

GDPR Policy

The Home School Project



Approved by: Amy Dauris 18.10.2024

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1. Introduction

The Home School Project is dedicated to safeguarding the privacy and security of personal data. This policy establishes our commitment to compliance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. It is designed to ensure that personal data is handled in a transparent, fair, and lawful manner.

By adhering to this policy, we aim to foster trust with our students, parents, staff, and other stakeholders by providing clear guidelines on how personal data is collected, processed, stored, and shared. This policy has been developed in accordance with the principles outlined in "Keeping Children Safe in Education" (KCSIE) 2024 and "Working Together to Safeguard Children" 2023.

This policy will be reviewed annually or sooner if there are significant changes in legislation or our data processing practices.

2. Scope

This policy applies to all personal data processed by The Home School Project, regardless of the format (paper or electronic). It encompasses all data collected, stored, and processed for educational, administrative, and operational purposes, including but not limited to:

2.1 This policy applies to:

- All personal data processed by The Home School Project.
- Personal data collected, stored, and processed for educational, administrative, and operational purposes.
- Personal data processed for all pupils, parents, and staff.

- Personal data collected through various means, including registration forms, assessments, communications, and third-party sources.

2.2 This policy covers:

- The roles and responsibilities of staff regarding personal data.
- Procedures for responding to requests for personal data.
- The security measures in place to protect personal data.
- The processes for reporting data breaches.
- The handling of data retention and disposal.

2.3 This policy will be reviewed annually or whenever there is a change in the relevant data protection legislation or guidance.

3. Definitions

- **Personal Data:** Any information relating to an identified or identifiable individual, including names, addresses, email addresses, phone numbers, and any other data that can be used to identify an individual.
- **Special Categories of Personal Data:** Sensitive information such as racial or ethnic origin, political opinions, religious beliefs, health information, and biometric data.
- **Data Processing:** Any operation performed on personal data, including collection, recording, organizing, storing, altering, retrieving, using, disclosing, or deleting data.
- **Data Subject:** An individual whose personal data is being processed.
- **Data Controller:** The organization that determines the purposes and means of processing personal data.
- **Data Processor:** A third party that processes personal data on behalf of the data controller.

- **Personal Data Breach:** A breach of security leading to accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to personal data.
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4. Roles and Responsibilities

The Home School Project has designated specific roles and responsibilities for data protection:

4.1 Overall Responsibility

The Director holds overall responsibility for ensuring compliance with data protection laws and this policy.

4.2 Data Protection Officer (DPO)

The DPO, Amy Dauris, is responsible for overseeing the implementation of this policy, monitoring compliance, and serving as the point of contact for data protection matters. The DPO can be contacted at amy.dauris@thehomeschoolproject.co.uk

4.3 All Staff

All staff are responsible for:

- Collecting, processing, and storing personal data in accordance with this policy.
- Reporting any concerns regarding data protection or breaches to the DPO immediately.
- Completing necessary data protection training and keeping their knowledge updated.

4.4 External Organisations

Any external organisations or individuals processing personal data on behalf of The Home School Project must comply with this policy and ensure appropriate safeguards are in place.

5. Data Protection Principles

The Home School Project is committed to the following data protection principles as established by the UK GDPR:

1. **Lawfulness, Fairness, and Transparency:** Personal data shall be processed lawfully, fairly, and in a transparent manner.
2. **Purpose Limitation:** Personal data shall be collected for specified, legitimate purposes and not further processed in a manner incompatible with those purposes.
3. **Data Minimisation:** Personal data collected shall be adequate, relevant, and limited to what is necessary for the purposes for which it is processed.
4. **Accuracy:** Personal data shall be accurate and kept up to date. Inaccurate data must be rectified without delay.
5. **Storage Limitation:** Personal data shall be kept in a form that permits identification of data subjects for no longer than necessary for the purposes for which the data is processed.
6. **Integrity and Confidentiality:** Personal data shall be processed securely to protect against unauthorized or unlawful processing, accidental loss, destruction, or damage.
7. **Accountability:** The Home School Project shall be responsible for and be able to demonstrate compliance with the above principles.

6. Lawful Basis for Processing

The Home School Project will process personal data based on one or more of the following lawful bases under the UK GDPR:

- **Consent:** The individual has given clear consent for processing for a specific purpose.
- **Contractual Necessity:** Processing is necessary for the performance of a contract with the individual or to take steps at their request prior to entering into a contract.
- **Legal Obligation:** Processing is necessary for compliance with a legal obligation to which The Home School Project is subject.
- **Vital Interests:** Processing is necessary to protect someone's life.
- **Public Task:** Processing is necessary for performing a task carried out in the public interest or in the exercise of official authority.
- **Legitimate Interests:** Processing is necessary for the purposes of legitimate interests pursued by The Home School Project or a third party, except where those interests are overridden by the interests or fundamental rights and freedoms of the data subject.

For special categories of personal data, additional conditions for processing must be met, including explicit consent or substantial public interest.

7. Collection and Use of Personal Data

The Home School Project collects and uses personal data for various purposes, including:

7.1 Types of Personal Data Collected

- **Identification Information:** Names, addresses, contact details, date of birth.
- **Educational Information:** Academic performance, attendance records, assessments.

- **Health Information:** Medical conditions, special educational needs, emergency contact details.
- **Financial Information:** Payment details, invoicing information for tuition fees.

7.2 Purpose of Data Collection

- To provide educational services and support to students.
- To communicate with parents and guardians regarding student progress and school activities.
- To fulfill legal obligations related to education and child protection.
- To ensure the safety and wellbeing of students.

7.3 Consent

Whenever The Home School Project collects personal data directly from individuals, clear and concise information will be provided regarding the purpose of the collection and the use of the data.

8. Data Security

The Home School Project implements a range of technical and organisational measures to ensure the security of personal data:

8.1 Access Control

- Access to personal data is restricted to authorised personnel only, based on the principle of “need to know.”

8.2 Data Encryption

- Sensitive data is encrypted both in transit and at rest to protect against unauthorised access.

8.3 Regular Security Audits

- Regular audits and assessments are conducted to identify and address potential security vulnerabilities.

8.4 Incident Response Plan

- A clear incident response plan is in place to manage data breaches effectively, including notification procedures to individuals and the ICO.
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9. Data Breaches

In the event of a data breach, The Home School Project will take the following steps:

9.1 Reporting

- Any suspected data breaches must be reported to the DPO immediately.

9.2 Investigation

- The DPO will investigate the breach, assess its severity, and determine necessary remedial actions.

9.3 Notification

- If a breach poses a risk to the rights and freedoms of individuals, affected individuals and the ICO will be notified within 72 hours of becoming aware of the breach.

9.4 Documentation

- All data breaches will be documented, including their causes, effects, and actions taken to mitigate risks.

10. Data Retention and Disposal

The Home School Project will retain personal data only for as long as necessary to fulfill the purposes for which it was collected.

10.1 Retention Guidelines

- **Pupil Records:** Retained for the duration of enrollment and up to six years after the student leaves the school.
- **Staff Records:** Retained for the duration of employment and up to seven years after termination.
- **Financial Records:** Retained for a minimum of six years in accordance with tax legislation.
- **Health Records:** Retained for as long as necessary for medical and safety reasons, typically for the duration of enrollment and up to five years post-enrollment, in compliance with relevant health regulations.
- **Special Educational Needs (SEN) Records:** Retained for six years after the pupil has left school, in accordance with local authority guidelines.

10.2 Secure Disposal

- Personal data will be securely disposed of when it is no longer required. This includes:
 - **Shredding paper documents.**
 - **Permanently deleting electronic data using certified data-wiping software.**
 - **Ensuring secure disposal methods for any devices containing personal data.**
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11. Sharing Personal Data

Personal data will not be shared with third parties without a lawful basis. However, The Home School Project may share personal data with:

11.1 Third-Party Service Providers

- External contractors for services such as IT support, educational assessments, and counseling, under strict data processing agreements that outline their responsibilities regarding data protection.

11.2 Legal Obligations

- Data may be shared with law enforcement and government bodies as required by law for the prevention or detection of crime and compliance with legal obligations.

11.3 Emergency Situations

- Personal data may be shared with emergency services and local authorities to protect the safety of students or staff.

11.4 Contracts with Data Processors

- Any contracts with data processors must ensure compliance with UK GDPR and include provisions for the processor to assist The Home School Project in meeting its data protection obligations.

12. Privacy Notices

The Home School Project will provide clear and comprehensive privacy notices to inform data subjects about how their personal data is collected, used, and shared.

12.1 Content of Privacy Notices

- The purpose of processing the data.
- The lawful basis for processing.
- The categories of personal data collected.
- The retention period for the data.
- The rights of the data subjects.
- Contact details for the Data Protection Officer.

12.2 Accessibility

- Privacy notices will be easily accessible on the school's website and shared with parents and students at the time of data collection.
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13. Data Subject Rights

Under the UK GDPR, individuals have the following rights concerning their personal data:

1. **The Right to be Informed:** Individuals have the right to know how their personal data is being used.
2. **The Right of Access:** Individuals can request access to their personal data held by The Home School Project.
3. **The Right to Rectification:** Individuals can request corrections to inaccurate personal data.
4. **The Right to Erasure:** Individuals can request deletion of their personal data under specific circumstances.
5. **The Right to Restrict Processing:** Individuals can request that processing of their personal data is limited.
6. **The Right to Data Portability:** Individuals have the right to receive their personal data in a structured, commonly used format.

7. **The Right to Object:** Individuals can object to the processing of their personal data under certain circumstances.
8. **Rights in Relation to Automated Decision Making and Profiling:** Individuals have rights related to decisions made solely based on automated processing.

13.1 Exercising Rights

- Requests can be made by contacting the DPO. The Home School Project will respond to requests within one month, extending this period by a further two months if the request is complex or numerous.
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14. Data Protection Impact Assessments (DPIA)

The Home School Project will conduct Data Protection Impact Assessments (DPIAs) when initiating any processing activities that may result in a high risk to the rights and freedoms of individuals.

14.1 When to Conduct a DPIA

- When introducing new technologies or processes.
- When processing special categories of data or large volumes of personal data.
- When there is a risk of significant impact on individuals' rights.

14.2 DPIA Process

- The DPO will oversee the DPIA process, which includes identifying and assessing risks, consulting with affected individuals if necessary, and implementing measures to mitigate identified risks.
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15. Automated Decision-Making

The Home School Project does not engage in automated decision-making that significantly affects individuals, such as profiling or solely automated decisions without human intervention.

15.1 Rights in Relation to Automated Decisions

- If automated decision-making processes are implemented in the future, individuals will have the right to:
 - Request human intervention.
 - Express their point of view.
 - Contest decisions made solely on automated processing.
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16. Training and Awareness

The Home School Project is committed to ensuring that all staff members receive adequate training on data protection principles and practices.

16.1 Induction Training

- All new staff will receive data protection training as part of their induction process.

16.2 Ongoing Training

- Regular training sessions will be conducted to keep staff updated on data protection laws, this policy, and related procedures.

16.3 Records of Training

- Attendance at training sessions will be recorded and maintained for accountability.
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17. Complaints

Any complaints regarding the handling of personal data should be directed to the Data Protection Officer. The Home School Project will take all complaints seriously and will investigate them promptly.

17.1 Complaint Process

- Individuals can submit complaints via email or in writing to the DPO.
- Complaints will be acknowledged within five working days and a response will be provided within one month.

17.2 External Complaints

- If an individual remains dissatisfied with the outcome, they have the right to lodge a complaint with the Information Commissioner's Office (ICO).
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18. References

- Data Protection Act 2018
 - UK GDPR guidance and resources: [ICO Website](#)
 - Keeping Children Safe in Education (KCSIE) 2024
 - Working Together to Safeguard Children 2023
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