently than every year. The policy review will be undertaken by the Executive Headteacher, or nominated representative.

Contacts

If you have any enquires in relation to this policy, please contact the Executive Headteacher, Marina Savva who will also act as the contact point for any subject access requests. Further advice and information is available from the Information Commissioner’s Office, www.ico.gov.uk or telephone 01625 5457453.

Appendix 1

Focus 1st Academy Procedures for responding to subject access requests made under the Data Protection Act 1998

* 1. Rights of access to information. There are two distinct rights of access to information held by colleges about pupils.

1. Under the Data Protection Act 1998 any individual has the right to make a request to access the personal information held about them.

2. The right of those entitled to have access to curricular and educational records as defined within the Education Pupil Information.

These procedures relate to subject access requests made under the Data Protection Act 2018.

1.2 Actioning a subject access request

1. Requests for information must be made in writing; which includes email, and be addressed to senior managers. If the initial request does not clearly identify the information required, then further enquiries will be made.
2. The identity of the requestor must be established before the disclosure of any information, and checks should also be carried out regarding proof of relationship to the child. Evidence of identity can be established by requesting production of:

* Passport
* Driving licence
  + Utility bills with the current address
  + Birth / Marriage certificate
  + P45/P60
  + Credit Card or Mortgage statement

Any individual has the right of access to information held about them. However with children, this is dependent upon their capacity to understand (normally age 12 or above) and the nature of the request. The Executive Headteacher, Marina Savva should discuss the request with the child and take their views into account when making a decision. A child with competency to understand can refuse to consent to the request for their records. Where the child is not deemed to be competent an individual with parental responsibility or guardian shall make the decision on behalf of the child.

Focus 1st Academy may make a charge for the provision of information, dependent upon the following:

* Should the information requested contain the educational record then the amount charged will be dependent upon the number of pages provided.
* Should the information requested be personal information that does not include any information contained within educational records, academies can charge up to £10 to provide it.
* If the information requested is only the educational record viewing will be free, but the Headteacher can make a charge not exceeding the cost of copying the information.
* The response time for subject access requests, once officially received, is 40 days (not working or school days but calendar days, irrespective of school holiday periods). However the 40 days will not commence until after receipt of fees or clarification of information sought.
* The Data Protection Act 2018 allows exemptions as to the provision of some information; therefore all information will be reviewed prior to disclosure.
* Third party information is that which another has provided, such as the Police, Local Authority, Health Care professional or another college. Before disclosing third party information consent should normally be obtained. There is still a need to adhere to the 40-day statutory timescale.
* Any information that may cause serious harm to the physical or mental health or emotional condition of the student or another should not be disclosed, nor should information that would reveal that the student is at risk of abuse, or information relating to court proceedings.
* If there are concerns over the disclosure of information then additional advice should be sought.
* Where redaction (information blacked out/removed) has taken place then a full copy of the information provided should be retained in order to establish, if a complaint is made, what was redacted and why.
* Information disclosed should be clear, thus any codes or technical terms will need to be clarified and explained. If information contained within the disclosure is difficult to read or illegible, then it should be retyped.
* Information can be provided at the school with a member of staff on hand to help and explain matters if requested, or provided at face to face handover. The views of the applicant should be taken into account when considering the method of delivery. If postal systems have to be used then registered/recorded mail must be used.

1.3 Complaints

Complaints about the above procedures should be made to the Executive Headteacher who will decide whether it is appropriate for the complaint to be dealt with in accordance with the school’s complaint procedure.

The Information Commissioner can deal with complaints, which are not appropriate to be dealt with through the school’s complaint procedure. Contact details of both will be provided with the disclosure information. For further information please view our complaints policy procedure.

1.4 Contacts

If you have any queries or concerns regarding these policies / procedures then please contact the Executive Headteacher, Marina Savva.

Further advice and information can be obtained from the Information Commissioner’s Office, [www.ico.gov.uk](http://www.ico.gov.uk)

Data Protection Principles

Focus 1st Academy abides by the rules and regulations of the Data protection Act 2018.

1. Personal data shall be processed fairly and lawfully and, in particular, shall not be processed / forwarded to a second party without consent of authorised personnel.
2. Personal data shall be obtained only for one or more specified and lawful purposes and shall not be further processed in any manner incompatible with that purpose or those purposes.
3. Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
4. Personal data shall be accurate and kept up to date where applicable.
5. Personal data processed for any purpose or purposes shall not be kept for longer than is necessary and destroyed in the appropriate manner.
6. Personal data shall be processed in accordance with the rights of data subjects under the Act 1998.
7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
8. Personal data shall not be transferred to a country or territory outside the UK unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

Educational records

We have recently invested in a new programme to ensure complete privacy is maintained at all times. MyConcern will only allow certain access to certain members of staff. Emails concerning students from LA’s are sent via EGRESS and any student information is addressed by initials along with DoB.

GDPR

The Data Protection legislation (The General Data Protection Regulation (GDPR) and the Data Protection Act 2018) protect individuals with regards to the processing of personal data, in particular by protecting personal privacy and upholding an individual’s rights. It applies to anyone who handles or has access to people’s personal data.

This policy is intended to ensure that personal information is dealt with properly and securely and in accordance with the GDPR and the Data Protection Act 2018 (DPA 2018). It will apply to information regardless of the way it is used, recorded and stored and whether it is held in paper files or electronically.

The GDPR and DPA 2018 have a wider definition of personal data than the Data Protection Act 1998 and includes information generated from cookies and IP addresses if they can identify an individual.

‘Personal data’ is any information that relates to an identified or identifiable living individual, which means any individual who can be identified, directly or indirectly, in particular by reference to:

An identifier such as a name, an identification number, location data; or

* + - an online identifier; or
    - one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

The DPA 2018’s wider definition of personal data is broadly defined and is not limited to confidential or sensitive data. It also includes any expression of opinion about an individual, personal data held visually in photographs or video clips (including CCTV) or sound recordings.

**Photographs, video and CCTV images**

Images of staff and students are captured upon recruitment of both staff and students confirmation of acceptance and as part of educational activities for use in school only.

Unless prior consent from parents/student/staff has been given, the school shall not utilise such images for publication or communication to external sources.

The school is aware that there may be safeguarding and privacy issues stemming from individuals taking still or moving images of a person(s) who could be identified.

When taking photographs, parents/guardians we obtain their permission. Parents are asked not to post photographs that contain images of other students other than their own on the internet.

CCTV is fully operational within Focus 1st Academy at all times.

**Data Security**

The School will use proportionate physical and technical measures to secure personal data.

We will consider the security arrangements of any organisation with which data is shared shall and where require these organisations to provide evidence of the compliance with the DPA 2018 and GDPR.

We will store hard copy data, records, and personal information out of sight and in a locked cupboard. The only exception to this is medical information that may require immediate access during the school day. This will be stored with the designated first aider.

Sensitive or personal information and data should not be removed from the school site; however, the Focus 1st Academy acknowledges that some staff may need to transport data between the school and their home to access it for work in the evenings and at weekends. This may also apply in cases where staff have offsite meeting or are on school visits with pupils.

To reduce the risk of personal data being compromised any individual taking personal data away from the School site must adhere to the following:

* + - Paper copies of personal data should not be taken off the school site as if misplaced they are easily accessed. If no alternative is available other than to take paper copies of data off the school site then the individual must ensure that the information should not be on view in public places, or left unattended under any circumstances.
    - Unwanted paper copies of data, sensitive information or student files must be shredded. This also applies to handwritten notes if the notes reference any other staff member or student by name. Individuals must take care to ensure that printouts of any personal or sensitive information are not left in printer trays or photocopiers.
    - Where information is being viewed on a PC, staff must ensure that the window and documents are properly shut down before leaving the computer unattended. Sensitive information should not be viewed on public computers.

**Reviewed June 2015**

**Reviewed June 2016**

**Reviewed June 2017**

**Reviewed July 2018**

**Reviewed June 2019**

**Reviewed July 2020**

**Reviewed Sept 2021**

**Reviewed June 2022**

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