



# Heathfield Community College Special Category Data Policy

Reviewed by: Owen Perkins - Data Protection Lead

Review Date: 6 October 2020

Ratified by: Caroline Barlow - Headteacher

Next review: October 2021

Signed:  Richard Karn, Chair of Governors

## Summary

This policy outlines the College's obligations under Data Protection Legislation with regard to the processing of Special Category Personal Data. This should be read alongside the school Data Protection and Information Security policy, and the privacy notice, which can be found [here](#))

### 1. Policy Statement

Heathfield Community College is committed to ensuring that all personal data it processes is managed appropriately and in compliance with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA 2018) (collectively referred to as "DP legislation"). The school recognises its duties to protect all personal data but in particular Special Category Personal Data as defined under Data Protection legislation i.e. information that may identify an individual's:

- racial or ethnic origin,
- political opinions,
- religious or philosophical beliefs,
- trade union membership,
- health,
- sex life/orientation
- genetic/biometric identifier
- criminal convictions/offences

The school will ensure that all Special Category Data is captured, held and used in compliance with this policy. Any proposed new use of Special Category Data will be subject to a Data Protection Impact Assessment.

For all uses of Special Category Data, the processing will be included in the school's Record of Processing Activity (ROPA). This will include a description of the lawful basis for processing and confirmation that the appropriate data retention rules are being applied. Failure to comply with this policy may be subject to disciplinary procedures.

### 2. Responsibilities

The Headteacher has overall responsibility for ensuring compliance with this policy and with DP legislation across the school.

The Data Protection Officer (DPO) has responsibility for advising the organisation on data protection matters, and for monitoring compliance with this policy.

The Heathfield Community College Data Protection lead (DPL) has delegated responsibility for ensuring the implementation & evaluation of the College Data Protection, Data in Transit & Special Category Data Policies.

All staff are responsible for understanding and complying with relevant policies and procedures for processing and protecting special category data.

### 3. Related Documents

- Data Protection Policy (incl' Freedom of Information schedule)
- Data in Transit policy
- Record of Processing Activity
- Information Asset Register

#### 4. Compliance with the Principles

All processing of personal data, including Special Category Data, is subject to the school's Data Protection and Information Security Policy and all related procedures for data handling.

Below is a summary of our procedures for compliance with the principles under Article 5 of GDPR.

Data Protection Principle	Procedures for securing compliance	Relevant policies/ procedures
<p>Personal data will be processed lawfully, fairly and in a transparent manner</p>	<p>All use of Special Category Data will be:</p> <ul style="list-style-type: none"> <li>• Assessed for lawfulness, fairness and transparency as part of Data Protection Impact Assessments (DPIA)</li> <li>• described clearly and precisely in privacy notices available to data subjects</li> </ul> <p>The School will ensure that personal data is only processed where a lawful basis applies, (i.e. is subject to clear justification under Article 6 and 9 of GDPR)</p> <p>The School will only process personal data fairly, and will ensure that data subjects are not misled about the purposes of any processing</p>	<ul style="list-style-type: none"> <li>• Data Protection Policy</li> <li>• Data in Transit Policy</li> <li>• Privacy notices</li> <li>• ROPA</li> <li>• Information Asset Register</li> <li>• DPIA procedure</li> <li>• College staff training log</li> </ul>
<p>Personal data will be collected and used for specified, explicit and legitimate purposes and not further processed in an incompatible way (<i>'purpose limitation'</i>)</p>	<p>This will be checked within the DPIA process.</p> <p>Staff will be trained to ensure that they do not use personal data for purposes other than those authorised by the organisation.</p> <p>Staff will receive training and document procedures for relevant processes.</p> <p>Data subjects will be informed of the purpose for processing in a privacy</p>	<ul style="list-style-type: none"> <li>• Data Protection Policy</li> <li>• Data in Transit Policy</li> <li>• Privacy notices</li> <li>• ROPA</li> <li>• Information Asset Register</li> <li>• DPIA procedure</li> <li>• College staff training log</li> </ul>

	notice	
Personal data collected and processed will be adequate, relevant and limited to what is necessary for the purpose for processing ( <i>'data minimisation'</i> )	<p>To adhere to the principle of privacy by design, the College only collects and holds data as necessary for their operational requirements or to meet statutory obligations.</p> <p>Staff have roles-based access and are trained to record only the minimal necessary personal data for business needs.</p> <p>This will also be checked within the school DPIA process.</p>	<ul style="list-style-type: none"> <li>• Data Protection Policy</li> <li>• Data in Transit Policy</li> <li>• Privacy notices</li> <li>• ROPA</li> <li>• Information Asset Register</li> <li>• DPIA procedure</li> <li>• College staff training log</li> </ul>
Personal data will be accurate and where required, rectified without delay ( <i>'accuracy'</i> )	The College has systems in place to verify the accuracy of the data it holds. This includes: annually issued data collection via SIMS Parent App Lite	<ul style="list-style-type: none"> <li>• Data Protection Policy</li> <li>• Data in Transit Policy</li> <li>• Privacy notices</li> <li>• ROPA</li> <li>• Information Asset Register</li> <li>• DPIA procedure</li> <li>• College staff training log</li> </ul>
Personal data will not be kept in an identifiable form for longer than necessary ( <i>'storage limitation'</i> ) i.e. in line with the school retention schedule	<b>Owen Perkins</b> (Data Protection Lead) has responsibility for ensuring that the retention schedule is applied to all personal data, and in particular to special category data. Where systems do not have the functionality to automate disposal, staff have a scheduled task to manually delete time-expired data.	<ul style="list-style-type: none"> <li>• Data Protection Policy</li> <li>• Data in Transit Policy</li> <li>• Privacy notices</li> <li>• ROPA</li> <li>• Information Asset Register</li> <li>• DPIA procedure</li> <li>• College staff training log</li> <li>• Retention schedule</li> <li>• DP training for staff</li> <li>• College data protection training log</li> </ul>
Personal data will be kept securely	All use of personal data is subject to our Data Protection Policy and related security measures.	<ul style="list-style-type: none"> <li>• Data Protection Policy</li> <li>• Data in Transit Policy</li> </ul>

	<p>Staff are trained to be particularly aware of the additional risks to Special Category Data and the relevant individuals have appropriate data-handling processes and guidance.</p> <p>Appropriate means of transmitting data are used. Data is securely stored and securely disposed of (where retention periods are reached).</p> <p>Where processing is sub-contracted or outsourced there are suitable Data Protection clauses in the contract.</p>	<ul style="list-style-type: none"> <li>• Privacy notices</li> <li>• ROPA</li> <li>• Information Asset Register</li> <li>• DPIA procedure</li> <li>• College staff training log</li> <li>• Retention schedule</li> <li>• DP training for staff</li> <li>• College data protection training log</li> </ul>
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**Contact**

If you have any questions about this policy, please contact:

Data Protection Lead - Owen Perkins: [dataprotection@heathfieldcc.co.uk](mailto:dataprotection@heathfieldcc.co.uk)

This policy is subject to review annually. Superseded policies will be retained in line with our Retention Schedule.