



# **Woodend Farm school**

Kindness comes in many forms

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## **DATA PROTECTION POLICY**

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### RECORD OF POLICY AMENDMENT / HISTORY

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| V1.0               | Gemma<br>Quantrill | 01/02/2023 | 26/01/2023                            | New policy                  |
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# **Part 1 - Introduction and Key Definitions**

Woodend Farm School needs to gather and use certain information about individuals. These individuals can include pupils, parents/carers, employees, suppliers, business contacts and other people Woodend Farm School has a relationship with or may need to contact. This policy describes how this personal data must be collected, handled, and stored to meet Woodend Farm School's data protection standards — and to comply with the law.

This Data Protection Policy ensures Woodend Farm School:

- complies with data protection law and follows good practice
- protects the rights of pupils, staff, parents/carers, and other stakeholders
- is open about how it stores and processes individuals' data
- protects itself from the risks of a data breach

This Data Protection Policy is based on the six principles of the Data Protection Act 2018 (DPA) that personal data shall be:

1. processed lawfully, fairly and in a transparent manner
2. collected for specified, explicit and legitimate purposes
3. adequate, relevant, and limited to what is necessary in relation to the purposes for which it is processed
4. accurate and kept up to date
5. kept in a form which permits identification of data subjects for no longer than is necessary
6. processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss or damage

## **Key Definitions**

### **Data**

The DPA describes how organisations, including Woodend Farm School, must collect, handle and store personal information ('data').

Data is any information that Woodend Farm School collects and stores about individuals or organisations. Some data is more sensitive than others and particular care will be given to processing and managing this. Sensitive data includes:

- racial or ethnic origin;
- political opinions;

- religious or philosophical beliefs;
- trade union membership;
- data concerning health or sex life and sexual orientation;
- genetic data; and
- biometric data

Data can be stored electronically, on paper or on other materials.

To comply with the law, personal information must be collected and used fairly, stored safely and not disclosed unlawfully.

### **Data Subject**

A 'Data Subject' is someone whose details Woodend Farm School keeps on file. The data subject has the following rights under data protection legislation:

- to be informed
- to have access to data stored about them (or their children)
- to rectification if there is an error on the data stored
- to erasure if there is no longer a need for Woodend Farm School to keep their data
- to restrict processing (e.g., limit what their data is used for)
- to object to data being shared or collected

Although data protection legislation affords these rights to individuals, in some cases the obligations Woodend Farm School have to share data with the DfE etc. override these rights (this is documented later in the policy under 'Privacy Notices').

### **Data Controller**

The 'Data Controller' has overall responsibility for the personal data collected and processed and has a responsibility for ensuring compliance with the relevant legislation. They are able to delegate this to 'Data Processors' to act on their behalf.

Woodend Farm School is the 'Data Controller'.

### **Data Processor**

A 'Data Processor' uses, collects, accesses, or amends the data that the 'Data Controller' is authorised to collect or has already collected. It can be a member of staff, third party company or another organisation such as the Police or Local Authority (LA).

## **Part 2 - Organisational Arrangements**

### **Overall Responsibility**

Woodend Farm School will meet its obligations under the DPA by putting in place clear policies that focus on the key risks and in checking that control measures have been implemented and remain appropriate and effective.

### **Roles & Responsibilities**

The Governing Body will:

- Establish and maintain a positive data protection culture.
- Ensure the Business Coordinator prepares a Data Protection Policy for approval and adoption by the Governors and to review and monitor the effectiveness of the policy.
- Appoint a Data Protection Officer and provide adequate resources and support for them to fulfil their statutory duties.
- Allocate sufficient resources for data protection, e.g., in respect of training for staff, encryption technology for devices.
- Monitor and review data protection issues.
- Ensure that Woodend Farm School provides adequate training, information, instruction, induction, and supervision to enable everyone to comply with their data protection responsibilities.
- Review and act upon data protection compliance reports from the Data Protection Officer.

The Governors will:

- Promote a positive data protection culture
- Prepare a Data Protection Policy for approval by the Governors, revise as necessary and review on a regular basis, at least every two years
- Ensure that all staff co-operate with the policy
- Ensure that staff are competent to undertake the tasks required of them and have been provided with appropriate training
- Provide staff with equipment and resources to enable them to protect the data that they are processing
- Ensure that those who have delegated responsibilities are competent, their responsibilities are clearly defined, and they have received appropriate training
- Monitor the work of the Data Protection Officer to ensure they are fulfilling their responsibilities

The Data Protection Officer will:

- Inform and advise Woodend Farm School of their obligations under Data Protection Legislation
- Monitor compliance with the legislation and report to the Governors on a termly basis
- Cooperate with the supervisory authority (e.g., Information Commissioner's Office) and act as the main contact point for any issues
- Seek advice from other organisations or professionals, such as the Information Commissioner's Office as and when necessary
- Keep up to date with new developments in data protection issued
- Act upon information and advice on data protection and circulate to staff and Governors
- Carry out a data protection induction for all staff and keep records of that induction
- Coordinate Woodend Farm School's response to a Subject Access Request
- Coordinate Woodend Farm School's response to a data breach

Staff at Woodend Farm School will:

- Familiarise themselves and comply with the Data Protection Policy
- Comply with Woodend Farm School data protection arrangements
- Follow the data breach reporting process
- Attend data protection training as organised by Woodend Farm School

## **Part 3 - Detailed Arrangements & Procedures**

### **1. Data Management**

#### **Data Registration**

As Data Controller, Woodend Farm School must register as a Data Controller on the Data Protection Register held by the Information Commissioner.

#### **Data Protection Officer**

As a public body, Woodend Farm School is required to appoint a Data Protection Officer (DPO).

The role of the DPO is to:

- Inform and advise Woodend Farm School and the employees about obligations to comply with all relevant data protection laws
- Monitor compliance with the relevant data protection laws
- Be the first point of contact for supervisory authorities
- Coordinate training on data protection for all key stakeholders of Woodend Farm School

#### **Data Protection Awareness**

In order to ensure organisational compliance, all staff, and other key stakeholders (e.g., Governors, volunteers), will be made aware of their responsibilities under the data protection legislation as part of their induction programme, (both as a new employee to the organisation or if an individual changes role within Woodend Farm School).

Annual data protection refresher training will take place to reinforce the importance of staff adhering to the legislation.

A record of the professional development undertaken by the individual will be retained on their training record.

#### **Data Mapping**

Woodend Farm School has documented all of the data that it collects within a 'Data Flow Map'. This data inventory records:

- the data held

- what the data is used for
- how it is collected
- how consent is obtained
- how the data is stored
- what the retention period is
- who can access the data
- who is accountable for the data
- how the data is shared
- how the data is destroyed

For each data type, the probability of a data breach occurring is assessed (very high, high, medium, low or very low) and actions to be taken to mitigate the risk are recorded.

It is the responsibility of the Data protection officer to ensure the 'Data Flow Map' is kept up to date. The map should be a live document and updated regularly.

Automated decision-making (ADM) is permitted under broader circumstances, including where legitimate interests are the lawful basis (excluding special category data). Woodend Farm School will ensure that individuals are informed of significant decisions made via ADM, have the right to contest such decisions, and can request human intervention. ADM processes will be documented and reviewed regularly.

### **Recognised Legitimate Interests (DUAA 2025)**

Under the Data (Use and Access) Act 2025, certain activities are now recognised as legitimate interests and do not require a formal Legitimate Interest Assessment. These include safeguarding individuals, responding to emergencies, preventing or detecting crime, and protecting national/public security. These activities must still comply with all other data protection principles.

## **2. Third Party Suppliers Acting as Data Processors**

As Data Controller, Woodend Farm School is responsible for ensuring that correct protocols and agreements are in place to ensure that personal data is processed by all subcontractors and other third parties in line with the principles of the data protection legislation.

Individuals within Woodend Farm School who have a responsibility for securing contracts and agreements with such third parties are responsible for ensuring that all external data processing is contracted out in line with the principles of the DPA. These types of agreements include:-

- IT contracts and processes
- Physical data and hard copy documents
- Data destruction and hardware renewal and recycling financial and personnel information
- Pupil and staff records

Only third party suppliers who can confirm they have appropriate technical, physical, and organisational security to securely process data will be considered as suitable partners.

The procurement process will ensure that all contracts are suitable and reflect DPA requirements. Review of current and due consideration of future contracts will require this even if data processing is ancillary to the main purpose of the contract.

The external processor will confirm with the Data Controller that suitable security and operational measures are in place.

Any potential supplier or purchaser outside the EU will be obliged to confirm how they comply with the DPA and give contractual assurances.

The DPO may require a specific risk assessment to be undertaken if the data is sensitive, and if an increased risk is likely due to the nature, or proposed nature, of the processing.

A written agreement will be in place between the supplier and Woodend Farm School to confirm compliance with the DPA principles and obligations to assist Woodend Farm School in the event of data breach or subject access request, or enquiries from the ICO.

Woodend Farm School must have the right conduct audits or have information about audits that have taken place in respect of the relevant processes of the supplier's security arrangements whilst the contract is in place, or whilst the supplier continues to have personal data that relates to the contract on its systems.

Any subcontracting must only be done with the written consent of Woodend Farm School ACH as Data Controller. This must be the case for any further subcontracting down the chain. All subcontractors must confirm agreement to be bound by DPA principles when handling Woodend Farm School's data, which shall also include co-operation and eventual secure destruction or return of data.

Woodend Farm School a 'Third Party Request for Information' form which must be used for third party suppliers acting as a Data Processor for Woodend Farm School.

The adequacy test for international data transfers has changed under DUAA 2025. Transfers are now approved via regulations rather than adequacy decisions. Contracts with overseas processors must reflect this change and include updated clauses to ensure compliance.

### **3. Consent**

Woodend Farm School will seek consent from staff, volunteers, young people, parents, and carers to collect and process their data. We will be clear about our reasons for requesting the data and how we will use it. There are contractual, statutory, and regulatory occasions when consent is not required. However, in most cases, data will only be processed if explicit consent has been obtained.

Consent is defined by the DPA as “any freely given, specific, informed and unambiguous indication of the data subject’s wishes by which he or she, by a statement or by clear affirmative action, signifies agreement to the processing of personal data relating to him or her”.

We may seek consent from young people also, and this will be dependent on the child and the reason for processing.

Under DUAA 2025, certain cookies used for statistical analysis or improving site functionality no longer require consent. However, tracking cookies still require opt-in consent. Woodend Farm School will update its website cookie banner and privacy notice to reflect these changes.

## **Privacy Notices**

In order to comply with the fair processing requirements of the DPA, Woodend Farm School will inform their staff and parents/carers of all pupils of the data they collect, process, and hold on them, the purposes for which the data is held and the third parties (e.g., LA, DfE, etc.) to whom their data may be passed, through the use of ‘Privacy Notices’.

DUAA 2025 introduces explicit protections for children’s data. When processing pupil data, especially in online services, Woodend Farm School will prioritise the best interests of the child, ensure privacy notices are age-appropriate, and avoid profiling or tracking unless strictly necessary.

Privacy notices are available to staff and parents through the following means:

- Woodend Farm School website

## **The Use of Pupil Images**

Occasionally Woodend Farm School may take photographs of its pupils. These images could be used as part of internal displays, printed publications, the school website, or our social media accounts.

Woodend Farm School will seek consent from all parents/ carers to allow the photography of pupils and the subsequent reproduction of these images. Consent will be sought on initial parent visit and at the beginning of each academic year.

Parents/carers are given the opportunity to opt in. It is not permissible to assume parents are opting in.

Generic consent for all uses of images is not acceptable; parents/ carers must give consent to each medium.

Parents/ Carers must be given the opportunity to withdraw their consent at any time. This should be given in writing to Woodend Farm School; however, a verbal withdrawal of consent is also valid and should be reported to the Data protection officer.

Consent should be recorded in hard copy on the pupil file and on the database.

If images of individual pupils are published, then the name of that child should not be used in the accompanying text or caption unless specific consent has been obtained from the parent/ carer prior to publication.

### **Accurate Data**

Woodend Farm School will endeavour to ensure that the data it stores is accurate and up to date.

When a pupil or member of staff joins Woodend Farm School, they will be asked to complete a form providing their personal contact information (e.g., name, address, phone number, NI number for staff), next of kin details, emergency contact and other essential information. At this point, Woodend Farm School will also seek consent to use the information provided for other internal purposes (such as promoting school events, photography).

Woodend Farm School will undertake an annual data collection exercise, where current staff and parents will be asked to check the data that is held about them is correct. This exercise will also provide individuals with the opportunity to review the consent they have given for Woodend Farm School to use the information held for internal purposes.

Parents/carers and staff are requested to inform the Leadership Team when their personal information changes.

### **Withdrawal of Consent**

Consent can be withdrawn, subject to contractual, statutory, or regulatory constraints. Where more than one person has the ability to provide or withdraw consent, Woodend Farm School will consider each situation on the merits and within the principles of the DPA, child welfare, protection, and safeguarding principles.

Parents/carers and staff are requested to complete a Withdrawal of Consent form and return this to the Data Protection Officer.

## **4. Associated Data Protection Policies**

- Complaints
- Data Breaches
- Subject Access Requests
- Record Management and Retention Policy

## **Complaints**

Complaints will be dealt with in accordance with the Woodend Farm School Complaints Procedure. In accordance with DUAA 2025, Woodend Farm School must provide accessible mechanisms for individuals to submit data protection complaints, including electronic forms. Complaints must be acknowledged within 30 days and acted upon without undue delay. The School may be required to report complaint volumes to the Information Commissioner's Office (ICO).

## **Data Breaches**

Although Woodend Farm School takes measures against unauthorised or unlawful processing and against accidental loss, destruction or damage to personal data as set out in this policy and the supporting policies referred to, a data security breach could still happen. Examples of data breaches include:

- Loss or theft of data or equipment on which data is stored (e.g., losing an unencrypted USB stick, losing an unencrypted mobile phone)
- Inappropriate access controls allowing unauthorised use
- Equipment failure
- Human error (e.g., sending an email to the wrong recipient, information posted to the wrong address, dropping/leaving documents containing personal data in a public space)
- Unforeseen circumstances such as fire or flood
- Hacking attack
- 'Blagging' offences where information is obtained by deceiving Woodend Farm School.

Woodend Farm School has a Data Breach Policy which sets out the process that should be followed in the event of a data breach occurring.

## **Privacy Impact Assessments**

When considering the purchase of a new service or product that involves processing personal data, a Data Privacy Impact Assessment must be completed by the DPO. If risks are identified as part of the assessment, then appropriate steps to mitigate this risk must be implemented. If these risks are deemed to be 'high risk' then the DPO should consult with the ICO prior to implementation.

The 'Data Privacy Impact Assessment' form must be used for each new service/product.

## **Records Management**

Woodend Farm School recognises that by efficiently managing its records, it will be able to comply with its legal and regulatory obligations which will also contribute to the effective overall management of the school.

Woodend Farm School has a Record Management & Retention Policy in place which sets out how it will:

- safely and securely store data (both digital and hard copy data)
- retain data
- dispose of data

### **Subject Access Requests**

Any individual, person with parental responsibility or young person with sufficient capacity has the right to ask what data Woodend Farm School holds about them and can make a Subject Access Request (SAR).

Woodend Farm School has a Subject Access Request Policy, which sets out the process that should be followed in the event of receiving a SAR.

### **Third Party Requests for Information**

Occasionally Woodend Farm School may receive a request for information on a pupil or member of staff by a third party, such as the Police or Social Services. This would be separate to statutory requests that come through from the DfE or LA, for example, which are covered within the privacy notices.

Woodend Farm School has a Third Party Request for Information Policy which sets out the process that should be followed in the event of receiving a third party request.

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