Data Protection Policy

TPAT Policy Management

Document history

Review date	Version	Reviewer / owner	Executive approval	Approving body	Meeting date of policy approval
03/2020	1	DFO	03/2020	Trust Board	04/2020
03/2022	2	DFO	03/2022	Trust Board	25/04/2022
04/2023	3	HGP	03/2023	Trust Board	24/04/2023
04/2024	4	HGP	04/2024	Trust Board	29/04/2024
03/2025	5	HGP	22/04/2025	Trust Board	Email approval 26/05/2025

Material changes since last publication

Section	Changes
Version 5 13. 14. Appendix 2	Updated to include DfE guidance on • supporting immunisation programmes • data protection and considerations when using generative AI in schools Criteria for AI Product Evaluation

This policy is reviewed annually. The next review is due by May 2026.

The Head of Governance and Policy is the Trust Data Protection Officer
07769 818285 dyert@theparkacademiestrust.com

Contents

1. Introduction

The Trust intends and expects that all decisions, policies and procedures will be underpinned at all times by its vision and values.

Our aim:

TPAT - Inspiring futures, empowering people.

We aim to benefit our communities by nurturing well-educated, aspirational and creative young people. We exist to inspire futures and empower all our people. We achieve this by enriching and fulfilling our employees with the investment to become masters of their craft, all working together to realise exceptional outcomes for young people.

To achieve this our schools will:

- Create an aspirational, driven, and highly engaging educational environment where every pupil can succeed.
- Commit to knowing each pupil individually and empowering them to excel.
- Deliver the highest quality learning opportunities facilitated by excellent teachers.
- Inspire our pupils to become confident, motivated and respectful individuals ready to make a positive contribution to society.

The Trust will support our schools by:

- Providing the resources and stability schools need to work efficiently and effectively, overcoming challenges and prioritising education every day.
- Provide a platform for collaboration, sharing excellence and experience, and fostering unity and shared purpose.
- Nurturing our Trust's 'culture of improvement' where staff thrive in a safe, supportive network, embracing feedback and professional dialogue to drive sustainable improvement.

1.1 Aims and Scope

The Trust aims to ensure that all personal data collected about staff, pupils, parents, trustees, visitors and other individuals is collected, stored and processed in accordance with UK data protection law.

This policy applies to all personal data, regardless of whether it is in paper or electronic format.

1.2 Other Linked Policies

- Freedom of Information Policy and Publication Scheme
- Online Safety Policy
- ICT Acceptable Usage Policy
- Safeguarding and Child Protection Policy
- Privacy Notices
- Retention Schedule
- AI Policy
- CCTV Policy

2. Legislation and Guidance

This policy meets the requirements of the:

- UK General Data Protection Regulation (UK GDPR).
- The EU GDPR was incorporated into UK legislation, with some amendments, by The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2020
- Data Protection Act 2018 (DPA 2018)

It is based on guidance published by the Information Commissioner's Office (ICO) on the UK GDPR and guidance from the Department for Education (DfE) on Generative artificial intelligence in education.

It meets the requirements of the Protection of Freedoms Act 2012 when referring to our use of biometric data.

It also reflects the ICO's guidance for the use of surveillance cameras and personal information.

In addition, this policy complies with our Funding Agreement and Articles of Association.

3. Definitions

3.1 Personal Data

Personal data is any information relating to an identified, or identifiable, living individual.

This may include the individual's:

- Name (including initials)
- Identification number
- Location data
- Online identifier, such as a username

It may also include factors specific to the individual's physical, physiological, genetic, mental, economic, cultural or social identity.

3.2 Special Categories of Personal Data

Sensitive data refers to any information that, if disclosed, misused, or accessed without authorisation, could cause harm, discrimination, or negative consequences for an individual or organisation. Special categories of personal data is personal data which is more sensitive and so needs more protection, including information about an individual's:

- Racial or ethnic origin
- Political opinions
- Religious or philosophical beliefs
- Trade union membership
- Genetics
- Biometrics (such as fingerprints, retina and iris patterns) where used for identification purposes
- Health – physical or mental
- Sex life or sexual orientation

3.3 Processing

Processing is anything done to personal data, such as collecting, recording, organising, structuring, storing, adapting, altering, retrieving, using, disseminating, erasing or destroying. Processing can be automated or manual.

3.4 Data Subject

The identified or identifiable individual whose personal data is held or processed.

3.5 Data Controller

A person or organisation that determines the purposes and the means of processing of personal data.

3.6 Data Processor

A person or other body, other than an employee of the data controller, who processes personal data on behalf of the data controller.

3.7 Personal Data Breach

A breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data.

4. The Data Controller

The Trust processes personal data relating to parents, pupils, staff, Local Advisory Board members, Trustees, visitors and others, and therefore is a data controller.

The Trust is registered with the ICO, as legally required, and has paid its data protection fee.

5. Roles and Responsibilities

This policy applies to all staff, and to external organisations or individuals working on our behalf. Staff who do not comply with this policy may face disciplinary action.

5.1 Trust Board

The Trust Board has overall responsibility for ensuring that our schools comply with all relevant data protection obligations.

5.2 Data Protection Officer

The Data Protection Officer (DPO) is responsible for overseeing the implementation of this policy, monitoring our compliance with data protection law, and developing related policies and guidelines where applicable.

The DPO will provide an annual report of their activities directly to the Trust Board.

The DPO is the first point of contact for the ICO, and liaises with the contact point for data protection in each school.

The Head of Governance and Policy is the DPO.

5.3 Head

The Head acts as the representative of the data controller on a day-to-day basis.

5.4 All Staff

Staff are responsible for:

- Collecting, storing and processing any personal data in accordance with this policy
- Informing the school of any changes to their personal data, such as a change of address
- Contacting the DPO in the following circumstances:
    - With any questions about the operation of this policy, data protection law, retaining personal data or keeping personal data secure
    - If they have any concerns that this policy is not being followed
    - If they are unsure whether or not they have a lawful basis to use personal data in a particular way
    - If they need to rely on or capture consent, draft a privacy notice, deal with data protection rights invoked by an individual, or transfer personal data outside the UK
    - If there has been a data breach
    - Whenever they are engaging in a new activity that may affect the privacy rights of individuals
    - If they need help with any contracts or sharing personal data with third parties

6. Data Protection Principles

The UK GDPR is based on data protection principles that the Trust must comply with.

The principles say that personal data must be:

- Processed lawfully, fairly and in a transparent manner
- Collected for specified, explicit and legitimate purposes
- Adequate, relevant and limited to what is necessary to fulfil the purposes for which it is processed
- Accurate and, where necessary, kept up to date
- Kept for no longer than is necessary for the purposes for which it is processed
- Processed in a way that ensures it is appropriately secure

This policy sets out how the Trust aims to comply with these principles.

7. Collecting Personal Data

7.1 Lawfulness, Fairness and Transparency

We will only process personal data where we have one of six legal reasons to do so under data protection law:

- The data needs to be processed so that the school can fulfil a contract with the individual, or the individual has asked the school to take specific steps before entering into a contract
- The data needs to be processed so that the school can comply with a legal obligation
- The data needs to be processed to ensure the vital interests of the individual or another person, ie to protect someone's life
- The data needs to be processed so that the school, as a public authority, can perform a task in the public interest or exercise its official authority
- The data needs to be processed for the legitimate interests of the school (where the processing is not for any tasks the school performs as a public authority) or a third party, provided the individual's rights and freedoms are not overridden
- The individual (or their parent / carer when appropriate in the case of a pupil) has freely given clear consent

For special categories of personal data, we will also meet one of the special category conditions for processing under data protection law:

- The individual (or their parent / carer when appropriate in the case of a pupil) has given explicit consent

- The data needs to be processed to perform or exercise obligations or rights in relation to employment, social security or social protection law
- The data needs to be processed to ensure the vital interests of the individual or another person, where the individual is physically or legally incapable of giving consent
- The data has already been made manifestly public by the individual
- The data needs to be processed for the establishment, exercise or defence of legal claims
- The data needs to be processed for reasons of substantial public interest as defined in legislation
- The data needs to be processed for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
- The data needs to be processed for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law
- The data needs to be processed for archiving purposes, scientific or historical research purposes, or statistical purposes, and the processing is in the public interest

For criminal offence data, we will meet both a lawful basis and a condition set out under data protection law. Conditions include:

- The individual (or their parent / carer when appropriate in the case of a pupil) has given consent
- The data needs to be processed to ensure the vital interests of the individual or another person, where the individual is physically or legally incapable of giving consent
- The data has already been made manifestly public by the individual
- The data needs to be processed for or in connection with legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
- The data needs to be processed for reasons of substantial public interest as defined in legislation

Whenever we first collect personal data directly from individuals, we will provide them with the relevant information required by data protection law.

We will always consider the fairness of our data processing. We will ensure we do not handle personal data in ways that individuals would not reasonably expect, or use personal data in ways which have unjustified adverse effects on them.

7.2 Limitation, Minimisation and Accuracy

We will only collect personal data for specified, explicit and legitimate reasons. We will explain these reasons to the individuals when we first collect their data.

If we want to use personal data for reasons other than those given when we first obtained it, we will inform the individuals concerned before we do so, and seek consent where necessary.

Staff must only process personal data where it is necessary in order to do their jobs.

We will keep data accurate and, where necessary, up to date. Inaccurate data will be rectified or erased when appropriate.

In addition, when staff no longer need the personal data they hold, they must ensure it is deleted or anonymised. This will be done in accordance with the Trust's Retention Schedule.

8. Sharing Personal Data

We will not normally share personal data with anyone else without consent, but there are certain circumstances where we may be required to do so. These include, but are not limited to, situations where:

- There is an issue with a pupil or parent / carer that puts the safety of our staff at risk
- We need to liaise with other agencies – we will seek consent as necessary before doing this
- Our suppliers or contractors need data to enable us to provide services to our staff and pupils, for example, IT companies. When doing this, we will:

    - Only appoint suppliers or contractors that can provide sufficient guarantees that they comply with UK data protection law
    - Establish a contract with the supplier or contractor to ensure the fair and lawful processing of any personal data we share
    - Only share data that the supplier or contractor needs to carry out their service

We will also share personal data with law enforcement and government bodies where we are legally required to do so.

We may also share personal data with emergency services and local authorities to help them to respond to an emergency situation that affects any of our pupils or staff.

Where we transfer personal data internationally, we will do so in accordance with UK data protection law.

9. Subject Access Requests and Other Rights of Individuals

9.1 Subject Access Requests

If staff receive a subject access request in any form they must immediately forward it to the DPO. The school data protection leads will liaise with the DPO.

Individuals have a right to make a subject access request to gain access to personal information that the school holds about them. This includes:

- Confirmation that their personal data is being processed
- Access to a copy of the data
- The purposes of the data processing
- The categories of personal data concerned
- Who the data has been, or will be, shared with
- How long the data will be stored for, or if this is not possible, the criteria used to determine this period
- Where relevant, the existence of the right to request rectification, erasure or restriction, or to object to such processing
- The right to lodge a complaint with the ICO or another supervisory authority
- The source of the data, if not the individual
- Whether any automated decision-making is being applied to their data, and what the significance and consequences of this might be for the individual
- The safeguards provided if the data is being transferred internationally

Subject access requests can be submitted in any form, but we may be able to respond to requests more quickly if they are made in writing and include:

- Name of individual
- Correspondence address
- Contact number and email address
- Details of the information requested

9.2 Children and Subject Access Requests

Personal data about a child belongs to that child, and not the child's parents or carers. For a parent or carer to make a subject access request with respect to their child, the child must either be unable to understand their rights and the implications of a subject access request, or have given their consent.

9.2.1 Primary Schools

Children below the age of 12 are generally not regarded to be mature enough to understand their rights and the implications of a subject access request. Therefore, most subject access requests from parents or carers of pupils may be granted without the express permission of the pupil. This is not a rule and a pupil's ability to understand their rights will always be judged on a case by case basis.

9.2.2 Secondary Schools

Children aged 12 and above are generally regarded to be mature enough to understand their rights and the implications of a subject access request. Therefore, most subject access requests from parents or carers of pupils may not be granted without the express permission of the pupil. This is not a rule and a pupil's ability to understand their rights will always be judged on a case by case basis.

9.3 Responding to Subject Access Requests

When responding to requests, we:

- May ask the individual to provide two forms of identification
- May contact the individual via telephone to confirm the request was made
- Will respond without delay and within one month of receipt of the request (or receipt of the additional information needed to confirm identity, where relevant)
- Will provide the information free of charge
- May tell the individual we will comply within three months of receipt of the request, where a request is complex or numerous. We will inform the

individual of this within one month, and explain why the extension is necessary.

We may not disclose information for a variety of reasons, such as if it:

- Might cause serious harm to the physical or mental health of the pupil or another individual
- Would reveal that the child is being or has been abused, or is at risk of abuse, where the disclosure of that information would not be in the child's best interests
- Would include another person's personal data that we cannot reasonably anonymise, and we do not have the other person's consent and it would be unreasonable to proceed without it
- Is part of certain sensitive documents, such as those related to crime, immigration, legal proceedings or legal professional privilege, management forecasts, negotiations, confidential references, or examination scripts

If the request is unfounded or excessive, we may refuse to act on it, or charge a reasonable fee to cover administrative costs. We will take into account whether the request is repetitive in nature when making this decision.

When we refuse a request, we will tell the individual why, and tell them they have the right to complain to the ICO or they can seek to enforce their subject access right through the courts.

9.4 Other Data Protection Rights of the Individual

In addition to the right to make a subject access request, and to receive information when we are collecting their data about how we use and process it, individuals also have the right to:

- Withdraw their consent to processing at any time
- Ask us to rectify, erase or restrict processing of their personal data (in certain circumstances)
- Prevent use of their personal data for direct marketing
- Object to processing which has been justified on the basis of public interest, official authority or legitimate interests
- Challenge decisions based solely on automated decision making or profiling (ie making decisions or evaluating certain things about an individual based on their personal data with no human involvement)
- Be notified of a data breach (in certain circumstances)

- Make a complaint to the ICO
- Ask for their personal data to be transferred to a third party in a structured, commonly used and machine-readable format (in certain circumstances)

Individuals should submit any request to exercise these rights to the DPO. If staff receive such a request, they must immediately forward it to the DPO.

10. Biometric Recognition Systems

Where we use pupils' biometric data as part of an automated biometric recognition system (for example, pupils use finger prints to receive school dinners instead of paying with cash), we will comply with the requirements of the Protection of Freedoms Act 2012.

Parents / carers will be notified before any biometric recognition system is put in place or before their child first takes part in it. The school will get written consent from at least one parent or carer before we take any biometric data from their child and first process it.

Parents / carers and pupils have the right to choose not to use the school's biometric system(s). We will provide alternative means of accessing the relevant services for those pupils.

Parents / carers and pupils can withdraw consent, at any time, and we will make sure that any relevant data already captured is deleted.

As required by law, if a pupil refuses to participate in, or continue to participate in, the processing of their biometric data, we will not process that data irrespective of any consent given by the pupil's parent(s) / carer(s).

Where staff members or other adults use the school's biometric system(s), we will also obtain their consent before they first take part in it, and provide alternative means of accessing the relevant service if they object. Staff and other adults can also withdraw consent at any time, and the school will delete any relevant data already captured.

11. CCTV

We use CCTV in various locations around the school site to ensure it remains safe. We will follow the ICO's guidance for the use of CCTV, and comply with data protection principles.

We do not need to ask individuals' permission to use CCTV, but we make it clear where individuals are being recorded. Security cameras are clearly visible and accompanied by prominent signs explaining that CCTV is in use.

Any enquiries about the CCTV system should be directed to the Head.

12. Photographs and Videos

As part of our school activities, we may take photographs and record images of individuals within our school.

12.1 Primary Schools

We will obtain written consent from parents / carers for photographs and videos to be taken of their child for communication, marketing and promotional materials. We will clearly explain how the photograph and / or video will be used to both the parent / carer and pupil.

Any photographs and videos taken by parents / carers at school events for their own personal use are not covered by data protection legislation. However, we will ask that photographs or videos with other pupils are not shared publicly on social media for safeguarding reasons, unless all the relevant parents / carers have agreed to this.

12.2 Secondary Schools

We will obtain written consent from parents / carers, or pupils aged 18 and over, for photographs and videos to be taken of pupils for communication, marketing and promotional materials.

Where we need parental consent, we will clearly explain how the photograph and / or video will be used to both the parent / carer and pupil. Where we do not need parental consent, we will clearly explain to the pupil how the photograph and / or video will be used.

Any photographs and videos taken by parents / carers at school events for their own personal use are not covered by data protection legislation. However, we will

ask that photographs or videos with other pupils are not shared publicly on social media for safeguarding reasons, unless all the relevant parents / carers (or pupils where appropriate) have agreed to this.

Where the school takes photographs and videos, uses may include:

- Within school on notice boards and in school magazines, brochures, newsletters, etc
- Outside of school by external agencies such as the school photographer, newspapers, campaigns
- Online on our school website or social media pages

Consent can be refused or withdrawn at any time. If consent is withdrawn, we will delete the photograph or video and not distribute it further.

When using photographs and videos in this way we will not accompany them with any other personal information about the child, to ensure they cannot be identified.

See our Safeguarding and Child Protection Policy for more information on our use of photographs and videos.

13. Supporting Immunisation Programmes

Data is provided to support immunisation programmes. This includes sharing information leaflets and consent forms with parents and carers, and providing a list of eligible children and young people, and parent or carer contact details, to the School Age Immunisation Service (SAIS) team. Sharing these details does not mean that a vaccine will be given. A parent or carer will need to give their consent for a vaccine to be given to their child.

14. Generative Artificial Intelligence (AI)

Generative AI refers to any type of artificial intelligence that creates new digital content, such as text, images, videos or other data. Unlike traditional AI, which relies on exact programming to complete specific tasks, generative AI uses machine learning to create new digital content.

In school, generative AI tools can be used as a starting point to develop resources, including lesson plans or activities, questions and quizzes, revision

activities, images to help with character descriptions or stories, communications for parents and carers, and creating timetables.

If personal and / or sensitive data is entered into an unauthorised generative AI tool, the Trust will treat this as a data breach, and will follow the personal data breach procedure outlined in Appendix 1.

AI tools are now widespread and easy to access. The Trust holds a list of AI supported tools for safe use in our network, and Appendix 2 has the criteria for AI product evaluation. The Trust recognises that AI has many uses to help pupils learn, but also poses risks to sensitive and personal data. To ensure that personal and sensitive data remains secure, no one will be permitted to enter such data into unauthorised generative AI tools or chatbots.

15. Data Protection by Design and Default

We will put measures in place to show that we have integrated data protection into all of our data processing activities, including:

- Appointing a suitably qualified DPO, and ensuring they have the necessary resources to fulfil their duties and maintain their expert knowledge
- Only processing personal data that is necessary for each specific purpose of processing, and always in line with the data protection principles set out in relevant data protection law
- Completing data protection impact assessments where the school's processing of personal data presents a high risk to rights and freedoms of individuals, and when introducing new technologies
- Integrating data protection into internal documents including this policy, any related policies and privacy notices
- Regularly training members of staff on data protection law, this policy, any related policies and any other data protection matters; we will also keep a record of attendance
- Regularly conducting reviews and audits to test our privacy measures and make sure we are compliant
- Appropriate safeguards being put in place if we transfer any personal data outside of the UK, where different data protection laws may apply
- Maintaining records of our processing activities, including:
    - For the benefit of data subjects, making available the name and contact details of our school and DPO, and all information we are

required to share about how we use and process their personal data (via our privacy notices)

- For all personal data that we hold, maintaining an internal record of the type of data, type of data subject, how and why we are using the data, any third party recipients, any transfers outside of the UK and the safeguards for those, retention periods and how we are keeping the data secure

16. Data Security and Storage of Records

We will protect personal data and keep it safe from unauthorised or unlawful access, alteration, processing or disclosure, and against accidental or unlawful loss, destruction or damage.

In particular:

- Paper based records and portable electronic devices, such as laptops and hard drives that contain personal data, are kept under lock and key when not in use
- Papers containing confidential personal data must not be left on office and classroom desks, on staffroom tables, or left anywhere else where there is general access
- Where personal information needs to be taken off site, staff must sign it in and out from the school office
- Passwords that are at least 10 characters long containing letters and numbers are used to access school computers, laptops and other electronic devices. Staff and pupils are reminded that they should not reuse passwords from other sites
- Encryption software is used to protect all portable devices and removable media, such as laptops and USB devices
- Staff, pupils, Local Advisory Board members, or trustees who store personal information on their personal devices are expected to follow the same security procedures as for school-owned equipment.
- Where we need to share personal data with a third party, we carry out due diligence and take reasonable steps to ensure it is stored securely and adequately protected

17. Disposal of Records

Personal data that is no longer needed will be disposed of securely. Personal data that has become inaccurate or out of date will also be disposed of securely, where we cannot or do not need to rectify or update it.

For example, we will shred or incinerate paper-based records, and overwrite or delete electronic files. We may also use a third party to safely dispose of records on the school's behalf. If we do so, we will require the third party to provide sufficient guarantees that it complies with data protection law.

18. Personal Data Breaches

The school will make all reasonable endeavours to ensure that there are no personal data breaches.

In the unlikely event of a suspected data breach, we will follow the procedure set out in Appendix 1.

When appropriate, the DPO will report the data breach to the ICO within 72 hours after the school has become aware of it. Such breaches in a school context may include, but are not limited to:

- A non-anonymised dataset being published on the school website which shows the examination results of pupils eligible for the pupil premium
- Safeguarding information being made available to an unauthorised person
- The theft of a school laptop containing non-encrypted personal data about pupils

19. Training

All staff, Local Advisory Board members, and trustees are provided with data protection training as part of their induction process.

Data protection will also form part of continuing professional development, where changes to legislation, guidance or the school's processes make it necessary.

Appendix 1 Personal Data Breach Procedure

This procedure is based on guidance on personal data breaches produced by the Information Commissioner's Office (ICO).

- On finding or causing a breach, or potential breach, the staff member, Local Advisory Board member, trustee, or data processor must immediately notify the Data Protection Officer by email dyert@theparkacademiestrust.com.

- The DPO will investigate the report, and determine whether a breach has occurred. To decide, the DPO will consider whether personal data has been accidentally or unlawfully:

    - Lost
    - Stolen
    - Destroyed
    - Altered
    - Disclosed or made available where it should not have been
    - Made available to unauthorized people

- Staff, Local Advisory Board members, and trustees will cooperate with the investigation (including allowing access to information and responding to questions). The investigation will not be treated as a disciplinary investigation.

- If a breach has occurred or it is considered to be likely that is the case, the DPO will alert the Head, and, as relevant, the CEO, and the Chair of Trustees.

- The DPO will make all reasonable efforts to contain and minimize the impact of the breach. Relevant staff members or data processors should help the DPO with this where necessary, and the DPO should take external advice when required (eg from IT providers).

- The DPO will assess the potential consequences (based on how serious they are and how likely they are to happen) before and after the implementation of steps to mitigate the consequences.

- The DPO will work out whether the breach must be reported to the ICO and the individuals affected using the ICO's self assessment tool.

- The DPO will document the decisions (either way), in case the decisions are challenged at a later date by the ICO or an individual affected by the breach. Documented decisions are stored in a confidential electronic drive.

- Where the ICO must be notified, the DPO will do this via the ICO website, or through its breach report line, within 72 hours of the school's awareness of the breach. As required, the DPO will set out:

    - A description of the nature of the personal data breach including, where possible:

        - The categories and approximate number of individuals concerned
        - The categories and approximate number of personal data records concerned
        - The name and contact details of the DPO
        - A description of the likely consequences of the personal data breach
        - A description of the measures that have been, or will be taken, to deal with the breach and mitigate any possible adverse effects on the individual(s) concerned

- If not all the above details are yet known, the DPO will report as much as they can within 72 hours of the school's awareness of the breach. The report will explain that there is a delay, the reasons why, and when the DPO expects to have further information. The DPO will submit the remaining information as soon as possible.

- Where the school is required to communicate with individuals whose personal data has been breached, the DPO will tell them in writing. This notification will set out:

    - A description, in clear and plain language, of the nature of the personal data breach
    - The name and contact details of the DPO
    - A description of the likely consequences of the personal data breach

- A description of the measures that have been, or will be, taken to deal with the data breach and mitigate any possible adverse effects on the individual(s) concerned

- The DPO will consider, in light of the investigation and any engagement with affected individuals, whether to notify any relevant third parties who can help mitigate the loss to individuals eg the police, insurers, banks or credit card companies.

- The DPO will document each breach, irrespective of whether it is reported to the ICO. For each breach, this record will include the:

  . Facts and cause
  . Effects
  . Action taken to contain it and ensure it does not happen again (such as establishing more robust processes or providing further training for individuals)

- Records of all breaches will be stored in a confidential electronic drive.

- The DPO will meet the Head, and the contact for data protection in the school, or will meet the DFO for breaches in the Trust office, to review what happened and how it can be prevented from happening again. This meeting will happen as soon as reasonably possible.

- The DPO and the contacts for data protection in the schools will meet termly to assess recorded data breaches and identify any trends or patterns requiring action by the school to reduce risks of future breaches.

Actions to minimize the impact of data breaches

We set out below the steps we might take to try to mitigate the impact of different types of data breach if they were to occur, focusing especially on breaches involving particularly risky or sensitive information. We will review the effectiveness of these actions and amend them as necessary after any data breach.

Sensitive information being disclosed via email (including safeguarding records)

- If special category data (sensitive information) is accidentally made available via email to unauthorized individuals, the sender must attempt to recall the email as soon as they become aware of the error.
- Members of staff who receive personal data sent in error must alert the sender and the DPO as soon as they become aware of the error.
- If the sender is unavailable or cannot recall the email for any reason, the DPO will ask the IT Helpdesk to attempt to recall it from external recipients and remove it from the school's email system (retaining a copy if required as evidence).
- In any cases where the recall is unsuccessful or cannot be confirmed as successful, the DPO will consider whether it is appropriate to contact the relevant unauthorized individuals who received the email, explain that the information was sent in error, and request that those individuals delete the information and do not share, publish, save or replicate it in any way.
- The DPO will endeavour to obtain a written response from all the individuals who received the data, confirming that they have complied with this request**.**
- The DPO will carry out an internet search to check that the information has not been made public; if it has, we will contact the publisher / website owner or administrator to request that the information is removed from their website and deleted.
- If safeguarding information is compromised, the DPO will inform the Designated Safeguarding Lead and discuss whether the school should inform any, or all of its local safeguarding partners.

Other types of breach could include:

- Details of pupil premium interventions for named children being published on the school website.

- A school laptop containing non-encrypted sensitive personal data being stolen or hacked.

Appendix 2 Criteria for AI Product Evaluation

Data Privacy, Legal and Regulatory Compliance

- Is it compliant with UK GDPR and Data Protection Act 2018 laws, particularly when handling student or staff information?
- Is data only collected which is necessary for the AI function?
- Is an up to date DPIA available, and has each school completed a RoPA (Record of Processing Activity) for the application / use?

Safeguarding

- Is it ensured that the AI does not expose students to inappropriate content or interactions?
- Is it monitored for unintended emotional or psychological impacts, particularly with AI tutors or chatbots?
- Is only relevant information shared, and not of a personal nature?

Adaptability

- Will the product evolve with changes in curriculum, regulation or methods?

Integration

- Does the AI tool integrate with any other systems, for example, school MIS?
- If integration is possible, how does the vendor ensure that data held is for the purpose intended, and disposed of securely?
- Is the utility part of another software subscription or package, for which there is an existing DPIA, is this up to date, and has the RoPA been updated?

Procurement and Cost

- What is the upfront cost?
- What are the ongoing subscription costs?
- What is the vendor's reputation?
- Is it fit for purpose – is the product designed for Education?