

HARMONY AE LTD Data Protection Policy

1. Purpose

This policy sets out how Harmony Alternative education Ltd collects, uses, stores, shares, and protects personal data. As an alternative provision supporting children aged 7–18 with social, emotional and mental health (SEMH) needs, we recognise our responsibility to handle all personal information lawfully, fairly, transparently, and in a way that upholds the rights, safety, and wellbeing of children and young people.

This policy applies to all staff, volunteers, contractors, and anyone working on behalf of Harmony Alternative education Ltd

2. Legal Framework

This policy is informed by:

- **The UK General Data Protection Regulation (UK GDPR) and Data Protection Act 2018**
 - **The Children Act 1989 and 2004** (safeguarding and promoting welfare)
 - **The SEND Code of Practice 2015**
 - **Keeping Children Safe in Education (KCSIE) 2025**
 - **The Prevent Duty Guidance** (Counter-Terrorism and Security Act 2015, Section 26)
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3. Principles of Data Protection

We adhere to the UK GDPR principles:

1. **Lawfulness, fairness, transparency** – Data is processed fairly and explained clearly to children, parents/carers, and staff.
 2. **Purpose limitation** – Data is collected for specified, explicit, and legitimate purposes only.
 3. **Data minimisation** – We only collect the data we need to support the child's education, wellbeing, and safeguarding.
 4. **Accuracy** – We keep data accurate and up to date.
 5. **Storage limitation** – Data is kept only for as long as is necessary.
 6. **Integrity and confidentiality** – We ensure appropriate security of personal data.
 7. **Accountability** – We take responsibility for demonstrating compliance.
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4. Categories of Data We Hold

We collect and process the following personal data:

- **Pupil information:** name, date of birth, contact details, previous school, SEN/EHCP details, attendance, progress, safeguarding concerns, health and medical needs.
- **Parental/carer information:** contact details, legal responsibility, emergency contacts.
- **Staff and volunteer information:** recruitment records, DBS checks, training, emergency contacts.
- **Safeguarding records:** disclosures, referrals, Prevent concerns, multi-agency communications.
- **Special category data** (health, SEND, ethnicity, religious belief where relevant) processed with strict safeguards.

5. Lawful Basis for Processing

We process personal data under:

- **Legal obligation:** compliance with safeguarding law (Children Act, KCSIE, Prevent).
- **Public task:** provision of education and welfare in line with SEND Code of Practice.
- **Vital interests:** protecting a child or individual from harm.
- **Consent:** where specific permissions are needed (e.g., use of photographs for publicity).

6. Safeguarding and Data Protection

- Safeguarding takes precedence: where concerns exist under **KCSIE 2025**, the **Children Act**, or **Prevent Duty**, we may share data with local authorities, police, health services, or safeguarding partners without consent if necessary to protect a child.
- All safeguarding records are stored securely, with limited access on a strict “need to know” basis.

7. Data Sharing

We may share information with:

- Local authorities and schools (for placement, SEND, attendance, safeguarding, reintegration).
- Multi-agency safeguarding partners.
- Police, health, and social care professionals.

- Regulators (e.g., Ofsted, where applicable).
We will not share personal data with third parties for marketing.
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8. Data Storage and Security

- Electronic records are password-protected and stored securely on encrypted devices/systems.
 - Paper records are kept in locked cabinets with restricted access.
 - Staff are trained in confidentiality and information handling.
 - Data breaches are reported immediately to the Data Protection Lead and, if required, to the Information Commissioner's Office (ICO) within 72 hours.
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9. Rights of Data Subjects

Children (where appropriate), parents/carers, and staff have rights under UK GDPR, including:

- The right to be informed.
- The right of access to their data.
- The right to rectification.
- The right to erasure (where appropriate).
- The right to restrict processing.
- The right to object.

Requests must be submitted in writing to the Data Protection Lead and will be responded to within one calendar month.

10. Retention of Data

We follow statutory retention schedules and guidance (e.g., IRMS). Key points:

- Safeguarding records: until the child reaches age 25.
 - Attendance/educational records: minimum of 6 years.
 - Staff records: 6 years after employment ends.
 - Data no longer required will be securely destroyed (shredded, or permanently deleted).
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11. Roles and Responsibilities

- **Data Protection Lead (DPL):** Vicky Ashby – responsible for oversight, compliance, and responding to data subject requests.
 - **All staff and volunteers:** must follow this policy, maintain confidentiality, and report breaches immediately.
 - **Senior Leadership:** ensures adequate training, resources, and accountability.
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12. Training and Awareness

All staff and volunteers receive training on:

- Data protection principles.
 - Safeguarding and information sharing (KCSIE 2025).
 - Prevent duty awareness.
 - Confidentiality and professional boundaries.
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13. Monitoring and Review

This policy will be reviewed annually, or sooner if there are changes in legislation or guidance. Compliance will be monitored through staff training, audits, and safeguarding oversight.

14. Complaints

Complaints about data handling should be directed to the Data Protection Lead in the first instance. If unresolved, complaints may be escalated to the Information Commissioner's Office (ICO).

Signed: 

Dated : Sept 2025

Review date : Sept 2026