

### **Introduction**

1. The Sixth Form Colleges Trust collects, processes, holds and shares personal data, and treats it in an appropriate and lawful manner.
2. This policy complies with data protection laws, including the Data Protection Act 2018, the UK General Data Protection Regulation (UK GDPR), and other legal requirements such as the Protection of Freedoms Act 2012.
3. This policy outlines data protection requirements and legal conditions for obtaining, handling, processing, storing, transporting and destructing personal information.
4. To support this policy, staff shall apply associated policies and procedures and participate in all training if requested to do so by The Sixth Form Colleges Trust.
5. Staff should raise any concerns with the implementation of this policy, this should be raised with the Senior Leadership Team of the employee's college.
6. This policy may be amended at any time. Any breach of this policy will be taken seriously and may result in disciplinary action.
7. This policy will be implemented in conjunction with the following The Sixth Form Colleges Trust policies:
  - CCTV Policy
  - Freedom of Information Policy
  - Records Management Policy
  - Confidentiality Policy

### **Aims**

8. To ensure The Sixth Form Colleges Trust fulfils its statutory responsibilities.
9. To ensure effective security and protection for data that has been provided by individuals to The Sixth Form Colleges Trust which is required for the management and operation of its colleges.
10. To support the mission, vision and values of The Sixth Form Colleges Trust and its colleges.

### **Who is responsible for the policy?**

11. The Sixth Form Colleges Trust is responsible for ensuring compliance with the policy, but delegates day-to-day responsibility to the Trust Data Protection Officer, the College Data Protection Leads & College senior management team.
12. Each college's local governing body and senior leadership team are responsible for fairly applying the policy, while all staff members must support colleagues and ensure its success.

## **Data protection definitions**

13. Data is information which is stored electronically or in paper-based filing systems.
14. Personal data refers to information about a living individual who can be identified either solely from that data or in combination with other data held by the trust. Personal data can include factual details e.g., name, address, date of birth or it can be subjective information e.g., performance appraisal.
15. Special category data comprises information regarding racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership, physical or mental health condition, sexual orientation, sex life as well as genetic and biometric data. Processing special category data should only be done so with explicit consent from the individual.
16. Data subjects are the individuals about whom the personal data is held.
17. Processing refers to using, obtaining, recording, holding, organising, amending, retrieving, disclosing, erasing, destroying or transferring data to third parties.
18. Biometric data is personal information about an individual's physical or behavioral characteristics that can be used to identify that person, including their fingerprints, facial shape, retina, and iris patterns.

Within The Sixth Form Colleges Trust, biometric data is in use – see relevant privacy policies.

19. An Automated biometric recognition system uses electronic equipment to measure an individual's physical or behavioral characteristics. It automatically compares the individual's information with stored biometric data to identify any matches.
20. Data Controller - The Sixth Form Colleges Trust is registered with the Information Commissioner's Office (ICO Registration ZB724413) as the Data Controller for all its colleges. As the Data Controller, it determines the purpose for which, and the way, any personal data is processed.

## **Data protection principles**

21. Data protection principles are a set of guidelines that outline how personal data should be handled and protected, ensuring its confidentiality, integrity, and availability.
22. Data protection principles aim to ensure that personal data is handled responsibly and in accordance with individuals' rights. The principles include processing data lawfully and transparently, limiting data collection to necessary purposes, minimising the amount of data collected, ensuring data is accurate and up to date, storing data for only as long as necessary, securing data from unauthorised access, and being accountable for data protection compliance. These principles are essential for protecting individuals' personal information and maintaining their privacy.
23. The Sixth Form Colleges Trust, as the Data Controller, is responsible for, and able to demonstrate, compliance with the principles.
24. In applying data protection law, The Sixth Form Colleges Trust will also apply data protection exemptions that are provided within the law.

## Accountability

25. The Sixth Form Colleges Trust, and its colleges, will implement appropriate technical and organisational measures to demonstrate that data is processed in line with data protection law.
26. The Sixth Form Colleges Trust will provide comprehensive, clear and transparent Privacy Notices.
27. A Record of Processing will be maintained by The Sixth Form Colleges Trust, containing information about the organisation, the purposes of processing, categories of personal data, retention schedules, recipients of personal data, security measures, and details of transfers to third countries with safeguards.
28. The Sixth Form Colleges Trust and its colleges will take steps to ensure the privacy and security of data, including using techniques like reducing data, making data anonymous, being open about data use, giving individuals the ability to oversee how their data is handled, and continuously improving safety measures.
29. Data Protection Impact Assessments (DPIA) are completed when considering using new technologies for the storage, accessing or processing of personal data, or if a new requirement for processing is likely to result in a high risk to the rights and freedoms of individuals.

## Data Protection Officer and college leads

30. The Sixth Form Colleges Trust Data Protection Officer (DPO) can be contacted at the following address: Data Protection Officer  
The Sixth Form Colleges Trust,  
c/o Long Road Sixth Form College.  
Long Road,  
Cambridge  
CB2 8PX  
or Email: [dpo@thesixthformcollegetrust.ac.uk](mailto:dpo@thesixthformcollegetrust.ac.uk)
31. The Data Protection Officer has responsibilities such as informing and advising the Trust and its colleges about data protection laws, monitoring compliance, managing internal activities, conducting audits, and providing training to staff.
32. Whilst the DPO will act independently of the management of the Trust and cannot normally be dismissed for the performance of this role, except in cases of alleged misconduct where the DPO will be subject to the procedures as outlined for centrally employed Trust staff.
33. The DPO of Data Protection Lead will be given sufficient resources to fulfil their obligations under the law.
34. Each college in The Sixth Form Colleges Trust nominates a Data Protection Lead who supports the DPO. This will normally be a college appointed Data Protection Lead. They will be the first point of contact for guidance and support for the college and this should form part of their job description.
35. The Data Protection Lead's role is to support the trust in complying with the Data Protection Act and ensuring that the college follows the trust's data protection policies and procedures.
36. In the event of a data subject looking to exercise their rights, which are listed in this policy, the Data Protection Lead should ensure that these requests are forwarded to the Sixth Form Colleges Trust Central data protection team within 24 hours of receipt.

## Roles and Responsibilities

37. This policy applies to all staff employed by The Sixth Form Colleges Trust, including any external organisations or individuals working on behalf of The Sixth Form Colleges Trust or any of the Colleges or business units within The Sixth Form Colleges Trust. Staff who do not comply with this policy may face disciplinary action.
38. The trust Data Protection Officer & CEO has overall responsibility for ensuring that The Sixth Form Colleges Trust complies with all relevant data protection obligations.
39. The CEO, Principals and Executive act as representatives of the data controller on a day-to-day basis.
40. Staff are responsible for:
  - 40.1 Collecting, storage, processing, publishing any personal data in accordance with this policy.
  - 40.2 Informing the HR Director or College HR Manager of any changes to their living arrangements, personal data (i.e.: New address, phone number, home e-mail, living status)
  - 40.3 Contacting the DPO if they have any queries or questions regarding the use of and the protection of data within the Trust, including,
    - 40.3.1.1 Concerns that the policy is not being followed
    - 40.3.1.2 If they are unsure how to process a piece of personal data, including how they can store and transmit/receive data from external sources
    - 40.3.1.3 If there has been a data breach
    - 40.3.1.4 If they are unsure whether there is a lawful basis to collect and/or store information
  - 40.3.2 Whenever they are engaging in a new activity that may affect the privacy rights of an individual, including the use of a new data processor and the upload of data to 3rd party companies such as new learning platforms where students need to login
  - 40.3.3 If they need to apply a UK GDPR principle to processing data

## Lawful processing

41. Data will only be lawfully processed if one of the following conditions is satisfied:
  - meeting legal obligations
  - performing tasks in the public interest or exercising official authority
  - carrying out contracts
  - protecting vital interests
  - pursuing legitimate interests unless these interests' conflict with the rights and freedoms of the data subject. This does not apply to processing carried out by the college in the performance of its tasks.
  - consent of the data subject has been obtained
42. The legal basis for processing data will be identified and documented within the Record of

Processing prior  
to the data being processed.

43. Due to its sensitive nature, to lawfully process special category data, a lawful basis under Article 6 of the UK GDPR and a condition for processing under Article 9 of the UK GDPR must both be identified.
44. The Sixth Form Colleges Trust will meet the requirement to identify the relevant legal basis for processing special category data as set out in the UK GDPR and DPA 2018.

## **Consent**

45. Consent will only be asked for before processing any data that cannot be processed for any other lawful reason.
46. Consent must be clear and not be assumed from silence, inactivity or pre-selected options.
47. Consent will only be accepted if it is freely given, specific, informed, and unambiguous.
48. A record of consent will be kept to document how, when, and what type of consent was given.
49. Where the standard of consent cannot be met, processing will cease.
50. Consent provided under previous data protection legislation is reviewed to ensure it meets current standards. Consent will not be reobtained if it was acceptable under previous laws.
51. Consent can be withdrawn by the individual at any time.
52. Students who can understand their rights under data protection legislation will provide their own consent; this will supersede any parental consent.
53. The age, maturity, and mental capacity of the student will be considered when determining if they can understand and exercise their rights.
54. Students aged 13 or over will provide their own consent, including for photos and videos used for marketing purposes, except where the criteria in point 53 cannot be met, in which case, the parental consent will stand.
55. When obtaining consent from students, The Sixth Form Colleges Trust will ensure they understand what they are agreeing to and will not use any power imbalance between students and the trust.
56. According to the Protections of the Freedoms Act 2012, consent for processing biometric data will be obtained from parents of students under 18.
57. Consent will be valid for the duration of a student's attendance unless it is withdrawn.
58. If there is a disagreement over consent or no response to a consent request, it will be assumed that consent has not been given.
59. The designated safeguarding lead will work with a student's social worker, carers, or adoptive parents to determine where to seek consent for 'looked after students' or adopted students, considering any risk to their security.

## The right to be informed

60. Privacy Notices will be given to people to inform them about how their personal data is being used. They are written in plain English and tailored to the audience they relate to. Privacy Notices contain all the information that the law requires us to give to people about their data.
61. When collecting data directly from the data subject, The Sixth Form Colleges Trust will inform the data subject if providing this data is obligatory by law or a contractual requirement, or entirely voluntary. The Sixth Form Colleges Trust will also inform them about what may happen if they do not provide their data.
62. If The Sixth Form Colleges Trust does not get data directly from a data subject, they will provide information about the categories of personal data they hold, where it came from, and if it was from publicly accessible sources. They will provide this information before disclosing the data to someone else or when they first communicate with the individual.

## The right of access

63. Individuals have the right to obtain confirmation that their data is being processed.
64. Individuals have the right to request their personal data through a Subject Access Request (SAR).
65. A request should be made to the Data Protection Lead or Trust Data Protection Officer.
66. Data Protection Leads at each college should forward any SARs to the “The Sixth Form Colleges Trust” team at [dpo@thesixthformcollegetrust.ac.uk](mailto:dpo@thesixthformcollegetrust.ac.uk) within 24 hours of receipt, with the exception of requests for letters regarding enrolment or attendance.
67. Colleges should handle requests for letters from parents, staff or other data subjects in line with the Standard Operating Procedures supplied by the trust.
68. For SARs from parents/guardians regarding Students deemed to be aware of their data rights, colleges will seek, and record, the consent of the student using the appropriate consent form before releasing the information.
69. The Sixth Form Colleges Trust will undertake an ID check for the requestor before any information is released.
70. Requests are considered in line with data subject’s legal rights and The Sixth Form Colleges Trust’ legal obligations.
71. If a SAR has been made electronically, the response will be provided in a commonly used electronic format.
72. Any information supplied is free, however a fee may be charged for additional copies.
73. Where a request is manifestly unfounded, excessive or repetitive, a fee may be charged.
74. All fees will be based on the administrative cost of providing the information.
75. All requests will be responded to without delay and ordinarily within one month of receipt.
76. If there are many or complex requests, the response time may be extended by up to two months. The individual will be informed of this extension and the reason within one month.
77. If a request is unfounded or excessive or may cause safeguarding concerns to a student or vulnerable person, The Sixth Form Colleges Trust may decline to respond. The individual will be informed of this decision, the reasoning, and their right to complain initially to the Sixth Form Colleges Trust via the Data Protection Complaints form found on our website, once that has been exhausted the next step would be to the Information Commissioner’s Office (ICO) and to a judicial remedy.

78. If a large quantity of information or the request is unclear regarding data processed about an individual, The Sixth Form Colleges Trust or member college will ask the individual to specify the information the request is in relation to, in such cases as per The Data(Use and Access) Act 2025 (DUA) the clock will stop until a response is received.
79. In England, Wales and Northern Ireland, the parent's automatic right of access to their student's 'educational record' is only applicable in maintained colleges and not in academies or 16-19 colleges.

## **Exemptions to access by data subjects**

80. Where a claim to legal professional privilege could be maintained in legal proceedings, the information is likely to be exempt from disclosure unless the privilege is waived.
81. There are other exemptions from the right of subject access. If we intend to apply any of them to a request, then we will usually explain which exemption is being applied and why.
82. The Academy Trust will not disclose information if it:
  - i. Might cause serious harm to the physical or mental health of the individual or another individual
  - ii. Would reveal that a student is at risk of abuse or where the disclosure of that information would not be in the student's best interests
  - iii. Is detailed in the court orders
  - iv. Is information where disclosure would result in revealing personal information about another student, staff member, volunteer or visitor

## **The right to rectification**

- 83. Individuals are entitled to have any inaccurate or incomplete personal data rectified.
- 84. The Sixth Form Colleges Trust will inform any third parties of the data rectification where necessary and possible. Where appropriate, The Sixth Form Colleges Trust will inform the individual about third parties that data has been disclosed to.
- 85. Requests for rectification will be responded to within one month. If complex, this will be extended by up to two months.
- 86. The Sixth Form Colleges Trust may refuse to act on a request for rectification. The individual will be informed of this decision, the reasoning, and their right to complain initially to the Sixth Form Colleges Trust via the Data Protection Complaints form found on our website, once that has been exhausted the next step would be to the Information Commissioner's Office (ICO) and to a judicial remedy.

## **The right to erasure**

- 87. Individuals hold the right to request the deletion or removal of personal data where there is no compelling reason for its continued processing.
- 88. Individuals have the right to have their personal data erased in certain situations. These situations include when the personal data is no longer needed for its original purpose, when the individual withdraws consent, when there are no overriding legitimate reasons for continuing the processing, when the personal data is used for direct marketing and the individual objects, when the personal data is unlawfully processed, when there is a legal obligation to erase the data, and when the data is processed in relation to information society services offered to a student.
- 89. The Sixth Form Colleges Trust can refuse a request to erase personal data if it is being processed for certain reasons, such as exercising the right of freedom of expression and information, complying with a legal obligation for performance of a public interest task or exercise of official authority, public health purposes in public interest, for archiving purposes in public interest, scientific, historical or statistical research, or to defend legal claims.
- 90. Special attention will be given to existing situations where a student has given consent to processing and later requests erasure of the data, regardless of age at the time of the request.
- 91. Where personal data has been disclosed to third parties, they will be informed about the erasure of personal data, unless it is impossible or involves disproportionate effort to do so.
- 92. Where personal data has been made public within an online environment, the college will inform other organisations who process the personal data to erase links to and copies of the personal data in question, unless it is impossible or involves disproportionate effort to do so.



## **The right to restrict processing**

93. Individuals have the right to block or suppress The Sixth Form Colleges Trust' processing of their own personal data.
94. If processing is restricted, The Sixth Form Colleges Trust will retain the personal data but refrain from using any further. They will only keep enough information to make sure the restriction is followed in the future.
95. The Sixth Form Colleges Trust will restrict the processing of personal data in the following circumstances:
  - a. If the accuracy of data is contested, further processing will be restricted until accuracy is verified
  - b. Where an objection is raised for processing and The Sixth Form Colleges Trust is considering the legitimate grounds for processing
  - c. Where processing is unlawful and the individual requests restriction over erasure
  - d. Where The Sixth Form Colleges Trust no longer needs the personal data, but the individual requires the data to establish, exercise or defend a legal claim
96. If the personal data in question has been disclosed to third parties, The Sixth Form Colleges Trust will inform them about the restriction on the processing of the personal data, unless it is impossible or involves disproportionate effort to do so.
97. The Sixth Form Colleges Trust will inform individuals when a restriction on processing has been lifted.

## **The right to data portability**

98. Individuals have the right to obtain and reuse their personal data for their own purposes.
99. Personal data can be moved, copied or transferred from one IT environment to another in a safe and secure manner, without affecting its usability.
100. The right to data portability applies only in the following cases: when an individual has provided their personal data to a controller, and when the processing is based on the individual's consent or a contract, and when the processing is done automatically.
101. Personal data will be provided in a structured, commonly used and machine-readable form.
102. The Sixth Form Colleges Trust will provide the information free of charge.
103. If possible, data will be sent directly to another organisation at the request of the individual.
104. The Sixth Form Colleges Trust is not required to adopt or maintain processing systems which are technically compatible with other organisations.
105. If the personal data concerns more than one individual, The Sixth Form Colleges Trust will consider whether providing the information would prejudice the rights of any other individual.
106. The Sixth Form Colleges Trust will respond to any requests for portability within one month.
107. Where the request is complex, or multiple requests have been received, the timeframe can be extended by two months, ensuring that the individual is informed of the extension and the reasoning behind it within one month of the receipt of the request.
108. The Sixth Form Colleges Trust may refuse to act on a request. The individual will be informed of this decision, the reasoning, and their right to complain initially to the Sixth Form Colleges Trust via the Data Protection Complaints form found on our website, once that has been exhausted the next step would be to the Information Commissioner's Office (ICO) and to a judicial remedy.

## The right to object

109. The Sixth Form Colleges Trust will clearly and explicitly inform individuals of their right to object at the first point of communication, and this information will also be clearly outlined in the Privacy Notice.
110. Individuals have the right to object to the following types of processing:
- i. processing based on legitimate interests or the performance of a task in the public interest
  - ii. direct marketing
  - iii. processing for purposes of scientific or historical research and statistics
111. Where personal data is processed for the performance of a legal task or legitimate interests:
- i. an individual's grounds for objecting must relate to his or her situation; and
  - ii. The Sixth Form Colleges Trust will only process an individual's personal data if it is necessary for legal claims or if there are compelling legitimate grounds that override the individual's interests, rights, and freedoms
112. Where personal data is processed for direct marketing purposes:
- i. processing of personal data for direct marketing purposes will stop when an objection is received
  - ii. The Sixth Form Colleges Trust cannot refuse an individual's objection regarding data that is being processed
  - iii. for direct marketing purposes
113. If personal data is used for research, the person can only object if they have a valid reason. The Sixth Form Colleges Trust does not have to stop processing data for research if it is necessary for a public interest task.

## Automated decision making and profiling

114. Individuals have the right to not be subjected to a decision that is made by automated processing if special category data is used.  
e.g. profiling and which has a significant impact on them legally or otherwise.
115. The Sixth Form Colleges Trust will ensure that individuals can seek human help, share their opinion, understand any decisions made and question these.
116. The Sixth Form Colleges Trust will ensure the necessary safeguards are in place when automatically processing personal data for profiling. This includes providing clear and useful information about the logic used with significance and predicted impact, using appropriate mathematical or statistical procedures, implementing appropriate measures to enable the correction of inaccuracies and minimise the risk of errors, and securing the data in a way that is proportionate to the risk to the interests and rights of individuals and preventing discriminatory effects.
117. The Sixth Form Colleges Trust reserves the right to implement artificial intelligence (AI) as developments in the sector arise.
118. Where it is being considered that AI will be implemented and there is the potential for personal data to be impacted, The Sixth Form Colleges Trust will undertake a Data Protection Impact Assessment, see below.

## **Privacy by design and privacy impact assessments**

119. The Sixth Form Colleges Trust will prioritise privacy and incorporate data protection into their processing activities through privacy by design approach and implementing technical and organisational measures.
120. The Sixth Form Colleges Trust will use Data Protection Impact Assessments (DPIAs) to identify the most effective way to comply with data protection obligations and meet individuals' privacy expectations when new data processing requirements are identified.
121. DPIAs will help The Sixth Form Colleges Trust identify and resolve problems early, reducing costs and preventing risks to individuals' rights and the reputation of The Sixth Form Colleges Trust.
122. DPIAs will be conducted when using new technologies or when processing is likely to pose a high risk to individuals' rights and freedoms.
123. A DPIA can be used for multiple projects when necessary. High risk processing includes systematic and extensive processing activities, large scale processing of special categories of data or data related to criminal convictions or offenses, and the use of CCTV.
124. The Sixth Form Colleges Trust has a template DPIA that their colleges will use to ensure all necessary information is included and considered correctly.
125. Colleges will collaborate with The Sixth Form Colleges Data Protection Officer to ensure accurate and thorough completion of DPIAs.
126. If a DPIA indicates high risk data processing, the Data Protection Officer may consult the ICO to ensure compliance with data protection laws.
127. The information within the DPIA will assist in completing the Record of Processing.

## **Data breaches**

128. A personal data breach is when there is a breach of security that leads to the destruction, loss, alteration, unauthorised disclosure, or access to personal data.
129. The Data Protection Officer (DPO) at The Sixth Form Colleges Trust will ensure that all staff are aware of and understand what constitutes a data breach during their data protection training.
130. All data breaches must be notified immediately to the college Data Protection Lead & trust Data Protection Officer.
131. The Data Breach Reporting Form should be used to report the breach to the DPO. However, if not all information is known, notification to the DPO should not be delayed.
132. Failure to report a breach when required to do so may result in a disciplinary procedure.
133. Upon receiving the Data Breach Reporting Form, the DPO will complete a Risk Assessment to determine whether the matter needs to be reported to the ICO.
134. If a breach is likely to lead to a risk to the rights and freedoms of individuals, the ICO will be notified.
135. The risk of the breach having a detrimental effect on the individual, and the need to notify the relevant supervisory authority, will be assessed on a case-by-case basis.
136. All breaches requiring notification to the ICO must be reported within 72 hours of The Sixth Form Colleges Trust becoming aware of the breach.
137. If a breach is likely to result in a high risk to the rights and freedoms of an individual, The Sixth Form Colleges Trust will notify those concerned directly.

138. A 'high risk' breach means that the threshold for notifying the individual is higher than that for notifying the relevant supervisory authority.
139. If a breach is sufficiently serious, The Sixth Form Colleges Trust will notify the public as required.
140. Effective breach detection, investigation, and reporting procedures are to be maintained at all The Sixth Form Colleges Trust colleges.
141. The Sixth Form Colleges Trust will maintain a log of data protection breaches.
142. Failure to report a notifiable breach to ICO without the statutory timescale may result in a fine, as well as a fine for the breach itself.

## Security

143. The personal data that the trust, its colleges and staff collect, and process must be secured by appropriate technical and organizational measures against accidental loss, destruction or damage and against unauthorized or unlawful processing.
144. The Sixth Form Colleges Trust will have procedures and technologies in place to secure personal data from the point of collection through to destruction.
145. In line with The Sixth Form Colleges Trust Privacy Notices, information will not be shared with third parties without consent unless permitted by law.
146. Personal data shall not be transferred to a country or territory outside of the UK unless that country or territory has a UK "adequacy regulation" or one of the appropriate safeguards, included in the UK GDPR, has been implemented. These countries include countries or territories that have a UK adequacy regulation include all EU member states, the three additional EEA member states (Iceland, Norway, and Liechtenstein), Gibraltar, Andorra, Argentina, Guernsey, Isle of Man, Israel, Jersey, New Zealand, Switzerland, Uruguay, Japan (private sector organisations only), and Canada (only data that is subject to Canada's Personal Information Protection and Electronic Documents Act)
147. Personal data will only be transferred to a third-party data processor if that party agrees to comply with The Sixth Form Colleges Trust' data transfer policies and procedures or individual college policies as appropriate.
148. Third parties must undergo a due diligence check before being contracted with and must meet acceptable data security standards. The Sixth Form Colleges Trust reserves the right to terminate the contract if it becomes aware of any data security concerns.
149. Third parties can access The Sixth Form Colleges Trust IT systems if they accept the college's ICT security policies and procedures.
150. Maintaining data security means guaranteeing:
- i. confidentiality of the data - only people who are authorised to use the data can access it
  - ii. integrity of the data - data should be accurate and suitable for the processing purpose
  - iii. availability of the data - authorised users should be able to access the data if they need it
151. The Sixth Form Colleges Trust employs multiple security procedures to ensure the safety and integrity of its systems. These include but are not limited to controlled entry, locked storage for paper records, multi-layer password protection for electronic data, and encryption for removable storage devices.
152. Before sharing personal data, staff will ensure they have permission, adequate security measures are in place, and the recipient is specified within a Privacy Notice.
153. Visitors will not be permitted access to confidential or personal information under any

circumstances.

- 154. The physical security of colleges' buildings and storage systems is regularly reviewed with additional measures implemented if required.
- 155. Visitors to areas of The Sixth Form Colleges Trust colleges containing sensitive information are always supervised.
- 156. The Sixth Form Colleges Trust's College Heads of IT are responsible for ensuring business continuity and recovery measures for data security.
- 157. The Sixth Form Colleges Trust colleges will ensure that ICT security policies and procedures are implemented.

## **Statutory requests for information**

- 158. A statutory request for information is a request for information about a member of staff, student or group of Students from a statutory body.
- 159. Before information is shared with a statutory body, colleges should ensure they have identified an appropriate lawful basis for processing, or an exemption, and that this is fully recorded.
- 160. The Sixth Form Colleges Trust Central have issued guidance to ensure compliance by colleges.

## **Training**

- 161. All staff, trustees and LGB are provided with data protection training as part of their induction.
- 162. Data protection training is also part of the CPD process for staff on induction and bi-annually thereafter.
- 163. Where significant changes are applied to legislation, the Trust will make the necessary training available to ensure all staff are updated.

## **Providing information over the telephone**

- 164. Staff who deal with phone calls should be careful not to unlawfully share personal information. They should make sure to confirm the identity of the caller before giving out any information and follow the correct procedure for handling requests for personal data.
- 165. If staff encounter difficult situations, they can ask the Data Protection Officer or the senior leadership team for help. It is important that no one is forced, rushed or intimidated into sharing personal information.

## **Publication of information**

- 166. The Sixth Form Colleges Trust has a Publication Scheme on its websites outlining classes of information that are made routinely available. This includes policies, annual reports and financial information.
- 167. Classes of information specified on the publication scheme are made available upon request.
- 168. When uploading information to The Sixth Form Colleges Trust and college websites, staff are considerate of any metadata or deletions which could be accessed in documents and images on the site.

## **Images: photography and videos**

169. The Sixth Form Colleges Trust understands that recording images of identifiable individuals constitutes processing personal data and should be done in line with data protection principles.
170. The Sixth Form Colleges Trust, and its colleges, notifies all Students, staff and visitors of the purpose for collecting CCTV images via signage.
171. CCTV cameras are only placed where they do not intrude on anyone's privacy and are necessary to fulfil their purpose.
172. CCTV is operated in line with the trust's CCTV Policy.
173. Colleges will indicate their intentions for taking photographs and/or videos and will verify permission before publishing them. Consent will be sought.
174. Under data protection law, photos and videos may be kept for archival, public interest, and historical research purposes.
175. The Photography and Videos Consent Form is used when using images for publications not covered by the existing form or consent provided.
176. Images captured by individuals on our premises for recreational/personal purposes made by parents/carers are exempt from data protection law.
177. The Sixth Form Colleges Trust Central have issued guidance to ensure compliance by colleges.

## **Biometric information**

178. Biometric data is a special category of data that is protected under the Data Protection Act 2018 and the UK GDPR.
179. If a college wants to use automated biometric recognition systems, they need to inform The Sixth Form Colleges Trust DPO.
180. Before processing biometric data or implementing a system that involves biometric data processing, the college will work with the DPO to complete a DPIA. The college must handle biometric data carefully and comply with all legal requirements when obtaining consent and processing biometric data.
181. Consent will be obtained from Staff and parents/carers (for students under 18) for colleges that use a biometric system or processing biometric data.
182. The biometric consent forms will provide information about the type and use of biometric data, the right to refuse or withdraw consent, and alternative arrangements for Students whose data cannot be processed.
183. If someone objects or withdraws consent, any captured biometric data will be deleted within one month.
184. Biometric data will be managed and retained in accordance with The Sixth Form Colleges Trust Records Management Policy, and security measures will be implemented to protect the data.

## **Digital Marketing**

185. The trust and/or its colleges may send promotional and direct marketing in relation to its core purposes to Prospective, Current and Former Students. Consent will be obtained to send digital marketing campaigns. Where Personal Data Processing is approved for digital marketing purposes, the Data Subject must be informed at the point of first contact that they have the right to object, at any stage, to having their data Processed for such purposes. If the Data Subject puts forward an objection, digital marketing related Processing of their Personal Data must cease immediately and their details should be kept on a suppression list with a record of their opt-out decision, rather than being completely deleted.

## **Data retention**

186. Data will not be kept for longer than is necessary.
187. Unrequired data will be deleted as soon as practicable.
188. Personal data will be retained and destroyed in line with the trust's Records Management Policy.
189. Some records relating to former Students or employees of the college may be kept for an extended period for legal reasons, and to enable the provision of references or academic transcripts.
190. Personal data will be erased or securely destroyed once it is no longer to be retained.

## **Disclosure and Barring Service (DBS) data**

191. All DBS data will be handled in line with data protection legislation.
192. Any third parties who access DBS information will be made aware of the data protection legislation, as well as their responsibilities as a data handler.

## **Criminal convictions data**

193. Any data relating to criminal convictions and offences or related security measures will be processed in accordance with the law and the trust will provide appropriate safeguards for the rights and freedoms of the data subject.
194. Schedule 1 of the Data Protection Act 2018 provides further information as to when special category and criminal convictions and offence data can be lawfully processed.