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# Data Protection Policy

To be reviewed – Autumn 2017

## **Data Protection**

Hinde House Mat is required to maintain certain personal data about living individuals for the purposes of satisfying operational and legal obligations. Hinde House MAT recognises the importance of the correct and lawful treatment of personal data.

Hinde House MAT is committed to protecting the rights and privacy of individuals in accordance with the Data Protection Act 1998. Hinde House MAT processes information about its staff, students and other individuals it has dealings with for a range of administrative purposes.

In order to comply with the law, information about individuals will be collected and used fairly, stored safely and securely and not disclosed to any third party unlawfully.

All "processing" of personal data (includes collection, holding, retention, destruction and use of personal data) is governed by the Data Protection Act 1998.

The Act applies to all personal data - whether they are held on a computer or similar automatic system or whether they are held as part of a manual file.

Personal data is defined as information relating to an identifiable living individual and can be held in any format, electronic (including websites and emails), paper-based, photographic etc. from which the individual's information can be readily extracted.

Under the 1998 Act, all organisations that process personal information are required to notify the Information Commissioner's Office. Hinde House MAT's notification describes the various types of processing of personal information and defines the persons or bodies to which the information may be disclosed.

Full details of the notification can be found at <http://www.dpr.gov.uk/search.html>.

Failure to comply with the Data Protection Act could result in the prosecution.

All staff, contractors, consultants or suppliers to Hinde House MAT that are concerned with, or have access to, such data have an obligation to ensure that they are processed according to the eight principles of data protection and the rights of data subjects. This means, among other things, that staff must treat all data carefully and must not disclose personal data to unauthorised persons.

### **Eight Data Protection Principles:**

1. Data should be processed fairly and lawfully.
2. Data should be obtained for one or more specified lawful purposes.
3. Data shall be adequate, relevant and not excessive.
4. Data shall be accurate and where necessary kept up to date.
5. Data is not kept longer than is necessary for its purpose.
6. Data shall be processed in accordance with subject rights under the Act.
7. Appropriate technical and organisational measures shall be taken against unauthorised/unlawful processing, loss, destruction, damage to personal data.

8. Data shall not be transferred outside EEA unless that country/territory ensures adequate level of protection for rights and freedoms of data subjects in relation to the processing of personal data.

#### **Data Subject Rights:**

{A data subject is a person/s about whom such data is held}

1. To make subject access requests regarding the nature of information held and to whom it has been disclosed.
2. To prevent processing likely to cause damage or distress.
3. To prevent processing for purposes of direct marketing.
4. To be informed about mechanics of automated decision taking processes that will significantly affect them.
5. Not to have significant decisions that will affect them taken solely by automated process.
6. To take action for compensation if they suffer damage by any contravention of the Act.
7. To take action to rectify, block, erase or destroy inaccurate data.
8. To request the Commissioner to assess whether any provision of the Act has been contravened.
9. It is an offence to process personal data except in strict accordance with the eight.

Further information on the Data Protection Act can be found at <http://www.dataprotection.gov.uk/>.

#### **Implementing the policy**

The data controller is [jcox@hindehouse.net](mailto:jcox@hindehouse.net)

This policy has been read and approved by the Directors of Hinde House MAT and is reviewed on an annual basis.

All staff, contractors, consultants or suppliers working on behalf of Hinde MAT are required to read and comply with this policy.