



Data Protection Policy

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Statement of Intent

Keystone Academy Trust is required to keep and process certain information about its staff members, pupils, their families, volunteers and external contractors in accordance with its legal obligations under data protection legislation.

The trust may, from time to time, be required to share personal information about its staff or pupils with other organisations, mainly the LA, DfE, other schools and educational bodies, and potentially children's services.

This policy is in place to ensure all staff and volunteers are aware of their responsibilities and outlines how the trust complies with the following core principles of the UK GDPR.

Organisational methods for keeping data secure are imperative, and the trust believes that it is good practice to keep clear practical policies, backed up by written procedures.

Legal Framework

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- The UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018 (DPA)
- School Standards and Framework Act 1998
- Freedom of Information Act 2000
- Electronic Commerce (EC Directive) Regulations 2002
- The Privacy and Electronic Communications (EC Directive) Regulations 2003
- The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004
- Protection of Freedoms Act 2012
- DfE (2025) 'Keeping children safe in education 2025'
- Data (Use and Access) Act 2025 (DUAA)

This policy also has regard to the following guidance:

- ICO 'Guide to the UK General Data Protection Regulation (UK GDPR)'
- DfE 'Data protection in schools'
- DfE Generative artificial intelligence (AI) in education

This policy operates in conjunction with the following trust policies:

- Photography Policy
- Cyber Security Policy
- Freedom of Information Publication Scheme
- Child Protection and Safeguarding Policy
- Records Management Policy

Applicable Data

NB. "Child" refers to anyone under the age of 18.

For the purpose of this policy, '**personal data**' refers to information that relates to an identifiable, living individual, including information such as an online identifier, e.g. an IP address. The UK GDPR applies to both automated personal data and to manual filing systems, where personal data is accessible according to specific criteria, as well as to chronologically ordered data and pseudonymised data, e.g. key-coded.

'**Sensitive personal data**' is referred to in the UK GDPR as 'special categories of personal data', and is defined as:

- Genetic data
- Data concerning health

- Data concerning a person’s sexual orientation
- Personal data which reveals:
 - Racial or ethnic origin
 - Political opinions
 - Religious or philosophical beliefs
 - Trade union membership
 - Principles

‘Sensitive personal data’ does not include data about criminal allegations, proceedings or convictions. In the case of criminal offence data, schools are only able to process this if it is either:

- Under the control of official authority; or,
- Authorised by domestic law.

The latter point can only be used if the conditions of the reason for storing and requiring the data fall into one of the conditions below:

- The processing is necessary for the purposes of performing or exercising obligations or rights which are imposed or conferred by law on the controller of the data subject in connection with employment, social security, social protection, health or social care purposes, public health, and research.

In accordance with the requirements outlined in the UK GDPR, personal data will be:

- Processed lawfully, fairly and in a transparent manner in relation to individuals.
- Collected for specified, explicit and legitimate purposes and not further processed 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 incompatible with the initial purposes.
- Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
- Accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that is inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay.
- Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data is processed; personal data may be stored for longer periods, insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes, subject to implementation of the appropriate technical and organisational measures required by the UK GDPR in order to safeguard the rights and freedoms of individuals.
- Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

The UK GDPR also requires that “the controller shall be responsible for, and able to demonstrate, compliance with” the above principles.

Accountability

Keystone Academy Trust will implement appropriate technical and organisational measures to demonstrate that data is processed in line with the principles set out in the UK GDPR and DPA, and will provide comprehensive, clear and transparent privacy policies. The trust will also provide evidence that it is complying with UK GDPR and DPA.

The trust will be able to demonstrate how data is processed as a whole across the MAT and will ensure each individual school within the trust is adhering to the same procedure and that this is being implemented and enforced in line with the wider trust policies.

Internal records of processing activities will include the following:

- Name and details of the organisation
- Purpose(s) of the processing
- Description of the categories of individuals and personal data
- Retention schedules
- Categories of recipients of personal data
- Description of technical and organisational security measures
- Details of transfers to third parties, including documentation of the transfer mechanism safeguards in place.

The trust will also document other aspects of compliance with the UK GDPR and DPA where this is deemed appropriate in certain circumstances by the DPO, including the following:

- Information required for privacy notices, e.g. the lawful basis for the processing
- Records of consent
- Controller-processor contracts
- The location of personal data
- Data Protection Impact Assessment (DPIA) reports
- Records of personal data breaches.

The trust will implement measures that meet the principles of data protection by design and data protection by default, such as:

- Minimising the processing of personal data
- Pseudonymising personal data as soon as possible
- Ensuring transparency in respect of the functions and processing of personal data
- Allowing individuals to monitor processing
- Continuously creating and improving security features.

DPIAs will be used to identify and reduce data protection risks, where appropriate.

Data Protection Officer (DPO)

The trust is required to appoint a DPO who will be the central point of contact for all data subjects and others in relation to matters of data protection.

A DPO will be appointed in order to:

- Inform and advise the trust and its employees about their obligations to comply with the UK GDPR and other data protection laws.
- Monitor the trust's compliance with the UK GDPR and other laws, including managing internal data protection activities, advising on DPIAs, conducting internal audits, and providing the required training to staff members.
- Cooperate with the ICO and act as the first point of contact for the ICO and for individuals whose data is being processed.

The DPO is responsible for:

- Coordinating a proactive and preventative approach to data protection.
- Calculating and evaluating the risks associated with the trust's data processing.
- Having regard to the nature, scope, context, and purposes of all data processing.
- Prioritising and focussing on more risky activities, e.g. where special category data is being processed.
- Promoting a culture of privacy awareness throughout the trust.
- Carrying out ad hoc reviews of data practices to ensure staff understand and are acting in accordance with relevant data protection laws.
- Providing annual training for all staff on the risks, limitations and lawful processing requirements when using generative artificial intelligence (AI) technologies.

Joe Lee, Ark ICT Solutions (dpo@ark.me.uk), has been appointed to the role of DPO to ensure that there is no internal conflict of interests. The DPO will report to the highest level of management at the school, which is the Headteacher or the CEO.

The DPO will have professional experience and be highly knowledgeable about data protection law, particularly that in relation to schools.

The DPO will operate independently and will not be dismissed or penalised for performing their duties. Sufficient resources and appropriate access will be provided to the DPO to enable them to meet their UK GDPR obligations.

The DPO will report to the highest level of management at the trust, which is the Board of Trustees.

Lawful Processing

The legal basis for processing data will be identified and documented prior to data being processed. Under the UK GDPR, data will be lawfully processed under the following conditions:

- The consent of the data subject has been obtained.

- Processing is necessary for a contract held with the individual, or because they have asked the trust to take specific steps before entering into a contract.
- Processing is necessary for compliance with a legal obligation (not including contractual obligations).
- Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.
- Processing is necessary for protecting vital interests of a data subject or another person, i.e. to protect someone's life.
- Processing is necessary for the purposes of recognised legitimate interests pursued by the controller or a third party in relation to safeguarding, crime prevention, emergency response and network security (as specified by DUAA). In circumstances not included in the examples above, an initial assessment on legitimate interest will be carried out.

Keystone Academy Trust will only process personal data without consent where any of the above purposes cannot reasonably be achieved by other, less intrusive means or by processing less data.

Sensitive data will only be processed under the following conditions:

- Explicit consent of the data subject.
- Processing carried out by a not-for-profit body with a political, philosophical, religious or trade union aim provided the processing relates only to members or former members (or those who have regular contact with it in connection with those purposes) and provided there is no disclosure to a third party without consent.
- Processing relates to personal data manifestly made public by the data subject.
- Processing is necessary for:
 - Carrying out obligations under employment, social security or social protection law, or a collective agreement
 - Protecting the vital interests of a data subject or another individual where the data subject is physically or legally incapable of giving consent
 - The establishment, exercise or defence of legal claims or where courts are acting in their judicial capacity
 - Reasons of substantial public interest with a basis in law which is proportionate to the aim pursued and which contains appropriate safeguards
 - The purposes of preventative or occupational medicine, for assessing the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or management of health or social care systems and services with a basis in law
 - Reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of healthcare and of medicinal products or medical devices
 - Archiving purposes in the public interest, or scientific and historical research purposes or statistical purposes in accordance with a basis in law.
- When none of the above apply, consent will be obtained by the data subject to the processing of their special category personal data.

Keystone Academy Trust will ensure that it has privacy notices established which clearly outline the reasons why it needs to collect personal data. The privacy notice will include the following explicit details:

- Why the trust needs to collect personal data
- What the trust plans to do with the personal data
- How long the trust will keep the personal data
- Whether the trust will share the personal data with any external organisations.

The privacy notice will be clear and accessible to data subjects. The privacy notice will also be reviewed by the trust's DPO at least annually and whenever significant changes are made to how the trust processes the data that it collects.

The trust will ensure that any parents, pupils and staff whose personal data is included will be notified of any significant changes to the privacy notice or the way in which the school processes the data.

For personal data to be processed fairly, data subjects must be made aware:

- That the personal data is being processed
- Why the personal data is being processed
- What the lawful basis is for that processing
- Whether the personal data will be shared, and if so, with whom
- The existence of the data subject's rights in relation to the processing of that personal data
- The right of the data subject to raise a complaint with the ICO in relation to any processing.

The trust has privacy notices for the following groups, which outline the information above that is specific to them:

- Prospective employees
- Pupils and their families
- School workforce
- Members, trustees, governors and volunteers.

There may be circumstances where it is considered necessary to process personal data or special category personal data in order to protect the vital interests of a data subject. This may include medical emergencies where it is not possible for the data subject to give consent to the processing. In such circumstances, staff are authorised to make timely decisions to share or process information where this is necessary to protect life or prevent serious harm. Where appropriate, the Data Protection Officer will be informed as soon as reasonably practicable to provide advice and support, and to ensure that the processing is properly recorded. This approach is consistent with the trust's safeguarding obligations, where the protection of life and welfare takes priority.

Where the trust relies on:

- 'Performance of contract' to process a child's data, each school considers the child's competence to understand what they are agreeing to, and to enter into a contract.

- ‘Legitimate interests’ to process a child’s data, each school takes responsibility for identifying the risks and consequences of the processing and puts age-appropriate safeguards in place.
- Consent to process a child’s data, each school ensures that the requirements outlined in the [‘Consent’](#) section are met, and the school does not exploit any imbalance of power in the relationship between the school and the child.

Consent

Consent must be a positive indication expressly confirmed in words. It cannot be inferred from silence, inactivity, a positive action without words or pre-ticked boxes. Consent will only be accepted where it is freely given, specific, informed and an unambiguous indication of the individual’s wishes. Consent can be withdrawn by the individual at any time.

Where consent is given, a record will be kept documenting how and when consent was given, and what the data subject was told.

The trust ensures that consent mechanisms meet the standards of the UK GDPR. Where the standard of consent cannot be met, an alternative legal basis for processing the data must be found, or the processing must cease. Consent accepted under the DPA will be reviewed to ensure it meets the standards of the UK GDPR; however, acceptable consent obtained under the DPA will not be reobtained.

When pupils join a school, and staff join the trust, the staff member or pupil (or, where appropriate, pupil’s parent) will be required to provide consent for personal data use. This consent deals with the taking and use of photographs and videos, amongst other things. Where appropriate, third parties may also be required to provide consent.

The Right to be Informed

Adults and children have the same right to be informed about how the trust uses their data. The privacy notices supplied to individuals, including children, in regard to the processing of their personal data will be written in clear, plain, age-appropriate language, which is concise, transparent, easily accessible and free of charge.

In relation to data obtained both directly from the data subject and not obtained directly from the data subject, the following information will be supplied within the privacy notice:

- The identity and contact details of the controller, the controller’s representative, where applicable, and the DPO.
- The purpose of, and the lawful basis for, processing the data.
- The legitimate interests of the controller or third party.
- Any recipient or categories of recipients of the personal data.
- Details of transfers to third parties and the safeguards in place.
- The retention period of criteria used to determine the retention period.
- The existence of the data subject’s rights, including the right to:
 - Withdraw consent at any time

- Lodge a complaint with a supervisory authority.
- The existence of automated decision making, including profiling, how decisions are made, the significance of the process and the consequences.

Where data is obtained directly from the data subject, information regarding whether the provision of personal data is part of a statutory or contractual requirement, as well as any possible consequences of failing to provide the personal data, will be provided – this information will be supplied at the time the data is obtained.

Where data is not obtained directly from the data subject, information regarding the categories of personal data that the trust holds, the source that the personal data originates from and whether it came from publicly accessible sources, will be provided – this information will be supplied:

- Within one month of having obtained the data.
- If disclosure to another recipient is envisaged, at the latest, before the data are disclosed.
- If the data is used to communicate with the individual, at the latest, when the first communication takes place.

The Right of Access

Individuals, including children, have the right to obtain a copy of their personal data as well as other supplementary information, including confirmation that their data is being processed, and the right to submit a subject access request (SAR) to gain access to their personal data in order to verify the lawfulness of the processing. The trust will verify the identity of the person making the request before any information is supplied. The school will evaluate whether the child is capable of fully understanding their rights. If the school determines the child can understand their rights, it will respond directly to the child.

Where a SAR has been made for information held about a child the school will assess alongside the trust whether the request meets the definition of a Subject Access Request under data protection legislation and that the information may be provided to the requestor. Where it is determined the request is outside the scope of a SAR, the requestor will be notified at the earliest opportunity.

A copy of the information will be supplied to the individual free of charge; however, the trust may impose a 'reasonable fee' to cover the administrative costs of complying with requests that are manifestly unfounded or excessive or if an individual requests further copies of the same information. Where a request is manifestly unfounded, excessive or repetitive, a reasonable fee will be charged. All fees will be based on the administrative cost of providing the information.

Where a SAR has been made electronically, the information will be provided in a commonly used electronic format.

All in-scope requests will be responded within agreed timeframes. In the event of numerous or complex requests, the period of compliance will be extended by a further two months. The individual will be informed of this extension and will receive an explanation of why the extension is necessary, within one month of the receipt of the request.

Where a request is manifestly unfounded or excessive, the trust holds the right to refuse to respond to the request. The individual will be informed of this decision and the reasoning behind it, as well as their right to complain to the supervisory authority and to a judicial remedy, within one month of the refusal.

Keystone Academy Trust, and each school, will ensure that information released in response to a SAR does not disclose personal data of another individual. If responding to the SAR in the usual way would disclose such data, the trust or school will:

- Omit certain elements from the response if another individual's personal data would be disclosed otherwise.
- Reject requests that cannot be fulfilled without disclosing another individual's personal data, unless that individual consents or it is reasonable to comply without consent.
- Explain to the individual who made the SAR why their request could not be responded to in full.

In the event that a large quantity of information is being processed about an individual, the trust or school will ask the individual to specify the information the request is in relation to – the time limit for responding to the request will be paused until clarification from the individual is received.

The Right to Rectification

Individuals, including children, are entitled to have any inaccurate or incomplete personal data rectified.

Requests for rectification will be responded to within one month; this will be extended by two months where the request for rectification is complex.

Requests for rectification will be investigated and resolved, where appropriate, free of charge; however, the trust may impose a 'reasonable fee' to cover the administrative costs of complying with requests that are manifestly unfounded or excessive or if an individual makes multiple requests at once. The trust reserves the right to refuse to process requests for rectification if they are manifestly unfounded or excessive or if exemptions apply.

The trust will take reasonable steps to ensure that data is accurate or is rectified if inaccurate, implementing a proportional response for data that has a significant impact on the individual, e.g. if significant decisions are made using that data. The trust will restrict processing of the data in question whilst its accuracy is being verified, where possible.

Where the personal data in question has been disclosed to third parties, the trust will inform them of the rectification where possible. Where appropriate, the trust will inform the individual about the third parties that the data has been disclosed to.

Where no action is being taken in response to a request for rectification, or where the request has been investigated and the data has been found to be accurate, the trust will explain the reason for this to the individual and will inform them of their right to complain to the supervisory authority and to a judicial remedy.

The Right to Erasure

Individuals, including children, hold the right to request the deletion or removal of personal data where there is no compelling reason for its continued processing. Individuals, including children, have the right to erasure in the following circumstances:

- Where the personal data is no longer necessary in relation to the purpose for which it was originally collected or processed.
- When the individual withdraws their consent where consent was the lawful basis on which the processing of the data relied.
- When the individual objects to the processing and there is no overriding legitimate interest for continuing the processing.
- The personal data was unlawfully processed.
- The personal data is required to be erased in order to comply with a legal obligation.
- The personal data is processed in relation to the offer of information society services to a child.

The trust will comply with the request for erasure without undue delay and at the latest within one month of receipt of the request.

The trust has the right to refuse a request for erasure where the personal data is being processed for the following reasons:

- To exercise the right of freedom of expression and information.
- To comply with a legal obligation for the performance of a public interest task or exercise of official authority.
- For public health purposes in the public interest.
- For archiving purposes in the public interest, scientific research, historical research or statistical purposes.
- The establishment, exercise or defence of legal claims.

The trust has the right to refuse a request for erasure for special category data where processing is necessary for:

- Public health purposes in the public interest, e.g. protecting against serious cross-border threats to health.
- Purposes of preventative or occupational medicine, the working capacity of an employee, medical diagnosis, the provision of health or social care, or the management of health or social care systems or services.

Requests for erasure will be handled free of charge; however, the trust may impose a 'reasonable fee' to cover the administrative costs of complying with requests that are manifestly unfounded or excessive or if an individual makes multiple requests at once.

As a child may not fully understand the risks involved in the processing of data when consent is obtained, special attention will be given to existing situations where a child has given consent to processing and they later request erasure of the data, regardless of age at the time of the request.

Where personal data has been disclosed to third parties, they will be informed about the erasure of the personal data, unless it is impossible or involves disproportionate effort to do so. Where personal data has been made public within an online environment, the trust will inform other organisations who process the personal data to erase links to and copies of the personal data in question.

The Right to Restrict Processing

Individuals, including children, have the right to block or suppress the trust's processing of personal data.

Keystone Academy Trust will restrict the processing of personal data in the following circumstances:

- Where an individual contests the accuracy of the personal data, processing will be restricted until the trust has verified the accuracy of the data.
- Where an individual has objected to the processing and the trust is considering whether their legitimate grounds override those of the individual.
- Where processing is unlawful and the individual opposes erasure and requests restriction instead.
- Where the trust no longer needs the personal data but the individual requires the data to establish, exercise or defend a legal claim.

In the event that processing is restricted, the trust will store the personal data, but not further process it, guaranteeing that just enough information about the individual has been retained to ensure that the restriction is respected in future. The trust will inform individuals when a restriction on processing has been lifted.

Where the trust is restricting the processing of personal data in response to a request, it will make that data inaccessible to others, where possible, e.g. by temporarily moving the data to another processing system or unpublishing published data from a website.

If the personal data in question has been disclosed to third parties, the trust will inform them about the restriction on the processing of the personal data, unless it is impossible or involves disproportionate effort to do so.

The trust reserves the right to refuse requests for restricting processing if they are manifestly unfounded or excessive or if exemptions apply. The individual will be informed of this decision and the reasoning behind it, as well as their right to complain to the supervisory authority and to a judicial remedy, within one month of the refusal.

The Right to Data Portability

Individuals, including children, have the right to obtain and reuse their personal data for their own purposes across different services. The right to data portability only applies in the following cases:

- Where personal data has been provided directly by an individual to a controller.
- Where the processing is based on the individual's consent or for the performance of a contract.
- When processing is carried out by automated means.

Personal data can be easily moved, copied or transferred from one ICT environment to another in a safe and secure manner, without hindrance to usability. Personal data will be provided in a structured, commonly used and machine-readable form. Where feasible, data will be transmitted directly to another organisation at the request of the individual. The trust will not be required to adopt or maintain processing systems which are technically compatible with other organisations.

The trust will provide the information free of charge.

In the event that the personal data concerns more than one individual, the trust will consider whether providing the information would prejudice the rights of any other individual.

The trust will respond to any requests for portability within one month. Where the request is complex, or a number of requests have been received, the timeframe can be extended by two months, ensuring that the individual is informed of the extension and the reasoning behind it within one month of the receipt of the request.

Where no action is being taken in response to a request, the trust will, without delay and at the latest within one month, explain to the individual the reason for this and will inform them of their right to complain to the supervisory authority and to a judicial remedy.

The Right to Object

Keystone Academy Trust will inform individuals, including children, of their right to object at the first point of communication, and this information will be outlined in the privacy notice and explicitly brought to the attention of the data subject, ensuring that it is presented clearly and separately from any other information. Individuals, including children, have the right to object to the following:

- Processing based on legitimate interests or the performance of a task in the public interest.
- Processing used for direct marketing purposes.
- Processing for purposes of scientific or historical research and statistics.

Where personal data is processed for the performance of a legal task or legitimate interests:

- An individual's grounds for objecting must relate to his or her particular situation.
- The trust will stop processing the individual's personal data unless the processing is for the establishment, exercise or defence of legal claims, or, where the trust can demonstrate compelling legitimate grounds for the processing, which override the interests, rights and freedoms of the individual.
- The trust will respond to objections proportionally, granting more weight to an individual's objection if the processing of their data is causing them substantial damage or distress.

Where personal data is processed for direct marketing purposes:

- The right to object is absolute and the trust will stop processing personal data for direct marketing purposes as soon as an objection is received.
- The trust cannot refuse an individual's objection regarding data that is being processed for direct marketing purposes.
- The trust will retain only enough information about the individual to ensure that the individual's preference not to receive direct marketing is respected in future.

Where personal data is processed for research purposes:

- The individual must have grounds relating to their particular situation in order to exercise their right to object.
- Where the processing of personal data is necessary for the performance of a public interest task, the trust is not required to comply with an objection to the processing of the data.

Where the processing activity is outlined above, but is carried out online, the trust will offer a method for individuals to object online.

The DPO will ensure that details are recorded for all objections received, including those made by telephone or in person, and will clarify each objection with the individual making the request to avoid later disputes or misunderstandings. The trust will respond to all objections without undue delay and within one month of receiving the objection; this may be extended by a further two months if the request is complex or repetitive.

Where no action is being taken in response to an objection, the trust will, without delay and at the latest within one month, explain to the individual the reason for this and will inform them of their right to complain to the supervisory authority and to a judicial remedy.

Informing Data Subjects

Keystone Academy Trust ensures that pupils, parents and staff whose data is processed by the school are clearly and explicitly informed about how the school deals with their personal data. The privacy notice will outline the features and functions of the school's use of personal data, but the privacy notice itself must be easily accessible to all who wish to view it.

Each school will share its privacy notice with parents of pupils:

- Through the pupils' induction pack when joining the school
- At the start of each school year
- On the trust website

The school will share its privacy notice with staff through:

- Role application
- Trust website

Information Rights Requests

As well as the right to rectification, the trust will recognise that its parents have information rights, meaning that they have the right to access or amend any personal information that is held about them. The most common of these are SAR.

A parent of a pupil can make an information rights request (SAR) relating to any of the following:

- Changing any inaccurate information that the school holds about them.
- Removing their personal information or record from the school's systems.
- Restricting the school from processing any data held on the pupil.
- Stopping the school from processing any personal data entirely.

The school will respond to any SAR request submitted verbally or in writing within one calendar month. If the case is deemed to be complex, then the school will extend the response deadline by an extra two calendar months but must inform the requester within the original one month period.

The trust will ensure that staff are trained to recognise how to respond to information rights requests and how to differentiate between different types of information rights requests.

Automated Decision Making and Profiling

The trust will only ever conduct solely automated decision making with legal or similarly significant effects if the decision is:

- Necessary for entering into or performance of a contract
- Authorised by law
- Based on the individual's explicit consent.

Automated decisions will not concern a child nor use special category personal data, unless:

- The trust has the explicit consent of the individual
- The processing is necessary for reasons of substantial public interest.

The trust will conduct a DPIA for automated decision making to mitigate risk of errors, bias and discrimination.

The trust will ensure that individuals concerned are given specific information about the processing and an opportunity to challenge or request a review of the decision.

Generative AI systems will not be used to make solely automated decision with significant effects on individuals such as decisions regarding academic grading, behaviour sanctions, admissions or staff appraisals unless a suitable qualified person reviews and authorises the decision-making outcome.

Individuals have the right not to be subject to a decision when both of the following conditions are met:

- It is based on automated processing, e.g. profiling

- It produces a legal effect or a similarly significant effect on the individual.

The trust will take steps to ensure that individuals are able to obtain human intervention, express their point of view, and obtain an explanation of the decision and challenge it.

When automatically processing personal data for profiling purposes, the trust will ensure that the appropriate safeguards are in place, including:

- Ensuring processing is fair and transparent by providing meaningful information about the logic involved, as well as the significance and the predicted impact.
- Using appropriate mathematical or statistical procedures.
- Implementing appropriate technical and organisational measures to enable inaccuracies to be corrected and minimise the risk of errors.
- Securing personal data in a way that is proportionate to the risk to the interests and rights of the individual and prevents discriminatory effects.

Data Protection by Design and Default

Keystone Academy Trust will act in accordance with the UK GDPR by adopting a data protection by design and default approach and implementing technical and organisational measures which demonstrate how the trust has considered and integrated data protection into all aspects of processing activities. In line with the data protection by default approach, the trust will ensure that only data that is necessary to achieve its specific purpose will be processed.

The trust will implement a data protection by design and default approach by using a number of methods, including, but not limited to:

- Considering data protection issues as part of the design and implementation of systems, services and practices.
- Making data protection an essential component of the core functionality of processing systems and services.
- Automatically protecting personal data in ICT systems.
- Implementing basic technical measures within the network and ICT systems to ensure data is kept secure.
- Promoting the identity of the DPO as a point of contact.
- Ensuring that documents are written in plain language so individuals can easily understand what is being done with personal data.

Data Protection Impact Assessments (DPIAs)

DPIAs will be used in certain circumstances to identify the most effective method of complying with the trust's data protection obligations and meeting individuals' expectations of privacy.

DPIAs will be conducted prior to the implementation of any generative AI tools where the processing of personal data is involved, particularly if the AI tool automates decision-making, involves profiling or carries a risk of bias, inaccuracy or data misuse.

A DPIA will include specific evaluation of the risks associated with AI systems including fairness, accuracy, accountability, transparency and security in accordance with the DfE's "Generative Artificial Intelligence in Education (2025)" guidance.

DPIAs will allow the trust to identify and resolve problems at an early stage, thus reducing associated costs and preventing damage from being caused to the trust's reputation which might otherwise occur. A DPIA will be carried out when using new technologies or when the processing is likely to result in a high risk to the rights and freedoms of individuals, and will be used for more than one project, where necessary.

High risk processing includes, but is not limited to, the following:

- Systematic and extensive processing activities, such as profiling.
- Large scale processing of special categories of data or personal data which is in relation to criminal convictions or offences.

The trust will ensure that all DPIAs include the following information:

- A description of the processing operations and the purposes.
- An assessment of the necessity and proportionality of the processing in relation to the purpose.
- An outline of the risks to individuals.
- The measures implemented in order to address risk.

Where a DPIA indicates high risk data processing, the trust will consult the ICO to seek its opinion as to whether the processing operation complies with the UK GDPR.

Data Breaches

The term 'personal data breach' refers to a breach of security which has led to the destruction, loss, alteration, unauthorised disclosure of, or access to, personal data. The headteacher will ensure that all staff are made aware of, and understand, what constitutes a data breach as part of their training.

Effective and robust breach detection, investigation and internal reporting procedures are in place across the trust, which facilitate decision-making in relation to whether the relevant supervisory authority or the public need to be notified.

Where the trust faces a data security incident, the DPO will coordinate an effort to establish whether a personal data breach has occurred, assess the significance of any breach, and take prompt and appropriate steps to address it.

All notifiable breaches will be reported to the relevant supervisory authority within 72 hours of the trust or school becoming aware of it. Where a breach is likely to result in a risk to the rights and freedoms of individuals, the relevant supervisory authority will be informed, and the individuals concerned will be contacted directly. A 'high risk' breach means that the threshold for notifying the individual is higher than that for notifying the relevant supervisory authority. The risk of the breach having a detrimental effect on the individual, and the need to notify the relevant supervisory

authority, will be assessed on a case-by-case basis. In the event that a breach is sufficiently serious, the public will be notified without undue delay.

Within a breach notification to the supervisory authority, the following information will be outlined:

- The nature of the personal data breach, including the categories and approximate number of individuals and records concerned.
- The name and contact details of the DPO.
- An explanation of the likely consequences of the personal data breach.
- A description of the proposed measures to be taken to deal with the personal data breach.
- Where appropriate, a description of the measures taken to mitigate any possible adverse effects.

Where notifying an individual about a breach to their personal data, the trust will provide specific and clear advice to individuals on the steps they can take to protect themselves and their data, where possible and appropriate to do so.

The trust will ensure all facts regarding the breach, the effects of the breach and any decision-making processes and actions taken are documented in line with the UK GDPR accountability principle and in accordance with the Records Management Policy.

Failure to report a breach when required to do so may result in a fine, as well as a fine for the breach itself.

The trust will work to identify the cause of the breach and assess how a recurrence can be prevented, e.g. by mandating data protection refresher training where the breach was a result of human error.

Data Security

Confidential paper records will be kept in a locked filing cabinet, drawer or safe, with restricted access, and will not be left unattended or in clear view anywhere with general access.

In exceptional circumstances, where digital data is saved on removable storage or a portable device, the device will be kept in a locked filing cabinet, drawer or safe when not in use. Removable mass storage devices are not permitted. All Keystone electronic devices are password-protected and encrypted to protect the information on the device in case of theft. Where possible, the trust enables electronic devices to allow the remote blocking or deletion of data in case of theft.

Staff will not use their personal laptops or computers for school purposes. All members of staff are provided with their own secure login and password. Staff will be provided with a Keystone device dependent on job role, and two factor authentication is enabled.

Emails containing sensitive or confidential information should be sent using appropriate security measures. This may include password protection, secure links, or encrypted email solutions, depending on the sensitivity of the information. Staff must take reasonable steps to ensure that personal data is shared securely.

Circular emails to parents are sent blind carbon copy (bcc), so email addresses are not disclosed to other recipients. When sending confidential information, staff will always check that the recipient is correct before sending.

Before sharing data, all staff will ensure:

- They are allowed to share it
- That adequate security is in place to protect it
- Who will receive the data has been outlined in a privacy notice.

Where personal information that could be considered private or confidential is taken off the premises, either in electronic or paper format, staff will take extra care to follow the same procedures for security, e.g. keeping devices under lock and key. The person taking the information from the school premises accepts full responsibility for the security of the data. This is in agreement with the Headteacher.

Under no circumstances are visitors allowed access to confidential or personal information. Staff must ensure sensitive data is securely stored when not in use.

The physical security of the trust buildings is checked daily. Any failure of physical secure storage systems must be reported to the Headteacher immediately e.g. a secure filing cabinet lock failure. If an increased risk in vandalism, burglary or theft is identified, extra measures to secure data storage will be put in place.

The trust will regularly test, assess and evaluate the effectiveness of any and all measures in place for data security.

Keystone Academy Trust takes its duties under the UK GDPR seriously and any unauthorised disclosure may result in disciplinary action.

When disposing of data, paper documents will be shredded and digital storage devices will be physically destroyed when they are no longer required. ICT assets will be disposed of in accordance with the ICO's guidance on the disposal of ICT assets.

The trust holds the right to take the necessary disciplinary action against a staff member if they believe them to be in breach of the above security measures.

Safeguarding

Keystone Academy Trust understands that the UK GDPR does not prevent or limit the sharing of information for the purposes of keeping children safe.

The trust will ensure that staff have due regard to their ability to share personal information for safeguarding purposes, and that fears about sharing information must not be allowed to obstruct the need to safeguard and protect pupils. The Local Governing Board will ensure that staff are:

- Confident of the processing conditions which allow them to store and share information for safeguarding purposes, including information, which is sensitive and personal, and should be treated as 'special category personal data'.
- Aware that information can be shared without consent where there is good reason to do so, and the sharing of information will enhance the safeguarding of a pupil in a timely manner.

The trust will ensure that information pertinent to identify, assess and respond to risks or concerns about the safety of a child is shared with the relevant individuals or agencies proactively and as soon as is reasonably possible. Where there is doubt over whether safeguarding information is to be shared, especially with other agencies, the DSL will ensure that they record the following information:

- Whether data was shared
- What data was shared
- With whom data was shared
- For what reason data was shared
- Where a decision has been made not to seek consent from the data subject or their parent
- The reason that consent has not been sought, where appropriate.

The trust will aim to gain consent to share information where appropriate; however, staff will not endeavour to gain consent if to do so would place a child at risk. Each school will manage all instances of data sharing for the purposes of keeping a child safe in line with the Child Protection and Safeguarding Policy.

Pupils' personal data will not be provided where the serious harm test is met. Where there is doubt, the school will seek independent legal advice.

Publication of Information

The trust publishes its Freedom of Information Publication Scheme, in line with the ICO model, on its website outlining classes of information that will be made routinely available, including:

- Policies and procedures
- Minutes of meetings
- Annual reports
- Financial information.

Classes of information specified in the Freedom of Information Publication Scheme are made available quickly and easily on request.

The trust will not publish any personal information, including photos, on its website without the permission of the affected individual. When uploading information to the school website, staff are considerate of any metadata or deletions which could be accessed in documents and images on the site.

Photography

The trust understands that recording images of identifiable individuals constitutes as processing personal information, so it is done in line with data protection principles.

Before each school is able to obtain the data of pupils or staff, it is required to give notification and obtain consent for this Special Category Data due to additional requirements for processing such data under the Protection of Freedoms Act 2012.

Each school will always indicate its intentions for taking photographs of pupils and will retrieve permission before publishing them. If the school wishes to use images or video footage of pupils in a publication, such as the school website, prospectus, or recordings of school plays, permission will be sought for the particular usage from the parent of the pupil. Precautions, as outlined in the Photography Policy, are taken when publishing photographs of pupils, in print, video or on the school website.

Images captured by individuals for recreational or personal purposes, and videos made by parents for family use, are exempt from the UK GDPR.

Parents and others attending school events are able to take photographs and videos of those events as long as they are for domestic purposes only. Photographs or videos being used for any other purpose are prohibited to be taken by parents or visitors to the school.

The trust asks that parents and others do not post any images or videos which include any children other than their own on any social media, or otherwise publish those images or videos.

Cloud Computing

For the purposes of this policy, **'cloud computing'** refers to storing and accessing data and programs, such as documents, photos or videos, over the internet, rather than on a device's hard drive. Cloud computing involves the trust accessing a shared pool of ICT services remotely via a private network or the internet.

All staff will be made aware of data protection requirements and how these are impacted by the storing of data in the cloud, including that cloud usage does not prevent data subjects from exercising their data protection rights.

If the cloud service offers an authentication process, each user will have their own account. When accessing any cloud-based or AI powered service, the trust will ensure the provider demonstrates UK GDPR compliance, provides explicit guarantees regarding non-retention of input data and allows the trust to audit or verify compliance where necessary. The use of any cloud services will be subject to a prior risk assessment and will require a DPIA where personal data is involved. A system will be implemented to allow user accounts to be created, updated, suspended and deleted, and for credentials to be reset if they are forgotten, lost or stolen. Access for employees will be removed when they leave the trust.

All files and personal data will be encrypted before they leave a school device and are placed in the cloud, including when the data is 'in transit' between the device and cloud. A robust encryption key management arrangement will be put in place to maintain protection of the encrypted data. The loss of an encryption key will be reported to the DPO immediately; failure to do so could result in accidental access or destruction of personal data and, therefore, a breach of the relevant data protection legislation.

As with files on trust devices, only authorised parties will be able to access files on the cloud. An audit process will be put in place to alert the trust should unauthorised access, deletion or modification occur, and ensure ongoing compliance with the trust's policies for the use of cloud computing.

The trust's usage of cloud computing, including the service's security and efficiency, will be assessed and monitored by the DPO. The DPO will also ensure that a contract and data processing agreement are in place with the service provider, confirming compliance with the principles of the UK GDPR and DPA. The agreement will specify the circumstances in which the service provider may access the personal data it processes, such as the provision of support services.

The DPO will also:

- Ensure that the service provider has completed a comprehensive and effective self-certification checklist covering data protection in the cloud.
- Ensure that the service provider can delete all copies of personal data within a timescale in line with the trust's Data Protection Policy.
- Confirm that the service provider will remove all copies of data, including back-ups, if requested.
- Find out what will happen to personal data should the trust decide to withdraw from the cloud service in the future.
- Assess the level of risk regarding network connectivity and make an informed decision as to whether the trust is prepared to accept that risk.
- Monitor the use of the trust's cloud service, with any suspicious or inappropriate behaviour of pupils, staff or parents being reported directly to the headteacher.

Use of generative artificial intelligence (AI)

The trust recognises that generative AI technologies involve the processing of extensive datasets and may pose increased risks to data privacy and security.

Staff and pupils must not input personal, identifiable, or sensitive data into generative AI platforms unless the system has been formally assessed, and explicit approval has been granted following a full DPIA.

Only AI systems that meet UK GDPR standards and have been assessed for data minimisation, security, transparency, and retention practices will be used in school operations.

Use of generative AI tools must comply with the school's Acceptable Use Policy. Individuals must not rely solely on AI-generated outputs without appropriate human oversight and validation.

Any incidents, breaches, or concerns arising from the use of AI tools must be reported immediately to the DPO and will be investigated in line with the school's data breach procedures.

Data Retention

Data will not be kept for longer than is necessary. Unrequired data will be deleted as soon as practicable. Some educational records relating to former pupils or employees of the trust may be kept for an extended period for legal reasons, but also to enable the provision of references or academic transcripts. Paper documents will be shredded or pulped, and electronic memories scrubbed clean or destroyed, once the data should no longer be retained.

DBS Data

All data provided by the DBS will be handled in line with data protection legislation; this includes electronic communication. Data provided by the DBS will never be duplicated. Any third parties who access DBS information will be made aware of the data protection legislation, as well as their responsibilities as a data handler.

Monitoring and Review

This policy is reviewed annually by the DPO and the trust Central Team.