

# Data Protection Policy

AMC Educational Support - Anne-Marie Barton

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## Definitions

<b>Business</b>	means a person's regular occupation, profession, or trade. For this policy, it refers to AMC Educational Support.
<b>GDPR</b>	means the General Data Protection Regulation.
<b>Responsible Person</b>	means Anne-Marie Barton, owner of AMC Educational Support.
<b>Register of Systems</b>	means a register of all systems or contexts in which personal data is processed by the business.
<b>Data Controller</b>	The organisation who (either alone or in common with other people) determine the purpose for which, and the way data are processed. The data controller is Anne-Marie Barton.
<b>Data Processor</b>	A person or organisation who process data on behalf of and on the orders of a controller. The processor is ShowProgress which is used to record the progress of EHCP targets.

### 1. Data protection principles

The business is committed to processing data in accordance with its responsibilities under the GDPR.

For the purposes of data protection legislation, the term 'process', 'processed' or 'processing' apply to any activity involving the personal data, such as:

- Collecting
- Storing
- Sharing
- Destroying

Article 5 of the GDPR requires that personal data shall be:

- a. processed lawfully, fairly and in a transparent manner in relation to individuals;
- b. 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 to be incompatible with the initial purposes;
- c. adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- d. accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- e. kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are 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 GDPR in order to safeguard the rights and freedoms of individuals; and
- f. 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.”

## **2. General provisions**

- a. This policy applies to all personal data processed by the business.
- b. The Responsible Person shall take responsibility for the business' ongoing compliance with this policy.
- c. This policy shall be reviewed at least annually.
- d. The business shall register with the Information Commissioner's Office as an organisation that processes personal data.

## **3. Lawful, fair and transparent processing**

- a. To ensure its processing of data is lawful, fair and transparent, the business shall maintain a Register of Systems.
- b. The Register of Systems shall be reviewed at least annually.
- c. Individuals have the right to access their personal data and any such requests made to the business shall be dealt with in a timely manner.

## **4. Lawful purposes**

- a. All data processed by the business must be done on one of the following lawful bases: consent, contract, legal obligation, vital interests, public task or legitimate interests ([see ICO guidance for more information](#)).
- b. The business shall note the appropriate lawful basis in the Register of Systems.
- c. Where consent is relied upon as a lawful basis for processing data, evidence of opt-in consent shall be kept with the personal data.
- d. Where communications are sent to individuals based on their consent, the option for the individual to revoke their consent should be clearly available and systems should be in

place to ensure such revocation is reflected accurately in the business's systems.

## 5. Data minimisation

- a. The business shall ensure that personal data are adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
- b. Only relevant personal data will be collected, for example: reports, targets, emergency contact information, EHCPs, parental permissions and for the purposes of academic, special educational needs and support.

## 6. Accuracy

- a. The business shall take reasonable steps to ensure personal data is accurate.
- b. Where necessary for the lawful basis on which data is processed, steps shall be put in place to ensure that personal data is kept up to date.

## 7. Archiving / removal

- a. To ensure that personal data is kept for no longer than necessary, the business shall destroy any personal data that has been processed and this will be reviewed annually.

## 8. Security

- a. The business shall ensure that personal data is stored securely using modern software that is kept-up-to-date. The business will store all forms of data by using security passcodes/passwords (electronic) and send such data via email encryption. Hard copies, such as EHCPs will be stored in a locked cabinet, within a locked building with additional CCTV monitoring and recording. Any handwritten data or emails will only pertain to the child/young person's initials and not their full name. For purposes of handwritten notes, only initials will be used.
- b. Access to personal data shall be limited to personnel who need access and appropriate security should be in place to avoid unauthorised sharing of information. Parent's/carer's permission shall be sought prior to sharing any information, on a need-to-know basis.
- c. When personal data is deleted/destroyed this should be done safely such that the data is irrecoverable.
- d. Appropriate back-up and disaster recovery solutions shall be in place.

## 9. Breach

In the event of a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data, the business shall promptly assess the risk to people's rights and freedoms and if appropriate report this breach to the ICO ([more information on the ICO website](#)).

**Please follow the safeguarding policy regarding remote sessions. Students and staff must NOT share any personal information. Students and staff must NOT connect for remote support via their personal information (email, mobiles etc.). ONLY parents/carers should have access to or use the links which contain the remote information, to access remote support.**

END OF POLICY

