



Data Protection Policy (July 2022)

1. Note to staff and volunteers

It is in everyone's interests to get data protection right and to think carefully about data protection issues: this means handling all personal information with which you come into contact fairly, lawfully, securely and responsibly.

A good rule of thumb here is to ask yourself questions such as:

- Would I be happy if my own personal information were being used (for example, shared with a third party) in the way I am proposing? Would I expect it?
- Would I wish to stand by how I have recorded this information in an email or official record if the person concerned was able to see it?
- What would be the consequences of my losing or misdirecting this personal data?

Data protection law is therefore best seen not as oppressive red tape, or a reason not to do something necessary or important, but a code of useful and sensible checks and balances to improve how we handle and record personal information and manage our relationships with people. This is an important part of MIST's culture, and all its staff and representatives need to be mindful of it.

2. Introduction and purpose

Methodist Independent Schools Trust (MIST) needs to collect and use data about staff, pupils, parents, volunteers and other individuals who come into contact with the Group. In collecting and using the data, the Group is committed to protecting data subject's rights and ensuring it complies with the principles as set out in the Data Protection Act (2018) and the General Data Protection Regulation (2018), together with any other related legislation (referred to in this Policy as "Data Protection Law").

MIST Head Office is registered as a Data Controller, with the Information Commissioner's Office (ICO). Schools within the MIST Group are registered Data Controllers in their own right. This policy relates only to MIST Head Office based at 27 Tavistock, London, WC1H 9HH.

This policy applies to all staff (paid or volunteer), consultants and processors engaged by MIST Head Office. The policy's scope includes all personal data and special category data collected, used, stored, or shared by MIST Head Office whether it is in digital or physical formats, including databases, emails, websites.

This policy does not form part of the formal employment contract for MIST Head Office staff. It does, however, sit alongside all employment contracts and it is required that all staff follow the policy. Failure to do so may result in disciplinary action.

3. Responsibilities

3.1 MIST has a legal responsibility to comply with the Data Protection Act (2018) and other regulations/legislation dealing with data protection.

3.2 As a data controller, MIST Head Office determines the purposes and means of the processing of personal data.

4. What is personal data / personal information?

4.1 Personal data means any information relation to an identified or identifiable natural person (data subject) whether directly or indirectly. For example, name, email address, telephone number,

address, IP address etc.

4.2 Special (sensitive) category data includes data relating to race, ethnic origin, politics, religion, trade union membership, genetics, biometrics (where used for ID purposes), health, sex life, or sexual orientation of a data subject.

5. GDPR's six data processing principles.

5.1 Data Protection Law established six data processing principles that must be adhered to at all times. These principles require that personal data shall be:

- Processed lawfully, fairly and in a transparent manner.
- Collected for specified, explicit and legitimate purposes.
- Adequate, relevant and limited to what is necessary.
- Accurate and, where necessary, kept up to date.
- Retained only for as long as necessary.
- Processed in an appropriate manner to maintain security.

5.2 Data Protection Law also includes an 'accountability' principle, which requires that not only must data controllers, like MIST Head Office, comply with these data processing principles, but they must also be able to demonstrate their compliance with them. This is achieved by keeping records of our data processing activities, documenting decisions and maintaining an audit trail around data protection and privacy matters.

5. General statement

5.1 MIST is committed to complying with the above principles. To that end, MIST will:

- Inform individuals why the information is being collected when it is collected via privacy notices. All privacy notices are available on: www.methodistschools.org.uk/privacy_notices.
- Inform individuals when their information is shared, and why and with whom it was shared.
- 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 Data Subject Access Requests.
- Ensure that MIST Head Office staff and volunteers receive appropriate training and guidance.

5.2 All staff and volunteers are required to be mindful of these principles and to take appropriate care with data. All breaches must be reported to the Data Protection Lead:

admin@methodistschools.org.uk

5.3 All offboarding checklists (staff and volunteers) must make reference to data return or deletion.

6. Data subjects' rights

6.1 MIST is committed to ensuring that it complies with the eight rights given to data subjects under Data Protection Law wherever possible. These rights are:

- Right to be informed.

- Right of access.
- Right of rectification.
- Right of erasure.
- Right to restricted processing.
- Right of data portability.
- Right to object.
- Rights in relation to automated decision making and profiling.

However, MIST will sometimes have compelling reasons to refuse specific requests to amend, delete or stop processing data subject's personal data: for example, a legal requirement or where it falls within a legitimate interest. All such requests will be considered on their own merits. For examples please refer to the MIST Privacy Notices.

7. Data subject access requests

7.1 All data subjects have a right to access their personal data (see above). MIST Head Office has a DSARs policy which can be accessed on www.methodistschools.org.uk. Please refer to the MIST Privacy Notices for further information.

8. Complaints

8.1 All data subjects have a right to complain to the ICO. The ICO does recommend seeking to resolve any issues with the data controller initially prior to any referral. If data subjects have queries about this policy or about how MIST Head Office processes personal data or if a data subject wishes to exercise any of the rights under applicable law, please contact the Data Protection Lead.

9. Review

9.1 This policy will be subject to regular reviews.

10. Contacts

10.1 If you have any enquires in relation to this policy, please contact the Data Protection Lead: admin@methodistschools.org.uk).

Further advice and information: Information Commissioner's Office, www.ico.gov.uk or telephone 01625 545745.

Reviewed: July 2022
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Next Review: July 2025