



CHISONA
ACADEMY
Embrace the Achiever in You

General Data Protection and Retention Policy

Updated	September 2022
Review Date	01 July 2023
Authorised by	Emmanuel C AJOKU

AIMS

Chisona Academy is required to process relevant personal data regarding students and their parents and guardians, as well as staff, as part of its operation and shall take all reasonable steps to do so in accordance with this policy. Processing may include obtaining, recording, holding, disclosing, destroying or otherwise using data. In this policy any reference to students includes current, past or prospective students.

IMPLEMENTATION

The organisation shall, so far as is reasonably practicable, comply with the Data Protection Principles (“the Principles”) contained in the Data Protection Act to ensure all data is:

- **fairly and lawfully processed**
- **processed for a lawful purpose**
- **adequate, relevant and not excessive**
- **accurate and up to date**
- **not kept for longer than necessary**
- **processed in accordance with the data subject’s rights**
- **secure**
- **not transferred without adequate protection**

PERSONAL DATA

Personal data covers both facts and opinions about an individual. The organisation may process a wide range of personal data of students, their parents or guardians, staff and governors as part of its operation. This personal data may include (but is not limited to): names and addresses; bank details; academic; disciplinary, admissions and attendance records; references, examination scripts and marks.

PROCESSING OF PERSONAL DATA

Consent may be required for the processing of personal data unless the processing is necessary for the organisation to undertake its obligations to pupils and their parents or guardians. Any information which falls under the definition of personal data, and is not otherwise exempt, will remain confidential and will only be disclosed to third parties with the consent of the appropriate individual or under the terms of this policy.

SENSITIVE PERSONAL DATA

Chisona Academy may, from time to time, be required to process sensitive personal data regarding a student or their parents or guardians. Sensitive personal data includes medical information and data relating to religion, race or criminal records and proceedings. Where sensitive personal data is processed by the organisation, the explicit consent of the appropriate individual will generally be required in writing.

RIGHTS OF ACCESS

Individuals have a right of access to information held by the organisation. Individuals wishing to access their personal data should put their requests in writing to Chisona Academy's Data Protection Controller (DPC). The organisation will endeavour to respond to any such written request as soon as is reasonably practicable and in any event will respond, within 40 days for access to records and 21 days to provide a reply to an access to information request. Where the request is deemed to be sensitive or contentious, it may be referred to the governing body.

Certain data is exempt from the right of access under the Data Protection Act. This may include information which identifies other individuals, information which the organisation reasonably believes is likely to cause damage or distress, or information which is subject to legal professional privilege. The organisation is also not required to disclose any student examination scripts.

Chisona Academy will also treat as confidential any reference given by the organisation for the purpose of the education, training or employment, or prospective education, training or employment of any student. Chisona Academy acknowledges that an individual may have the right to access a reference relating to them received by the organisation. However, such a reference will only be disclosed if such disclosure will not identify the source of the reference; or, where notwithstanding this, the referee has given consent; or if disclosure is reasonable in all the circumstances.

WHOSE RIGHTS?

The rights under the Data Protection Act are the individual's to whom the data relates. Chisona Academy will, however, in most cases rely on parental consent to process data relating to students unless, given the nature of the processing in question and the student's age and understanding, it is unreasonable in all the circumstances to rely on the parents' consent. Parents should be aware that they may not be consulted in such situations.

The organisation will only grant the student direct access to their personal data if in the organisation's reasonable belief the student understands the nature of the request.

Students agree that the organisation may disclose their personal data to their parents or guardians.

Where a student seeks to raise concerns confidentially with a member of staff and expressly withholds agreement to personal data being disclosed to parents or guardians, the organisation will maintain confidentiality unless it has reasonable grounds to believe that the student does not fully understand the consequences of withholding their consent, or where the organisation believes disclosure will be in the best interests of the student or other students.

EXEMPTIONS

Certain data relating to the following are exempted from the provisions of the Data Protection Act:

- **the prevention or detection of crime**
- **the assessment of any tax or duty**
- **where the processing is necessary to exercise a right or obligation conferred or imposed by law upon the School**

The above are examples only of some of the exemptions under the act. Any further information on exemptions should be sought from the DPC.

DISCLOSURE OF INFORMATION

Chisona Academy may receive requests from third parties to disclose personal data it holds about students, their parents or guardians or staff. The organisation confirms that it will not generally disclose information unless the individual has given consent or one of the specific exemptions under the Data Protection Act applies. However, the organisation does intend to disclose such data as is necessary to third parties for the following purposes:

- **to give a confidential reference relating to a student to any educational institution which it is proposed that the student may attend.**
- **to publish the results of public examinations or other achievements of students of Chisona Academy.**
- **to disclose details of a student's medical condition, where it is in the student's interest to do so, for example for medical advice, insurance purposes or to organisers of organisation trips.**

Where the organisation receives a disclosure request from a third party it will take reasonable steps to verify the identity of that third party before making any disclosure.

USE OF PERSONAL INFORMATION BY THE SCHOOL

The organisation will, from time to time, make use of personal data relating to students, or their parents or guardians in the following ways. Should you wish to limit or object to any such use, please notify the DPC in writing.

a) To make use of photographic images of students in organisation publications and on the organisation website. However, the organisation will not publish photographs of individual students with their names on the organisation website without the express agreement of the appropriate individual.

b) For fundraising, marketing or promotional purposes and to maintain relationships with students of the organisation, including transferring information to any association society or club set up for the purpose of establishing or maintaining contact with students or for fundraising, marketing or promotional purposes.

ACCURACY

The organisation will endeavour to ensure that all personal information held in relation to an individual is accurate. Individuals must notify the DPC of any changes to information held about them.

Individuals have the right to request that inaccurate information about them is erased or corrected.

SECURITY

Chisona Academy will take reasonable steps to ensure that members of staff will only have access to personal data relating to students, their parents or guardians where it is necessary for them to do so. All staff will be made aware of this policy and their duties under the Data Protection Act. The organisation will ensure that all personal information is held securely and is not accessible to unauthorised persons.

ENFORCEMENT

Individuals who believe that the organisation has not complied with this policy or acted otherwise than in accordance with the Data Protection Act, should utilise the organisation's complaints procedure and should also notify the DPC.

DATA PROTECTION CONTROLLER

Chisona Academy has appointed the Deputy DSL, Ijeoma Okehie as Data Protection Controller (DPC), who will endeavour to ensure that all personal data is processed in compliance with this policy and the principles of the Data Protection Act 1998.

MONITORING AND EVALUATION

This is the responsibility of the Data Protection Controller in liaison with the Senior Leadership Team and the governing body.

DATA RETENTION POLICY

Chisona Academy holds a large volume of information, much of which is confidential. This may be information about:

- **our students**
- **our students' parents, or guardians**
- **our teachers and other staff**
- **our governors**

The following retention schedule is in operation. This lays down the length of time a record needs to be retained, after which it will be destroyed. Time scales are based on local Government guidelines.

Students	Students' academic records, reports and IEPs	DOB of pupil + 25 years
	Students attendance registers	Date of register + 3 years
	Students admissions registers	Date of last entry + 6 years
	Student files	Date of last entry + 6 years
	Statements of Special Needs	DOB + 30 years
	Students work	Current year + 1 year
Personnel	Staff Personnel Files	Termination of employment + 7 years
	Interview notes	Date of interview + 6 months
	Pre-employment vetting	Date of check + 6 months
	Disciplinary proceedings	As specified in Staff Handbook (contract)
	Appraisal	Current year + 5 years
Health and Safety	Accident reporting: Adults Children	Current year + 3 years DOB + 25 years
	Incident reports	Current year + 20 years
	Policy	Date of expiry + 1 year
	Fire Log Books	Current year + 6 years
	Risk Assessments	Current year + 3 years

Senior Leadership Team	Minutes of meetings	Date of Meeting + 5 Years
	Organisation Development Plans	Closure + 6 Years
	Organisation Evaluation Forms	Closure + 6 Years
Governors	Minutes of Meetings	Permanent
	Agendas	Date of Meeting
Curriculum	Timetable	Current Year + 1 Year
	Syllabus	Current Year + 1 Year
	Markbooks	Current Year + 1 Year
	Students work*	Current Year + 1 Year
	*It may be necessary to extend this period for examination work.	
General	Prospectus	Current Year + 3 Years
	Newsletters	Current Year + 1 Year
	Visitors Book	Current Year + 2 Years
Finance	PAYE & NI Returns P14/P60 Monthly Payroll records Updates to payroll date Pension Returns Annual NI ^ PAYE Returns. P35, P11D	Current Year + 6 Years
	Invoices	Current year + 6 years
	Bank Statements	Current year + 6 years
	Bank Letters	Current year + 6 years
	Bank Reconciliations	Current year + 6 years
	Fee Invoices	Current year + 6 years
	Returnable deposits	Current year and until the student leaves the organisation.
	Direct debits	Current year + 1 year
	Contracts	Until expiry + 6 years

Finance	Budgets	Current year + 2 years
	Budget preparation	Current year
	Petty Cash records	Current year + 6 years
	<u>Property</u> Title Deeds Plans Leases	Permanent Permanent End of lease + 3 years
	OFSTED Reports	25 years
	DFE Returns	Current year + 6 years