hello@sparkeducation.org.uk
sparkeducationtrust.org.uk
01642 051020

# GDPR POLICY

# MAY 2025

**Policy Date: May 2025**
**Review Cycle: Annually**
**Responsible Body: Trust Board**

**Version Control**

| Review Date | Updates |
|---|---|
| V1 May 2025 | Review of legislation and guidance |
| | |

Lowfields Avenue, Ingleby Barwick, TS17 0RJ

Spark Education Trust is a company limited by guarantee registered in England. Company Number: 10249712. VAT Number: 476496535.
Registered Office: Whinstone Primary School, Lowfields Avenue, Ingleby Barwick, TS17 0RJ

hello@sparkeducation.org.uk
sparkeducationtrust.org.uk
01642 051020

## Introduction

Spark Education Trust is committed to protecting and respecting the personal data of its pupils, parents/carers, employees, contractors, and stakeholders. This policy outlines how the Trust collects, uses, shares, and protects personal data in accordance with the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018 (DPA 2018), and related legislation.

## Scope

This policy applies to:

- All schools within Spark Education Trust.
- All employees, Governors, Trustees, Contractors, and Volunteers.
- All processing of personal data, whether held electronically or in paper format.

## Definitions

- Personal Data: Any information relating to an identified or identifiable individual.
- Special Category Data: Sensitive personal data (e.g., health data, ethnicity, religion).
- Data Subject: An individual whose personal data is processed.
- Processing: Any operation performed on personal data (collection, storage, use, etc.).
- Data Controller: The Trust, responsible for determining how and why personal data is processed.
- Data Processor: A third party that processes data on behalf of the Trust.

## Legal Basis for Processing

The Trust will only process personal data where there is a lawful basis under UK GDPR, including:

- Consent.
- Contractual obligation.
- Legal obligation.
- Vital interests.
- Public task (e.g. providing education).
- Legitimate interests.

## Data Protection Principles

The Trust adheres to the following principles of data protection:

Lowfields Avenue, Ingleby Barwick, TS17 0RJ

Spark Education Trust is a company limited by guarantee registered in England. Company Number: 10249712. VAT Number: 476496535.
Registered Office: Whinstone Primary School, Lowfields Avenue, Ingleby Barwick, TS17 0RJ

hello@sparkeducation.org.uk
sparkeducationtrust.org.uk
01642 051020

- Lawfulness, fairness, and transparency.
- Purpose limitation.
- Data minimisation.
- Accuracy.
- Storage limitation.
- Integrity and confidentiality (security).
- Accountability.

## Data Subject Rights

Data subjects have the following rights:

- Right to be informed.
- Right of access (Subject Access Requests).
- Right to rectification.
- Right to erasure (in certain circumstances).
- Right to restrict processing.
- Right to data portability (where applicable).
- Right to object.
- Rights in relation to automated decision making and profiling.

Requests should be made in writing and will be responded to within one calendar month.

## Data Security and Storage

The Trust ensures that appropriate technical and organisational measures are in place to secure personal data, including:

- Password-protected and encrypted systems.
- Secure physical storage.
- Staff training and regular audits.
- Data Protection Impact Assessments (DPIAs) where high-risk processing is identified.

## Data Sharing and Third Parties

The Trust will share personal data when:

- Required by law (e.g. to DfE, Ofsted, safeguarding partners).
- With parental or individual consent (where required).
- With service providers (processors) under contract with data protection obligations.

Lowfields Avenue, Ingleby Barwick, TS17 0RJ

Spark Education Trust is a company limited by guarantee registered in England. Company Number: 10249712. VAT Number: 476496535. Registered Office: Whinstone Primary School, Lowfields Avenue, Ingleby Barwick, TS17 0RJ

hello@sparkeducation.org.uk ✉
sparkeducationtrust.org.uk 🌐
01642 051020 📞

**Retention and Disposal**

Personal data will be retained in line with the Trust's Retention Policy (see appendix 1). Once the retention period expires, data will be securely deleted or destroyed.

**Data Breaches**

All staff must report personal data breaches immediately to the Trust's Data Protection Officer. Serious breaches will be reported to the Information Commissioner's Office (ICO) within 72 hours, if required.

**Roles and Responsibilities**

- Board of Trustees: Overall accountability.
- Executive Leaders/Headteachers: Day-to-day responsibility.
- Staff: Comply with the policy and complete mandatory training.
- Data Protection Officer: Oversees compliance, training, monitoring, and incident management.

**Training and Awareness**

All staff will receive appropriate data protection training and regular refreshers.

**Monitoring and Review**

This policy will be reviewed annually, or earlier if legislation or practice changes. Compliance will be monitored through audits, reports, and data protection reviews.

**Contact and Complaints**

For any questions or concerns about how personal data is handled:
Data Protection Officer (DPO):
Natasha Yeronimou
dataprotection@sparkeducation.org.uk

Complaints can be made to the Information Commissioner's Office (ICO): https://ico.org.uk.

**Related Documents**

hello@sparkeducation.org.uk
sparkeducationtrust.org.uk
01642 051020

- Trust Retention Policy (see Appendix 1).
- Privacy Notices (Staff, Pupil, Parent).
- School Safeguarding Policies.
- IT and Acceptable Use Policies.

hello@sparkeducation.org.uk
sparkeducationtrust.org.uk
01642 051020

**Appendix 1**

**TRUST DATA RETENTION POLICY**

**Introduction**

This policy sets out how Spark Education Trust manages the retention and disposal of records containing personal data. It ensures compliance with UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018, and other applicable legal, regulatory, and operational requirements.

**Scope**

This policy applies to:

- All schools within the Trust.
- All staff, Governors, Trustees, and Contractors handling personal or organisational data.
- All formats: paper and digital records.

**Responsibilities**

- **Data Protection Officer (DPO):** Oversees compliance and advises on retention.
- **Headteachers:** Ensure school level implementation.
- **Staff:** Must follow the policy when creating, managing, or deleting records.

**Retention Schedule**

The following schedule outlines recommended retention periods for key record types, based on IRMS (Information and Records Management Society) guidance, legal requirements, and best practices.

**Pupil Records**

| Record Type | Retention Period |
|---|---|
| Pupil admission records | Date of admission + 6 years |
| Pupil educational record | Date of leaving school + 25 years |
| SEN records | Date of leaving + 25 years |
| Safeguarding/child protection files | DOB of pupil + 25 years |

## Staff Records

| Record Type | Retention Period |
|---|---|
| Staff personnel files | Termination + 6 years |
| Single Central Record (SCR) | Maintain current |
| Payroll, tax (P45, P60, etc.) | 7 years |
| Sickness records | 3 years |
| Recruitment documents (unsuccessful applicants) | 6 months |

## Governance Records

| Record Type | Retention Period |
|---|---|
| Minutes of Trustee/Governor meetings | Permanent |
| Instruments of governance | Permanent |
| Trustee/Governor personal details | End of term + 6 years |

## Financial Records

| Record Type | Retention Period |
|---|---|
| Annual accounts | 6 years + current |
| Invoices, orders, receipts | 6 years + current |
| Asset registers | Life of asset + 6 years |

## Health and Safety Records

| Record Type | Retention Period |
|---|---|
| Risk assessments | 3 years |
| Accident reports (pupil) | DOB + 25 years |
| Accident reports (staff) | 6 years |

## Curriculum Records

| Record Type | Retention Period |
|---|---|
| Curriculum plans | Current year + 3 years |
| Examination results (internal) | Current year + 6 years |
| External exam results | DOB + 25 years |