

# DATA PROTECTION POLICY & PROCEDURES

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## **1. Purpose**

- 1.1 This policy and related procedures outline how the Jigsaw Trust meets its obligation to comply with data protection law and regulation. This policy closely links to and must be interpreted alongside the following policies:
  - HR Data Protection and Retention Policy
- 1.2 The policy ensures that Jigsaw Trust:
  - Complies with data protection law and general data protection regulation and follows good practice;
  - Protects the rights of pupils, clients, employees, trustees, governors, business contacts, customers and partners;
  - Is open about how it stores and processes individuals' data;
  - Protects itself from the risks of a data breach.

## **2. Definitions**

- 2.1 'Jigsaw Trust' includes Jigsaw CABAS® School, Jigsaw Plus and Jigsaw Trading 2013 Limited (Café on the Park);
- 2.2 'personal data', means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person; is any information relating to an identified or identifiable natural person (data subject);
- 2.3 'special categories of personal data' (Sensitive personal data) refers to information that reveals a person's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data, health, sex life and sexual orientation;
- 2.4 'data processing', means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;
- 2.5 'data subject', refers to an individual who is the subject of the personal data;
- 2.6 'controller', means the natural or legal person, public authority, agency or other body which alone or jointly with others, determines the purposes and means of processing the personal data;
- 2.7 'processor' means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller;
- 2.8 'recipient' means a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not;

- 2.9 'consent' of the data subject means any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her;
- 2.10 'parental consent' means the consent of a guardian, advocate or deputy;
- 2.11 'personal data breach' means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed;
- 2.12 'third party' means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data;
- 2.13 'third country' means any country recognised as not having an adequate level of legal protection for the rights of freedoms of data subjects in relation to processing personal data;
- 2.14 'Data Protection Authority', refers to an independent Public Authority responsible for monitoring the application of the relevant Data Protection legislation;
- 2.15 'restriction of processing' means the marking of stored personal data with the aim of limiting their processing in the future;
- 2.16 'profiling' means any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements;
- 2.17 'encryption' means the process of converting information or data into code, to prevent unauthorised access;
- 2.18 'pseudonymisation' means the processing of personal data in such a manner that the personal data can no longer be attributed to a specific data subject without the use of additional information, provided that such additional information is kept separately and is subject to technical and organisational measures to ensure that the personal data are not attributed to an identified or identifiable natural person.

### **3. Scope**

- 3.1 This policy applies to:
- All branches of the Jigsaw Trust, including Jigsaw CABAS School, Jigsaw Plus, and Jigsaw Trading 2013 Limited (Café on the Park);
  - All staff, governors, trustees and volunteers of the Jigsaw Trust;
  - All pupils, clients, parents, guardians, family members of pupils and clients of the Jigsaw Trust;
  - All contractors, suppliers and other people working on behalf of Jigsaw Trust;
  - All visitors, consultants, professionals, professional bodies associated with the Jigsaw Trust;

- All data that the Trust processes relating to identifiable individuals, even if that information technically falls outside of the Data Protection Act 1998. This can include: names, postal addresses, email addresses, telephone numbers plus any other information relating to individuals.

## **4. The policy**

- 4.1 Jigsaw Trust collects and uses personal information (referred to as personal data in the General Data Protection Regulation) about staff, pupils, clients, parents and other individuals who come into contact with the Jigsaw Trust. This information is gathered in order to enable a provision of education, care and other associated functions. In addition, Jigsaw Trust may be required by law to collect, use and share certain information.
- 4.2 Jigsaw Trust fulfils the role of the data controller and individuals, organisations employed or contracted by Jigsaw Trust fulfil the role of the processor. Data protection is the responsibility of everyone, the controller and processor, however overall responsibility lies with Jigsaw Trust as the controller.
- 4.3 Jigsaw Trust has a designated person responsible for data protection. This person is Kate Grant, CEO (kategrant@jigsawtrust.co.uk).
- 4.4 Jigsaw Trust issues privacy notices to all staff, pupils, clients, parents and other individuals coming into contact with Jigsaw Trust. These can be found on Jigsaw Trust's website and summarise the personal information held about pupils and staff, the purpose for which it is held and who it may be shared with. Information is also provided about an individual's rights in respect of their personal data.
- 4.5 The GDPR establishes six principles that Jigsaw Trust must adhere to at all times:
  - Personal data shall be processed fairly, lawfully and in a transparent manner.
  - Personal data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.
  - Personal data shall be adequate, relevant and limited to what is necessary to the purposes for which they are processed and not excessive.
  - Personal data shall be accurate and where necessary, kept up to date.
  - Personal data shall be kept in a form that permits identification of data subjects for no longer than is necessary for the purposes for which the data are processed.
  - Personal data shall be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage.
- 4.6 Jigsaw Trust is committed to maintaining the principles and duties in the GDPR at all times. Therefore, Jigsaw trust will:
  - inform individuals of the identity and contact details of the data controller;
  - inform individuals of the contact details of the person responsible for data protection;

- inform individuals of the purposes that personal information is being collected and the basis for this;
- inform individuals when their information is shared, and why and with whom unless the GDPR provides a reason not to do this;
- inform individuals and provide details of where safeguards can be obtained if information is transferred outside of the European Economic Area;
- inform individuals of their data subjects rights;
- inform individuals that they can withdraw consent (where relevant) and if that consent is withdrawn Jigsaw Trust will cease processing their data although that will not affect the legality of data processed up until that point;
- provide details of the length of time an individual's data will be kept;
- inform and seek consent from individuals when personal data collected is used for different purposes for which it was originally intended;
- check the accuracy of the information it holds and review it at regular intervals;
- ensure that only authorised personnel have access to personal information whatever medium (paper or electronic) it is stored in;
- ensure that clear and robust safeguards are in place to ensure personal information is kept securely and to protect information from loss, theft and unauthorised disclosure, irrespective of the format in which it is recorded;
- ensure that personal information is not retained longer than it is needed;
- ensure that when information is destroyed that it is done so appropriately and securely;
- share information with others only when it is legally appropriate to do so;
- comply with the duty to respond to requests for access to personal information (known as Subject Access Requests);
- ensure that personal information is not transferred outside the EEA without appropriate safeguards;
- ensure that all staff, consultants, trustees and governors are aware of and understand this policy and integrated procedures.

## **5. Complaints**

- 5.1 Complaints will be dealt with in accordance with Jigsaw Trust Complaints Policies. Complaints relating to the handling of personal data may be referred to the Information Commissioner who can be contacted at Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or at [www.ico.gov.uk](http://www.ico.gov.uk)

## **6. Review**

- 6.1 This policy will be reviewed as it is deemed appropriate, but no less frequently than every two years. The policy review will be undertaken by the person responsible for data protection alongside senior managers within Jigsaw Trust.

## **7. Contacts**

- 7.1 Any enquiries in relation to this policy should be directed to Clerk to the Trustees and Governors (Clerk to Trustees and Governors)

## **8. Integrated Procedures**

### **8.1 Fair, Lawful and Transparent Processing**

- 8.1.1 When collecting and processing personal data, Jigsaw Trust ensures that it is carried out on the legal grounds described in the General Data Protection Regulation (GDPR), 2018. These lawful processing grounds include:

- data subject or their representative has given consent to the processing of his or her personal data for one or more purposes;
- processing is necessary for the performance of a contract the data subject is party or to take steps at the request of the data subject prior entering into a contract;
- processing is necessary in order to comply with a legal obligation to which Jigsaw Trust is subject;
- processing is necessary to protect the vital interests of the data subject or of another natural person;
- processing is necessary for the performance of a task carried out in the public interest or in the official authority vested in Jigsaw Trust;
- processing is necessary for the purposes of legitimate interests pursued by Jigsaw Trust or by a third party.

- 8.1.2 Jigsaw Trust only processes special categories of personal data if one of the following applies:

- the data subject has given explicit consent to the processing of those personal data for one or more specified purposes,
- processing is necessary for the purposes of carrying out the obligations and exercising specific rights of Jigsaw Trust or of the data subject in the field of employment and social security and social protection law;
- processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent;
- processing is carried out in the course of Jigsaw Trust's legitimate activities with appropriate safeguards to the data subject;
- processing relates to personal data which are manifestly made public by the data subject;
- processing is necessary for the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity;
- processing is necessary for reasons of substantial public interest;

- processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services;
- processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices;
- processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes.

8.1.3 Jigsaw Trust ensures that data subjects are informed of data collection and processing practices. Data subjects are informed via privacy notices (See Appendix). Privacy notices are communicated via Jigsaw Trust website and intranet, email, in writing (printed copies) and in person (where applicable) to all data subjects.

8.1.4 Where personal data were collected by Jigsaw Trust, information provided to data subjects will include:

- contact details for Jigsaw Trust and the nominated person responsible for data protection;
- the purposes of the processing for which the personal data are intended as well as the legal basis for the processing;
- the legitimate interests pursued by Jigsaw Trust or by a third party where processing is carried out on this ground;
- the recipients or categories of recipients of the personal data, if any;
- the period for which the personal data will be stored;
- the existence of the right to request from Jigsaw Trust access to and rectification or erasure of personal data or restriction of processing concerning the data subject or to object to processing as well as the right to data portability;
- the existence of the right to withdraw consent at any time, without affecting the lawfulness of processing based on consent before its withdrawal;
- the right to lodge a complaint with Information Commissioner's Office (ICO);
- whether the provision of personal data is a statutory or contractual requirement, or a requirement necessary to enter into a contract, as well as whether the data subject is obliged to provide the personal data and of the possible consequences of failure to provide such data;
- the existence of automated decision-making, including profiling and meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.

8.1.5 Where personal data were not obtained from the data subjects are informed of the following:

- contact details of Jigsaw Trust and the person responsible for data protection;

- the purposes of the processing for which the personal data are intended as well as the legal basis for the processing;
- the categories of personal data concerned;
- the recipients or categories of recipients of the personal data, if any;
- whether the personal data will be transferred to a third country;
- the period for which the personal data will be stored, or if that is not possible, the criteria used to determine that period;
- the legitimate interests pursued by Jigsaw Trust or by a third party;
- the existence of the right to request from the controller access to and rectification or erasure of personal data or restriction of processing concerning the data subject and to object to processing as well as the right to data portability;
- where processing is based on consent, the existence of the right to withdraw consent at any time, without affecting the lawfulness of processing based on consent before its withdrawal;
- the right to lodge a complaint with the Information Commissioner's Office;
- from which source the personal data originate, and if applicable, whether it came from publicly accessible sources;
- the existence of automated decision-making, including profiling and meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing for the data subject.

8.1.6 Jigsaw Trust will provide the above information within a reasonable period after obtaining the personal data, but at the latest within one month. If the personal data are to be used for communication with the data subject, information will be provided at the latest at the time of the first communication to that data subject; or if a disclosure to another recipient is envisaged, at the latest when the personal data are first disclosed.

## **8.2 Consent**

8.2.1 Where processing personal data is based on consent, Jigsaw Trust will ensure that there is a written record of the data subject's consent. The consent will be presented in a manner that is clearly distinguishable from other matters, it is easily accessible and in an intelligible form using clear and plain language.

8.2.2 The data subject has the right to withdraw consent at any time. Jigsaw Trust will ensure that withdrawing consent will be as easy as giving consent.

8.2.3 Where the data subject is under the age of 16, consent will be required from the holder of parental responsibility over the child.

## **8.3 Data Collection**

8.3.1 Some of the personal data Jigsaw Trust collects and processes are required by law, therefore it is mandatory for data subjects to provide information. In some cases, however, data subjects provide the information voluntarily. When collecting personal

data, Jigsaw Trust will inform data subjects whether the information is mandatory or voluntary.

## **8.4 Individual Rights of Data Subjects**

8.4.1 According to data protection law and regulations individuals have the right to:

- be informed about their personal data; (see points 6.1.4 & 5)
- access their personal data Jigsaw Trust collects, holds and processes; (see section 6.3 on subject access requests)
- their personal data to be rectified;
- personal data and information to be erased in certain circumstances (right to be forgotten);
- restrict personal data processing in certain circumstances;
- data portability;
- object to processing where processing is carried on the grounds of public interest or legitimate interests of Jigsaw Trust, including direct marketing and profiling;
- object to automated individual decision-making, including profiling.

8.4.2 Anyone wishing to make a request on any of the above rights, can do so by contacting Clerk to the Trustees and Governors on [clerk@jigsawtrust.co.uk](mailto:clerk@jigsawtrust.co.uk) Jigsaw Trust will confirm the receipt of the request in writing and electronically (email). A response to each request will be provided within 30 days.

8.4.3 If response cannot be given within 30 days of the request, Jigsaw Trust will nevertheless provide the following information:

- an acknowledgement of receipt of request;
- any information confirmed at that date;
- details of any information which Jigsaw Trust will not be able to provide;
- estimated time by which remaining responses will be provided;
- name and contact details for the person the data subject should contact for follow up.

8.4.4 Jigsaw Trust will carry out appropriate verification checks to confirm the identity of the requestor and that the requestor is the data subject.

## **8.5 Subject Access Requests**

8.5.1 Under data protection legislation, an individual has the right, subject to certain exemptions, to access the personal information that an organisation holds about them. Accessing personal data in this way is known as making a subject access request or SAR (See Appendix for process of SARs).

8.5.2 Any individual wishing to make a subject access request should contact Clerk to the Trustees and Governors on [clerk@jigsawtrust.co.uk](mailto:clerk@jigsawtrust.co.uk)

8.5.3 Jigsaw Trust will confirm in writing and electronically (email) the receipt of subject access requests and upon successful verification of their identity will provide information to the data subject within 1 month of receiving such request free of charge.

8.5.4 Jigsaw Trust will keep a log of all requests. Any member of staff, who receives a subject access request, must inform Clerk to the Trustees and Governors on [clerk@jigsawtrust.co.uk](mailto:clerk@jigsawtrust.co.uk) without delay.

## **8.6 Data Accuracy**

8.6.1 The law requires Jigsaw Trust to take reasonable steps to ensure data is kept accurate and up to date. The more important it is that the personal data is accurate, the greater the effort Jigsaw Trust should put into ensuring its accuracy.

8.6.2 To ensure data accuracy Jigsaw Trust will hold personal data in as few places as necessary, staff will not create any unnecessary additional data sets and will keep personal data up to date. Any inaccuracies in personal data will be rectified and previous information deleted.

## **8.7 Retention of Data**

8.7.1 To ensure fair processing, personal data will not be retained for longer than necessary in relation to the purposes for which was originally collected. Jigsaw Trust may retain data for differing periods of time for different purposes as required by statute and best practice. The retention periods for each category of personal data across the different business functions of the Trust are detailed in the Trust's Records Management and Retention Procedures. Other statutory obligations, legal processes and enquiries may also necessitate the retention of certain data.

## **8.8 Data Storage and Security**

8.8.1 Jigsaw Trust will ensure that personal data are kept securely by implementing appropriate technical and operational measures.

8.8.2 To ensure security of personal data on paper Jigsaw Trust will:

- keep personal data in locked cabinets, drawers when not required;
- follow a 'clear desk' policy;
- ensure printouts with personal information are not left on printers;
- shred and securely dispose of any documents, printouts once they are no longer required.

8.8.3 Where data are stored electronically, Jigsaw Trust will ensure that personal information is protected from unauthorised access, accidental deletion and malicious hacking attempts by:

- keeping servers in a secure location away from general office space;
- protecting servers by appropriate security software and a firewall;
- backing up data at least daily;
- testing back-up procedures and security of systems regularly;

- using strong passwords, that are updated regularly and never shared between employees;
- using password protection for accessing ICT devices;
- locking screens on devices when devices are unattended;
- keeping removable media e.g. USB sticks, external hard drives locked away when not in use;
- storing data on designated Jigsaw Trust drives and servers;
- encrypting removable devices before personal data are stored on them;
- encrypting personal data when it is transferred from Jigsaw Trust to a third party;
- not saving or downloading personal data directly to laptops, mobile devices (e.g. tablets, smartphones), desktops.

8.8.4 For more information on Jigsaw Trust's measures on ICT security, refer to ICT Security Policy and Procedures.

## **8.9 Data Sharing**

8.9.1 Jigsaw Trust will ensure that personal data are not disclosed to third parties without the consent of the data subject.

8.9.2 In certain circumstances, the data protection legislation allows personal data to be disclosed to official bodies such as law enforcement agencies, the Department for Education without the consent of the data subject.

8.9.3 In some cases, in order to perform a task or meet the needs of a contract personal data may be shared with third parties without the consent of the data subject. In these cases, Jigsaw Trust will inform the data subject of the personal data shared.

8.9.4 Where consent is given by the data subject for personal data to be shared with third parties, Jigsaw Trust will keep a written record of this consent and data subject informed of their right to withdraw consent at any time. In cases where consent is withdrawn, Jigsaw Trust will make reasonable steps to inform the third party for the personal data to be deleted.

8.9.5 Before sharing personal data with third parties, Jigsaw Trust will conduct due diligence checks to ensure that the third party the data are shared with meets data protection legislation requirements.

## **8.10 Data Breach**

8.10.1 Jigsaw Trust is committed to keeping and processing personal data securely and implements appropriate organisational and technical measures to minimise risks to the accidental or unlawful destruction, loss, alteration, transmission, storage, unauthorised disclosure of, or access to personal data.

8.10.2 In case of a personal data breach, Jigsaw Trust will notify the Information Commissioner's Office (ICO) within 72 hours of detecting the personal data breach, unless it is unlikely to result in a risk to the rights and freedoms of the data subject such as detrimental effect on data subject through discrimination, financial loss, loss of

confidentiality, or any other economic or social disadvantage. Jigsaw Trust is required to provide the following information to the ICO:

- description of data breach, including the categories and approximate number of data subjects, the categories and approximate number of personal data records concerned;
- name and contact details of the person responsible for data protection or other contact point where more information can be obtained;
- description of the likely consequences of the personal data breach;
- description of the measures taken or proposed by Jigsaw Trust to address the personal data breach, including, where appropriate, measures to mitigate its possible adverse effects.

8.10.3 Any employee becoming aware of a personal data breach must report it to Clerk to the Trustees and Governors on [clerk@jigsawtrust.co.uk](mailto:clerk@jigsawtrust.co.uk) without undue delay.

8.10.4 Jigsaw Trust will document any personal data breaches, comprising the facts relating to the personal data breach, its effects and remedial action taken.

8.10.5 According to data protection legislation, when the personal data breach is likely to result in high risk to the data subject's rights and freedoms, Jigsaw Trust is required to notify the data subject of the personal data breach without undue delay (see 6.10.2 for information).

## **8.11 Data Protection Impact Assessments**

8.11.1 Where a type of processing in particular using new technologies, and taking into account the nature, scope, context and purposes of the processing, is likely to result in a high risk to the rights and freedoms of data subjects, Jigsaw Trust will, prior to the processing, carry out an assessment of the impact of the envisaged processing operations on the protection of personal data.

## **9. Implementation**

### **9.1 Distribution**

9.1.1 This policy and integrated procedures are available online on the Jigsaw Trust's website alongside with privacy notices. Staff can also access the document via the intranet. Parents receive the document as part of the parent pack. Printed copy can be requested from the administration team by contacting them via phone on 01483 273874.

### **9.2 Training**

9.2.1 All new employees and consultants joining Jigsaw Trust receive training on this policy and integrated procedures during their induction. As part of continued professional development, Jigsaw Trust offers training to all staff on the requirements of data protection legislation. As necessary, senior staff receive additional external training from experts in the field of data protection.

### **9.3 Records & Confidentiality**

9.3.1 Jigsaw Trust will keep a record of processing activities under its responsibility. That record is kept as an electronic data audit and contains all of the following information:

- contact details for Jigsaw Trust as the controller and processor, any joint controllers and the person responsible for data protection within Jigsaw Trust;
- the purposes of processing;
- the categories of processing carried out on behalf of Jigsaw Trust description of categories of the data subjects and of the categories of personal data;
- the categories of recipients to whom the personal data have been or will be disclosed including recipients in third countries or international organisations;
- where applicable, transfers of personal data to a third country or an international organisation, including the identification of that third country or international organisation and the documentation of suitable safeguards;
- where possible, the envisaged time limits for erasure of the different categories of data;
- where possible, a general description of the technical and organisational security measures applied by Jigsaw Trust.

9.3.2 Jigsaw Trust will also keep records on staff training linked to data protection, subject access requests and retention procedures for personal data. These records will be kept in an electronic format as part of Jigsaw Trust's central data protection compliance record.

### **9.4 Roles & Responsibilities**

9.4.1 Everyone who works for or with Jigsaw Trust has some responsibility for ensuring data is collected, stored and handled appropriately and securely. Each team that handles personal data must ensure that it is handled and processed in line with this policy and procedures and data protection principles.

9.4.2 Board of Trustees and CEO are responsible for:

- ensuring that Jigsaw Trust complies with data protection law and regulation;
- implementing appropriate policies and procedures;
- ensuring privacy notices are accessible to data subjects;
- having a data protection officer in place.

9.4.3 Data protection officer is responsible for:

- keeping the board of trustees and CEO updated about data protection responsibilities, risks and issues;
- reviewing all data protection procedures and related policies, in line with an agreed schedule;
- arranging and providing data protection training and advice for the people covered by this policy;

- responding to data protection questions from staff and anyone else covered by this policy;
- dealing with requests from individuals to see the data Jigsaw Trust holds about them (also called 'subject access requests');
- informing ICO of any personal data breach and acting as point of contact until the matter is resolved;
- checking and approving any contracts or agreements with third parties that may handle the company's sensitive data;
- keeping up to date records on processing activities and training within the organisation.

#### 9.4.4 IT Manager is responsible for:

- ensuring all systems, services and equipment used for storing data meet acceptable security standards;
- performing regular checks, tests and scans to ensure security hardware and software is functioning properly;
- evaluating any third-party services that the company is considering using to store or process data. For instance, cloud computing services.

#### 9.4.5 All staff are responsible for:

- complying with this policy and integrated procedures;
- keeping personal information and other records accurate and up to date;
- using and keeping personal data securely;
- deleting personal information that is no longer required in line with retention schedules;
- informing the data protection officer of any requests of access to personal data;
- informing the data protection officer of any data protection issues, personal data breaches.

## **10. Policy Review**

- 10.1 This policy will be updated as necessary to reflect best practice and to ensure compliance with any changes or amendments to relevant legislation.
- 10.2 This policy was last reviewed in May 2018.



## APPENDIX 1 – Privacy Notice

### JIGSAW TRUST PRIVACY NOTICE

Jigsaw Trust is committed to conducting its business in accordance with all applicable Data Protection laws and regulations and regards privacy as central to all its data processing.

This Notice sets out the basis on which any personal data is collected from you, or that you provide to us, how it is handled and stored to meet data protection obligations and standards and conditions under which we may disclose it to others.

Information in this Privacy Notice is displayed under the following headlines:

1. Who we are and Contact details
2. Personal data we collect
3. How personal data is collected
4. How we use any personal data collected
5. Disclosure of personal data
6. Data security
7. Data retention
8. Your legal rights

#### 1. WHO WE ARE & CONTACT DETAILS

Jigsaw Trust is a registered UK charity and oversees and runs different divisions and legal entities. This Privacy Notice is issued on behalf of those different divisions and legal entities and any mention of 'Jigsaw', 'we', 'us' or 'our' in this Notice, refers to the relevant division or legal entity responsible for processing your data (ie. data controller) within Jigsaw Trust.

##### **Jigsaw Trust**

UK Registered Charity Number: 1075464

Registered Company Number: 3734127

Registered Address for all divisions/legal entities: 19-20 Bourne Court, Southend Road, Woodford Green, Essex, IG8 8HD (0208 551 7200)

##### **Jigsaw CABAS School**

UK Registered Charity Number: 1075464

##### **Jigsaw Trading (2013) Ltd, t/a Cafe on the Park**

Registered Company Number: 08594365

##### **JigsawPlus**

UK Registered Charity Number: 1151727

Registered Company Number: 08278978

#### **CONTACT DETAILS:**

Data Privacy Co-ordinator:

Email: [clerk@jigsawtrust.co.uk](mailto:clerk@jigsawtrust.co.uk)

Tel: 01483 277366

## 2. DATA WE COLLECT

All personal data collected, used, recorded is done so in accordance with applicable data protection legislation and this Privacy Notice.

The data can be categorised as follows and may include, but not be limited to:

- **Personal data** eg. first name, last name, dob, age, email, telephone  
marketing preferences, GiftAid/tax paying status, salary information, banking details
- **Financial data** eg. general business accounting, invoices, non-identifiable general transactions
- **Special Category Data** eg. medical information, safeguarding information, financial information relating to special category data
- **Technical and Usage data** eg. IP address, browsing patterns on our websites, Google Analytics
- **Other – Non-Personal data** eg. Summary for reports, statistical data, policies and anonymous teaching/learning resources

Please view our [Data Protection Policy](#) for further examples under Data Categories.

## 3. HOW PERSONAL DATA IS COLLECTED

We collect personal data in the following ways:

- **Inbound Direct interactions:** maybe, but not limited to, you corresponding with us via email, on the telephone, by post, completing contact forms on the websites, completing forms (hard copy),
- **CCTV:** Jigsaw sites all operate CCTV for safety and security
- **Trusted Third Parties** including but not limited to: Surrey County Council, ETC ETC
- **Technical:** Google Analytics and other Cookies are used on the websites – data collected is anonymous. See our separate [Cookie Policy](#). You can also view information on Cookies at: <https://allaboutcookies.org> or <https://aboutcookies.org>

#### 4. HOW WE USE PERSONAL DATA

Personal data may be used to ensure we respond effectively and appropriately to your contact. It may, where you have given consent, be used to update you on Jigsaw news, developments and activities.

PURPOSE/ACTIVITY	CATEGORY OF DATA	REASON FOR PROCESSING	LAWFUL BASIS
To provide a positive user experience on our websites	Technical & Usage data Other non-personal data	Understand how visitors arrive at our websites and what information is being viewed to keep our websites relevant and up to date	Legitimate Interest
General Marketing	Personal data	Keep interested parties up to date with the latest news, events, activities across, and relating to, the Trust	Consent
Publicity	Personal data	To provide publicity and exposure for an activity or event you are taking part in to the benefit of the charity and to enable us to promote and run successful ongoing events	Consent
Fundraising	Personal data Financial data	To process donations; to process prize draws; to process entrants to events; to efficiently raise money for the charity; to acknowledge and thank donors/participants	Legitimate Interest Performance of a task in the public interest
Admissions process for Jigsaw CABAS School and JigsawPlus	Special Category data Personal data Financial data	To process admissions related enquiries for Jigsaw CABAS School and JigsawPlus; to determine type of placement or care package	Consent Legitimate interest pursued by controller Protect vital interests of data subject
To support and educate pupils at Jigsaw CABAS School and Adult Learners at JigsawPlus	Special Category data Personal data Financial data	To effectively educate and care (including any necessary therapy provision) for pupils and adult learners whilst at Jigsaw; to process necessary educational payments; to record and report required essential medical	Consent Legitimate interest pursued by controller Performance of a task in the public interest Compliance with legal obligation Necessary in connection with Social Protection law Protect vital interests of data

		information and feedback	subject
Recruitment	Personal data Special Category data Financial data	To effectively recruit employees suitable to the vacancies available; to understand any necessary adjustments that may be required; comply with HR legislation	Consent Explicit consent Necessary in connection with employment law Compliance with legal obligation
Employees (including volunteers)	Personal data Special Category data Financial data	To effectively manage the internal human resource/personnel process of employees; to run payroll; to meet our legal obligations	Consent Necessary in connection with employment and Social Protection law Compliance with legal obligation Legitimate interest pursued by controller
Finance	Personal data Financial data Special Category data	To process all financial transactions between individuals, employees and Jigsaw; to effectively financially manage and run a business; production of legally required financial reporting	Compliance with legal obligation Consent
IT	Personal data Special Category data Technical & Usage data	To ensure the security and efficacy of the organisations IT infrastructure	Legitimate interest pursued by the controller Protect vital interests of data subject
Governance of the Charity/organisation	Personal data Special Category data Financial data	To oversee and govern the organisation in line with legal & Charity Commission compliance and best practice	Compliance with legal obligation Necessary in connection with employment and Social Protection law

## 5. SHARING/DISCLOSURE OF PERSONAL DATA

We may disclose personal data to trusted third parties when required to do so to process a request or through legal obligation or requirement; otherwise, we do not sell, swap or otherwise distribute personal data.

**Sharing of Pupil Data** – we share pupil information with the Department for Education on a statutory basis. Completion of the school level annual school census (SLASC) by registered independent schools is a statutory requirement under the Education (Independent Educational Provision in England) (Provision of Information) Regulations 2010. We are also required to share personal data with Local Authorities under The Education (Information About Individual Pupils) (England) Regulations 2013.

To find out more about the data collection requirements placed on us by the Department for Education go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>

**Sharing of Adult Learner Data** – we share adult learner information with relevant Local Authorities and the NHS on a statutory basis.

**Third Party Providers** - occasionally, we employ other companies and individuals to perform necessary business functions on our behalf, including, digital/technical agencies and support providers, hosting providers, payroll services, social networks, fundraising event services and general businesses consultancy services. They may have access to personal information needed to perform their requested function but will not be allowed to use it for other purposes and any processing must be done in accordance with this Privacy Notice, our Data Protection Policy and General Data Protection Regulations in force.

Further information can be found in our [Data Protection Policy](#).

## 6. DATA SECURITY

We take the security of personal data very seriously and have policies and controls (both technical and organisational) in place to ensure personal data is not lost, accidentally destroyed, misused or disclosed and is not accessed except by those who are authorised.

Please be aware transmission of data over the internet is inherently insecure and we cannot guarantee the security of data sent over the internet.

You are responsible for keeping any passwords and user details confidential. We will never ask you for your password.

## 7. DATA RETENTION

We will only retain personal information for as long as necessary to fulfil the purposes we collected it for, including the satisfying of any legal obligations/statutory regulations, reporting or accounting requirements and/or best practice. A full Retention Schedule is available upon request via [clerk@jigsawtrust.co.uk](mailto:clerk@jigsawtrust.co.uk)

## 8. TRANSFERRING DATA OUTSIDE THE EEA

Your data may be transferred to countries outside the European Economic Area (EEA) to meet the requirements of training and development. Data is transferred outside the EEA on the basis of confidential consultation and academic certification (eg. CABAS training).

## 9. YOUR LEGAL RIGHTS

Under data protection legislation, everyone has the right to request access to information about himself or herself that we hold. This is called a subject access request.

Subject access requests from individuals should be made by email, addressed to the Privacy Co-ordinator (see contact details below) who can supply you with a standard request form. We will always verify the identity of anyone making a subject access request before providing any information. A response to any formal request for information will be provided within 30 days of receipt of written request. If providing the information requested by the data subject would disclose personal data about another individual then the information will be redacted or withheld as may be necessary or appropriate to protect that person's rights.

All individuals who are the subject of personal data held by us are entitled to:

- Ask what information we hold about you and why
- Ask how to gain access to it
- Be informed how to keep it up to date
- Be informed how we are meeting our data protection obligations
- In certain circumstances, request rectification, restriction or deletion of your personal data

If you have a concern about the way we are collecting or using personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

To make a request for information from us, please contact:

**Data Privacy Co-ordinator:** – [clerk@jigsawtrust.co.uk](mailto:clerk@jigsawtrust.co.uk)

## BREACH REPORTING

Any individual who suspects that a personal data breach has occurred must immediately notify the Data Privacy Co-ordinator above providing a description of what has occurred. If a breach is potentially high risk to data subjects rights and freedoms the Trust must notify the data subject affected.

We may change this Privacy Notice from time to time so please check this occasionally to ensure you are happy with any changes.

DATE OF LAST REVISION: **16 July 2018**

## APPENDIX 2 – Jigsaw Trust Retention Schedule

1. ORGANISATIONAL MANAGEMENT		
GOVERNANCE		
Basic file description	Retention period	Action at the end of the administrative life
Minutes of governing body meetings – Principal Set signed by the chair	Principle copy kept permanently; inspection copy date of mtg + 3 years	Secure Disposal
Records, reports to Governing Body/Board of Trustees	Date of report + 6 years	Secure Disposal or retained with signed minutes
Records relating to Complaints	Date of resolution + 6 years then review	Secure Disposal
HEAD TEACHER / SENIOR MANAGEMENT TEAMS		
Basic file description	Retention period	Action at the end of the administrative life
Policy and Procedures documents	Life of policy + 3 years	Secure Disposal
School Development Plan	Life of plan + 3 years	Secure Disposal
Reports, records, minutes & correspondence - internal administrative bodies	Date of meeting, report, correspondence + 3 years	Secure Disposal
Records created by Head Teacher/Dep Head Teacher/Head of Year and other members of staff with admin responsibilities	current academic year + 6 years then review	Secure Disposal
ADMISSIONS PROCESS		
Basic file description	Retention period	Action at the end of the administrative life
All open records relating to admissions process	3 years	Secure Disposal
Admissions if successful (Closed won)	passed onto Jigsaw Admin if pupil/adult starts at Jigsaw, then kept until JigsawPlus end date + 7 yrs	Secure Disposal
Admissions if unsuccessful (Closed lost)	6 months from notification	Secure Disposal
OPERATIONAL ADMINISTRATION		
Basic file description	Retention period	Action at the end of the administrative life
Records relating to parent FB forum sign up - original email sign up only	2 years	via routine email deletion

Records relating to creation and distribution of admin info to staff, parents or pupils	2 years	Secure Disposal
Succession Planning (Jplus)	Remain	
Signing in books	Current year + 6 then review	Secure Disposal
Intranet posts	1 year max unless enduring significance/use	deleted / put beyond our use

## 2. HUMAN RESOURCES

Basic file description	Retention period	Action at the end of the administrative life
Application process - records relating to	6 months - 1 year (recruitment); 6 years (employee);	Secure Disposal
Medically relevant records	Normally 40 years	Secure Disposal
Employees - records relating to	6 years	Secure Disposal
Pay / wages - records relating to	3 - 6 years	Secure Disposal
Pension - records relating to	Until employee reaches age of 100	Secure Disposal
Staff Benefits - records relating to	6 years	Secure Disposal

## 3. HEALTH & SAFETY / FACILITIES

Basic file description	Retention period	Action at the end of the administrative life
H&S Risk Assessments	Life of RA + 3 years	Secure Disposal
All records relating to accident/injury reporting	Adults - date + 6 yrs / child - dob + 25 yrs	Secure Disposal
All health records relating to COSHH	Current + 40 yrs (Asbestos + 40yrs; Radiation + 50 yrs)	Secure Disposal
Fire precaution logs	Current + 6 yrs	Secure Disposal
Records relating to Property Management and Maintenance	Current + 6 yrs	Secure Disposal
Records relating to work related illness	Current + 40 yrs	Secure Disposal
Records relating to accident/injury at work	Date of incident + 6 years. In the case of serious accidents a further retention period may need to be applied.	Secure disposal

#### 4. FINANCIAL MANAGEMENT (INC. INSURANCE / ASSET MANAGEMENT)

Basic file description	Retention period	Action at the end of the administrative life
Records relating to staff salary, pension, etc	3 years plus current year	Secure Disposal
Records relating to self employed/contractors	6 years	Secure Disposal
Records relating to pupils/adult learners for invoicing purposes	6 years plus current year	Secure Disposal
Employers Liability Insurance Certificate	closure of School + 40 yrs	Secure Disposal
Asset logs	Lifetime of the asset	Secure Disposal
Records relating to organisational budgetary control	2 years	Secure Disposal
All banking/invoicing records	6 years plus current year	Secure Disposal
Contract monitoring/management	lifetime of the contract	Secure Disposal

#### 5. LEARNER MANAGEMENT (PUPILS / ADULTS)

##### EDUCATIONAL RECORDS

Basic file description	Retention period	Action at the end of the administrative life
Records relating to pupil teaching & learning	Until pupil 25 birthday	Secure Disposal
Records relating to pupil progress: reviews, records, reports, consultations, transition plans, assessments, recommendations etc	Until pupil 25 birthday	Secure Disposal
Records relating to pupil behaviour guidelines	Until pupil 25 birthday	Secure Disposal
Records relating to pupil EHCP/ IHCP, special category data inc. medical/emergency	Until pupil 25 birthday	Secure Disposal
Therapy records - assessment, reports, recommendations for pupils	Until pupil 25 birthday	Secure Disposal
Home/School & Home/Plus communications records	Current year + 3 years	Secure Disposal
Pupil profiles	Current academic year + 3 years (regularly updated)	Secure Disposal

Records relating to the management of administration of medication	Current academic year + 2	Secure Disposal
Individual pupil risk assessments	Current academic year + 3 years	Secure Disposal
All records relating to adult learner progress - plans, LU summary data & graphs, annual reviews, etc	7 years	Secure Disposal
JigsawPlus adult learner Teaching & Learning summaries (inc LU Targets)	7 years	Secure Disposal
All records relating to IHCP (JigPlus), special category data inc. medical/emergency	Until end date at JigsawPlus + 7 years	Secure Disposal
Therapy reviews/programmes(JP)	Until end date at JigsawPlus + 7 years	Secure Disposal
Adult learner behaviour & wellbeing records	Until end date at JigsawPlus + 7 years	Secure Disposal
Records relating to administration/authorisation of medication - adult learners	Until end date at JigsawPlus + 7 years	Secure Disposal
Client profiles	Until end date at JigsawPlus + 7 years	Secure Disposal
All records relating to medical contact/administration/procedures	Until end date at JigsawPlus + 7 years	Secure Disposal
Capacity to consent	Until end date at JigsawPlus + 7 years	Secure Disposal
<b>ATTENDANCE</b>		
<b>Basic file description</b>	<b>Retention period</b>	<b>Action at the end of the administrative life</b>
All records/registers of attendance (inc. Plus AA records)	date + 3 years	Secure Disposal
School AA records	date + 2 years	Secure Disposal
Transport arrival/dep times	Current year + 1	Secure Disposal
<b>SAFEGUARDING</b>		
<b>Basic file description</b>	<b>Retention period</b>	<b>Action at the end of the administrative life</b>
Records relating to concerns	Until pupil leaves then to new educational setting or retain if unknown/home schooled; if no further education then school retains until pupil 25 birthday or Plus until adult learner leaves Jigsaw + 7 years	Secure Disposal

MASH referral form	as above	Secure Disposal
Personal Care/Acceptable Usage Consent Forms	Personal and Intimate Care - annually at School; Acceptable Usage - as necessary. Updated every annual review within Plus, or end date + 7 years	Secure Disposal
Records/certification relating to staff SG training at School	ongoing whilst employee or leave date + 6 years	Secure Disposal
Records/certification relating to staff SG training at Plus	Until end date at JigsawPlus + 6 years	Secure Disposal
Safeguarding (JP)	Until end date at JigsawPlus + 7 years	Secure Disposal

## 6. CURRICULUM MANAGEMENT

Basic file description	Retention period	Action at the end of the administrative life
Records relating to school curriculum development, management, implementation	Current academic year + 1	Secure Disposal
Permanent product of work	Until academic year end at Sch or until review at Plus	to Parents
Evidence portfolios for pupils	Until receipt of qualification then home	to parents
Records relating to qualifications	Current academic year + 2	Secure Disposal
Online curriculum resources	duration of pupil/staff time on roll	Secure Disposal
SMSC records	Current academic year + 3 years	Secure Disposal

## 7. EXTRA CURRICULAR ACTIVITIES

Basic file description	Retention period	Action at the end of the administrative life
Offsite visits records/info relating to adult learners	Until end date at JigsawPlus + 7 years	Secure Disposal
Educational visits risk assessments	rolling 5 year	Secure Disposal
Consent forms for Educational visits and other extra-curricular activities	Conclusion of trip or extra-curricular activity (no incident); DOB of pupil + 25 yrs (if incident) + all consent forms of all attendees to be kept)	Secure Disposal
Records relating to visit - forms/summary	Date of visit + 14 yrs (primary); + 10 yrs (Secondary)	Secure Disposal

Group leader training forms	ongoing whilst at Jigsaw, + 6 years after leave date of staff	Secure Disposal
List of trained staff	ongoing	Secure Disposal
General admin records of trips	Until trip complete	Secure Disposal
RDA staff volunteer form	until staff member leaves Jigsaw	Secure Disposal
<b>8. CENTRAL GOVERNMENT &amp; LA</b>		
Basic file description	Retention period	Action at the end of the administrative life
School Census returns	Current academic year + 5	Secure Disposal
<b>9. STAFF TRAINING / CPD</b>		
Basic file description	Retention period	Action at the end of the administrative life
Ranks, Certification records & forms, etc (JP)	Until individual completes rank or until individual leaves organisation	All information handed over to individual
Records relating to Ranks, Certifications, Supervision (accredited qualifications) Trust wide	7 yrs from date of last supervision meeting (BACB.com) otherwise ongoing until individual listed on CABAS website/leaves Jigsaw	Secure Disposal
Ranks, BCBA, RBT, Care Cert, etc qualifications - list of staff	ongoing	n/a
Data Collection folder & conference data/posters (JP/JS)	Ongoing (anonymous)	n/a
Staff Training Day schedules	7 years	Standard Disposal
Safeguarding records & certificates (JP)	Until staff leave + 3 years	Secure Disposal
Attendance at CEU events	1 yr from date of previous ACE provider status	
Teaching Obs/data - School and Plus	Whilst employed at Jigsaw	Secure Disposal
Research/Data collections by staff	ongoing	n/a
Induction & Training requirements list (JP)	ongoing	n/a

## 10. FUNDRAISING / PR & MARKETING

Basic file description	Retention period	Action at the end of the administrative life
Records relating to mailing list activities (parents, staff, volunteers, others)	ongoing unless requested to remove (can also be done by individual via preference centre or unsubscribe on email)	Put beyond our use
Donor information	Currently indefinitely unless requested to remove	Secure Disposal
Parental consent for pupil or adult learner photo usage	ongoing	Secure Disposal
Event participants - list	Currently indefinitely unless requested to remove	Secure Disposal
Records relating to the creation of a prospectus	2 years (in line with photography)	Standard Disposal
Weblogs/security databases	rolling 2 months	Put beyond our use
Communications via intranet	Up to 1 year unless enduring operational use/significance then deleted from CMS	Put beyond our use