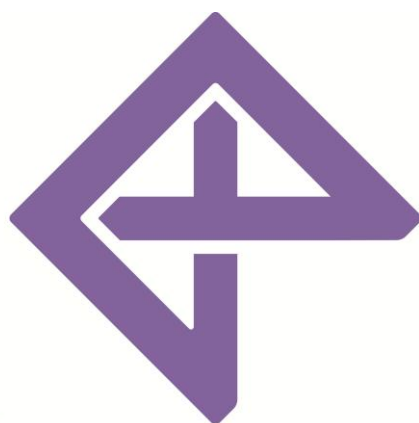


Data Protection policy

Elements Diocesan Learning Trust



Elements
Diocesan Learning Trust

Flourishing together, in the love of God.

Version:	1.2	
Approved by:	Trust Board	Date: 14.05.2026
Last reviewed on:	01.04.2026	
Next review due by:	01.04.2027	

Together we flourish, in the love of God

Elements Diocesan Learning Trust is a company limited by guarantee registered in England and Wales with the company number 13588310.
Registered address: 16, Lowesmoor Wharf, Lowesmoor, Worcester. WR1 2RS.

Contents

1. Vision and Values	2
2. Aims	4
3. Legal Obligations	4
4. Definitions	4
5. The data controller	5
6. Roles and responsibilities	5
7. Data protection principles	7
8. Collecting personal data	7
9. Sharing personal data	8
10. Subject access requests and other rights of individuals	9
11. Parental requests to see the educational record	11
12. CCTV	11
13. Photographs and videos	11
14. Artificial intelligence (AI)	12
15. Data protection by design and default	12
16. Data security and storage of records	12
17. Disposal of records	13
18. Personal data breaches	13
19. Training	13
20. Monitoring arrangements	14
21. Links with other policies	14
Appendix 1: Personal data breach procedure	15

1. Vision and Values

Together we flourish in the love of God

Elements Diocesan Learning Trust values the individual nature of each trust within the Trust family. We believe that every person is a unique and precious gift, created with purpose and value. We nurture each person as a child of God and recognise their inherent potential. Through our collective efforts, we inspire hope, nurture faith, and promote the flourishing of each trust.

We ensure that every person is seen, valued, and empowered to succeed, regardless of their background or circumstances. Through justice and equity, we foster an inclusive environment where diversity is celebrated, and every person's unique gifts are honoured.

By embracing these principles, we create a culture where every person values themselves, their community, and the world around them to become compassionate, confident, and responsible individuals.

Together we flourish, in the love of God

Elements Diocesan Learning Trust is a company limited by guarantee registered in England and Wales with the company number 13588310.
Registered address: 16, Lowesmoor Wharf, Lowesmoor, Worcester. WR1 2RS.

Guiding Elements



Dignity and Respect



Community and
Living Well Together



Hope and Aspiration



Wisdom, Knowledge
and Skills

Living out our Christian values

As a Church of England trust, we place our **Christian values** at the heart of all that we do.

Wisdom

The decisions we take are wise and are based on informed discussions and evidence and aimed at ensuring we achieve the best outcomes for all without forsaking our values

Hope

We have hope for a positive future and always finding positive outcomes

Honesty

We are honest with all inside and outside our organisation, whilst being sensitive to how we deliver these messages

Community and Helpfulness

We work in co-operation and partnership with all staff and wider stakeholders

Dignity and compassion

We treat all those within and outside our organisation with dignity, irrespective of the circumstances, and we show everyone compassion for the difficulties that they are experiencing

Respect

We are respectful to all, dedicated to ensuring inclusivity and diversity with those that we work with and for others that meet and our actions may affect.

Integrity

We have strong principles rooted in our Christian mission that lead our actions and decisions

Our values are founded in a Christian tradition which celebrates humanity's unique role in the world and sets robust expectations for living life well. They set a foundation for our work, directly contributing to the aims of education, as we aim to enable everyone in our community, children and adults to '**flourish in the love of God**'.

As Jesus commanded us to love God and one another, so we offer hospitality, **compassion**, and **respect**, accepting and celebrating the diversity of God's creation, with everyone knowing they are valued. This is exemplified through our care and **helpfulness** towards others, especially those in need, knowing the worth of belonging to our immediate and wider communities. Following the profound example of Christ, the trust aims to carry out its work with **wisdom**, considering all appropriate factors and putting our children and young people first. God's power enables us to work with **integrity**, as we carry out our

Together we flourish, in the love of God

Elements Diocesan Learning Trust is a company limited by guarantee registered in England and Wales with the company number 13588310.

Registered address: 16, Lowesmoor Wharf, Lowesmoor, Worcester. WR1 2RS.

Christian mission. This value highlights the duty of the **trust** to contribute to **aspirational and hopeful** futures for the children and young people we serve.

2. Aims

Our trust aims to ensure that all personal data collected about staff, pupils, parents and carers, governors, 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.

3. Legal Obligations

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.

To this end, Elements Diocesan Learning Trust ('the Trust'), comprising the member trusts and central team, has adopted the Policy as specified below.

4. Definitions

TERM	DEFINITION
Personal data	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.

Together we flourish, in the love of God

Elements Diocesan Learning Trust is a company limited by guarantee registered in England and Wales with the company number 13588310.
Registered address: 16, Lowesmoor Wharf, Lowesmoor, Worcester. WR1 2RS.

TERM	DEFINITION
Special categories of personal data	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
Processing	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.
Data subject	The identified or identifiable individual whose personal data is held or processed.
Data controller	A person or organisation that determines the purposes and the means of processing personal data.
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.
Personal data breach	A breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data.

5. The data controller

Our trust processes personal data relating to parents and carers, pupils, staff, governors, visitors and others, and therefore is a data controller.

The trust is registered with the ICO, as legally required.

6. Roles and responsibilities

This policy applies to **all staff** employed by and across our trust.

For the purposes of this policy, *staff* refers to all individuals working for, or on behalf of, the Trust in any capacity. This includes employees, officers, directors, consultants, contractors, agency workers, trainees, volunteers, and individuals on work placements. It also includes any other person who has authorised access to Trust systems, data, or premises as part of their role. Staff who do not comply with this policy may face disciplinary action.

6.1 Trust Board

Together we flourish, in the love of God

Elements Diocesan Learning Trust is a company limited by guarantee registered in England and Wales with the company number 13588310.
Registered address: 16, Lowesmoor Wharf, Lowesmoor, Worcester. WR1 2RS.

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

6.2 Data protection officer (DPO)

The Trust's Data Protection Officer (DPO) is responsible for overseeing the implementation of this policy, monitoring compliance with data protection legislation, and advising on the development of related policies and procedures.

The DPO provides an annual report on data protection activity directly to the CEO and, where relevant, advises the executive team on data protection risks, issues, and recommendations.

The DPO is also the primary point of contact for individuals whose personal data the Trust processes, and for the Information Commissioner's Office (ICO).

The Trust's DPO service is outsourced to **Dudley YourIG**. Full details of the DPO's responsibilities are set out in the service specification. The DPO can be contacted via:

YourIG Data Protection Officer Service

Dudley MBC, The Council House, Dudley, West Midlands, DY1 1HF

Email: YourIGDPOService@dudley.gov.uk

Tel: 01384 815607

6.3 Data Protection Lead (Headteacher)

As the Trust's DPO function is outsourced, each school must have an internal lead responsible for the day-to-day management of data protection matters. Within each school, the **Headteacher acts as the representative of the data controller on a daily basis** and is responsible for:

- Managing routine data protection queries and operational compliance
- Ensuring staff follow Trust data protection policies and procedures
- Liaising with the DPO on incidents, breaches, subject access requests, and data protection impact assessments
- Escalating concerns to the DPO where specialist advice or statutory reporting is required

The Headteacher is the first point of contact within the school for staff, parents, and other stakeholders regarding data protection matters.

6.4 All staff

Staff are responsible for:

- Collecting, storing and processing any personal data in accordance with this policy
- Informing the school/ central team 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

Together we flourish, in the love of God

Elements Diocesan Learning Trust is a company limited by guarantee registered in England and Wales with the company number 13588310.
Registered address: 16, Lowesmoor Wharf, Lowesmoor, Worcester. WR1 2RS.

- 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

7. Data protection principles

The UK GDPR is based on data protection principles that our 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.

8. Collecting personal data

8.1 Lawfulness, fairness and transparency

We will only process personal data where we have 1 of 6 'lawful bases' (legal reasons) to do so under data protection law:

- › The data needs to be processed so that the trust can **fulfil a contract** with the individual, or the individual has asked the trust to take specific steps before entering into a contract
- › The data needs to be processed so that the trust can **comply with a legal obligation**
- › The data needs to be processed to ensure the **vital interests** of the individual or another person i.e. to protect someone's life
- › The data needs to be processed so that the trust and member schools, 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 trust (where the processing is not for any tasks the trust and member schools 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 1 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

Together we flourish, in the love of God

Elements Diocesan Learning Trust is a company limited by guarantee registered in England and Wales with the company number 13588310.
Registered address: 16, Lowesmoor Wharf, Lowesmoor, Worcester. WR1 2RS.

- › 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.

8.2 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 record retention schedule.

9. 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:

Together we flourish, in the love of God

Elements Diocesan Learning Trust is a company limited by guarantee registered in England and Wales with the company number 13588310.
Registered address: 16, Lowesmoor Wharf, Lowesmoor, Worcester. WR1 2RS.

- 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.

10. Subject access requests and other rights of individuals

10.1 Subject access requests

Individuals have a right to make a 'subject access request' to gain access to personal information that the trust or its member schools 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 isn't 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

If staff receive a subject access request in any form they must immediately forward it to the DPO.

10.2 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.

Together we flourish, in the love of God

Elements Diocesan Learning Trust is a company limited by guarantee registered in England and Wales with the company number 13588310.

Registered address: 16, Lowesmoor Wharf, Lowesmoor, Worcester. WR1 2RS.

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 at our trust and its member schools 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.

10.3 Responding to subject access requests

When responding to requests, we:

- › May ask the individual to provide 2 forms of identification
- › May contact the individual via phone to confirm the request was made
- › Will respond without delay and within 1 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 3 months of receipt of the request, where a request is complex or numerous. We will inform the individual of this within 1 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 can't reasonably anonymise, and we don't 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 exam 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.

10.4 Other data protection rights of the individual

In addition to the right to make a subject access request (see above), and to receive information when we are collecting their data about how we use and process it (see section 8), 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 that has been justified on the basis of public interest, official authority or legitimate interests
- › Challenge decisions based solely on automated decision making or profiling (i.e. 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)

Together we flourish, in the love of God

Elements Diocesan Learning Trust is a company limited by guarantee registered in England and Wales with the company number 13588310.
Registered address: 16, Lowesmoor Wharf, Lowesmoor, Worcester. WR1 2RS.

- 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.

11. Parental requests to see the educational record

Parents, or those with parental responsibility, have a legal right to free access to their child's educational record (which includes most information about a pupil) within 15 school days of receipt of a written request.

If the request is for a copy of the educational record, the member school may charge a fee to cover the cost of supplying it.

This right applies as long as the pupil concerned is aged under 18.

There are certain circumstances in which this right can be denied, such as if releasing the information might cause serious harm to the physical or mental health of the pupil or another individual, or if it would mean releasing exam marks before they are officially announced.

12. CCTV

Some member schools 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 headteacher of the member school.

13. Photographs and videos

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

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

Where the trust and its member schools take 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 trust photographer, newspapers, campaigns
- Online on our trust / 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.

Together we flourish, in the love of God

Elements Diocesan Learning Trust is a company limited by guarantee registered in England and Wales with the company number 13588310.
Registered address: 16, Lowesmoor Wharf, Lowesmoor, Worcester. WR1 2RS.

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 Child protection and safeguarding policy for more information on our use of photographs and videos.

14. Artificial intelligence (AI)

Artificial intelligence (AI) tools are now widespread and easy to access. Staff, pupils and parents/carers may be familiar with generative chatbots such as ChatGPT and Google Bard. Elements Diocesan Learning 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.

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

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 (see section 7)
- › Completing data protection impact assessments where the trust and member schools processing of personal data presents a high risk to rights and freedoms of individuals, and when introducing new technologies (the DPO will advise on this process)
- › 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 trust member schools 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

Together we flourish, in the love of God

Elements Diocesan Learning Trust is a company limited by guarantee registered in England and Wales with the company number 13588310.

Registered address: 16, Lowesmoor Wharf, Lowesmoor, Worcester. WR1 2RS.

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 member school office
- › Passwords that are at least 10 characters long containing letters and numbers are used to access trust and member school computers, laptops and other electronic devices. Staff and pupils are reminded that they should not reuse passwords from other sites
- › The trust has a no removable media policy.
- › Staff, pupils or governors who store personal information on their personal devices are expected to follow the same security procedures as for school-owned equipment (see member schools' online safety policy and acceptable use agreement)
- › 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 (see section 9)

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 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 trust and its member schools 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, we will report the data breach to the ICO within 72 hours after becoming aware of it. Such breaches in a trust context may include, but are not limited to:

- › A non-anonymised dataset being published on the trust website, which shows the test 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, directors and school governors are provided with data protection training as part of their induction process.

Together we flourish, in the love of God

Elements Diocesan Learning Trust is a company limited by guarantee registered in England and Wales with the company number 13588310.
Registered address: 16, Lowesmoor Wharf, Lowesmoor, Worcester. WR1 2RS.

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

20. Monitoring arrangements

The CEO with support from the DPO is responsible for monitoring and reviewing this policy.

This policy will be reviewed annually and approved by the full trust board.

21. Links with other policies

This data protection policy is linked to our:

- Freedom of information publication scheme
- Privacy notices
- Child Protection and Safeguarding Policy
- Online Safety Policy (each member school)
- CCTV policy (for relevant member schools)

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, governor or data processor must immediately notify the data protection officer (DPO) by informing the headteacher who will contact YourIG.
- 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 unauthorised people
- Staff and governors will co-operate 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 headteacher and the chair of the board/ LSB chair as appropriate.
- The DPO will make all reasonable efforts to contain and minimise 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 (e.g. from IT providers). (See the actions relevant to specific data types at the end of this procedure)
- 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 securely by the headteacher of each member school and the CEO for the central team.
- Where the ICO must be notified, the DPO will do this via the ['report a breach' page](#) of the ICO website, or through its breach report line (0303 123 1113), within 72 hours of the trust'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 all the above details are not yet known, the DPO will report as much as they can within 72 hours of the trust's/ member school's awareness of the breach. The report will explain that there is a

Together we flourish, in the love of God

Elements Diocesan Learning Trust is a company limited by guarantee registered in England and Wales with the company number 13588310.
Registered address: 16, Lowesmoor Wharf, Lowesmoor, Worcester. WR1 2RS.

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 trust or a member 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 – for example, 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 securely online.

- The DPO and headteacher will meet to review what happened and how it can be stopped from happening again. This meeting will happen as soon as reasonably possible
- The DPO and headteacher will meet regularly to assess recorded data breaches and identify any trends or patterns requiring action by the trust to reduce risks of future breaches

Actions to minimise the impact of data breaches

The Trust and its member schools will take all reasonable steps to mitigate the impact of any personal data breach, with particular attention to incidents involving sensitive or high-risk information. Our response will be proportionate to the nature of the breach and may include actions to contain the breach, limit further disclosure, seek confirmation of deletion from unintended recipients, and request the removal of any information that has been made public. The Trust and its schools will work with the DPO and AIT, where appropriate, to support technical containment measures and ensure that affected individuals or partners are notified when required. Following any breach, the Trust and its member schools will review the effectiveness of the response and update procedures to strengthen future practice. Additional measures may be taken depending on the type of breach, including those involving safeguarding information, financial data, or unencrypted devices.