

Balsham Education Data Protection Policy

1. Introduction

Balsham Education is dedicated to ensuring the privacy and security of all personal data processed within the organisation. We are committed to transparent, lawful, and fair data handling practices in compliance with applicable Data Protection Laws, including the UK General Data Protection Regulation (UK GDPR), Data Protection Act 2018, and other relevant legislation. This policy outlines our approach to collecting, processing, and protecting personal data belonging to students, staff, parents, and third parties associated with Balsham Education.

This policy applies to all personal data processed by Balsham Education, whether stored electronically or in hard copy, and covers data about current, past, and prospective individuals associated with our educational activities.

2. Key Definitions

- **Personal Data:** Any information relating to an identified or identifiable natural person (data subject), including name, identification number, location data, or any specific factors relating to the physical, physiological, genetic, mental, economic, cultural, or social identity of a person.
- **Sensitive Personal Data:** Data related to racial or ethnic origin, political opinions, religious beliefs, trade union membership, physical or mental health, sexual life, or criminal records.
- **Data Controller:** The entity that determines the purposes and means of processing personal data (Balsham Education).
- **Data Processor:** A third-party entity that processes data on behalf of the Data Controller.
- **Data Subject:** The individual whose personal data is being processed.
- **Processing:** Any operation performed on personal data, including collection, recording, organisation, storage, adaptation, retrieval, consultation, use, disclosure, alignment, or erasure.
- **Data Protection Officer (DPO):** The designated person overseeing data protection strategy and implementation to ensure compliance with the UK GDPR.

3. Principles of Data Protection

Balsham Education adheres to the core principles of the UK GDPR, ensuring that personal data is:

1. **Processed lawfully, fairly, and transparently:** We ensure that data subjects are fully informed of how their data is used and that their data is processed only for legitimate and lawful purposes.
2. **Collected for specified, explicit, and legitimate purposes:** Data is collected only for purposes related to the provision of educational services, safeguarding, and legal obligations.
3. **Adequate, relevant, and limited:** Data is kept to the minimum necessary to achieve the intended purpose of processing.
4. **Accurate and up-to-date:** Reasonable steps are taken to ensure data accuracy, and corrections are made promptly when inaccuracies are identified.
5. **Stored no longer than necessary:** Data is retained only for as long as required for legitimate purposes or by law and is securely disposed of afterwards.
6. **Processed securely:** We implement technical and organisational measures to safeguard personal data from unauthorised or unlawful processing, accidental loss, or damage.

4. Legal Basis for Data Processing

Personal data is processed only where there is a valid legal basis. The lawful bases for processing data include:

- **Consent:** Where explicit consent has been obtained from the data subject.
- **Contractual obligation:** Processing is necessary to perform a contract with the data subject.
- **Legal obligation:** Compliance with legal or regulatory requirements.
- **Vital interests:** To protect the data subject's or another person's vital interests.
- **Public interest or official authority:** Processing in the public interest or exercising official authority.
- **Legitimate interests:** Where processing is necessary for Balsham Education's legitimate interests, provided that the data subject's rights do not override these interests.

5. Types of Personal Data Collected

Balsham Education collects the following types of personal data:

- **Student Data:** Name, contact details, date of birth, health information, academic performance, attendance records, behavioural information, safeguarding data, and unique educational needs information.

- **Staff Data:** Name, contact information, qualifications, employment history, financial details, performance appraisals, and health information.
- **Parent/Guardian Data:** Contact details, payment information, and relevant safeguarding data.
- **Other Third-Party Data:** Contact information, agreements, and contracts for service providers, contractors, and consultants.

Where sensitive personal data is collected, such as health information or racial/ethnic origin, explicit consent will be obtained unless required by law for safeguarding purposes or the provision of education services.

6. Data Subject Rights

Balsham Education upholds the following rights of data subjects:

- **Right to be informed:** Individuals have the right to be informed about the collection and use of their data.
- **Right of access:** Data subjects may request access to their data and receive a copy of the information held.
- **Right to rectification:** Individuals may request the correction of inaccurate or incomplete personal data.
- **Right to erasure:** Under specific circumstances, data subjects may request the deletion of their personal data, also known as the "right to be forgotten."
- **Right to restrict processing:** Individuals can request that the processing of their data be limited in certain situations.
- **Right to data portability:** Data subjects may request their data to be transferred to another data controller.
- **Right to object:** Individuals can object to processing their data for specific purposes, such as direct marketing.
- **Rights about automated decision-making and profiling:** Individuals have the right not to be subject to decisions based solely on automated processing.

All requests to exercise these rights must be submitted to Balsham Education's Data Protection Officer.

7. Data Security Measures

Balsham Education implements a range of technical and organisational measures to ensure the confidentiality, integrity, and availability of personal data, including:

- **Access Control:** Data access is restricted to authorised personnel based on job roles.
- **Encryption and Anonymisation:** Data is encrypted at rest, in transit where applicable, and anonymised when identification is no longer necessary.
- **Data Backups:** Regular backups of personal data are taken and stored securely.
- **Incident Response:** A robust incident response plan is in place to handle any data breaches, including immediate notification to affected data subjects and the Information Commissioner's Office (ICO) within 72 hours.
- **Data Transfer:** Where personal data is transferred to third-party service providers, appropriate data-sharing agreements are in place to ensure compliance with data protection laws. Transfers outside the UK or EEA will only occur with adequate safeguards, such as standard contractual or equivalent provisions.

8. Data Retention and Disposal

Balsham Education maintains a data retention policy to ensure that personal data is only kept for as long as is necessary to fulfil the purposes for which it was collected or to comply with legal obligations. Critical retention periods include:

- **Student Records:** Retained up to 25 years after the student leaves the institution.
- **Staff Records:** Retained for six years after the termination of employment or longer if required for legal claims.
- **Financial Records:** Retained for at least seven years for audit and taxation purposes. After the retention period has expired, personal data will be securely destroyed by electronic deletion or physical shredding to prevent unauthorised access.

9. Data Sharing and Third-Party Processors

Balsham Education may share personal data with third-party service providers, including IT support, payroll services, examination boards, regulatory authorities, and safeguarding services. We will ensure that all third-party data processors:

- Process data only by our written instructions.
- Provide sufficient guarantees of data security and confidentiality.
- Enter into binding contractual agreements that ensure compliance with applicable data protection laws. Data sharing will be limited to what is necessary

for the third-party services and will be subject to regular reviews to ensure ongoing compliance.

10. Data Breaches

A data breach may involve the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data. If Balsham Education experiences a personal data breach, we will:

- Assess the violation and its potential impact.
- Notify the ICO within 72 hours if there is a risk to data subjects.
- Inform affected individuals without undue delay if the breach poses a high risk to their rights and freedoms.
- Take immediate steps to mitigate the breach and prevent further incidents.
Regardless of severity, a record of all violations will be maintained for audit and reporting purposes.

11. Data Protection Officer (DPO)

Balsham Education has appointed a Data Protection Officer (DPO) responsible for overseeing our data protection strategy, ensuring compliance with applicable data protection laws, and acting as a point of contact for data subjects and supervisory authorities.

DPO Contact Information:

- Name: Lucas Davison
- Email: info@balsham.education

12. Review and Monitoring

This policy will be reviewed annually or whenever there is a significant change in data protection legislation or our data processing activities. Regular audits will be conducted to ensure ongoing compliance with this policy and all applicable data protection regulations.

Policy Review Date: 27/09/24

Next Review Date: 27/09/25

Approved by: Alexander Baxter & Lucas Davison, Directors