Data Protection Policy

Policy type	Statutory
Author	Adam Downing – Data Protection Officer
Last updated	June 2020
Reviewed	June 2025
Approved by	Full Trust Board
Release date	July 2025
Review cycle	ANNUAL Policies will be reviewed in line with DEMAT's internal policy schedule and/or updated when new legislation comes into force
Description of changes	1. The Policy has been simplified with detail removed for ease of comprehension 2. It reflects the current template from the Key 3. It includes a short section on Artificial Intelligence pending a more detailed definition of DEMAT's strategy on acceptable us of AI.

Diocese of Ely
multi-academy trust

Contents

1. Application of this Policy

The policy is applicable to all employees (permanent and temporary) of the Diocese of Ely Multi Academy Trust ("DEMAT"). It is also applicable to all volunteers supporting DEMAT and suppliers working for DEMAT.

The above definitions are included for reference purposes to enable clarify and transparency when applying this policy.

2. Relationship with DEMAT Values

The application of this policy must be always applied in a way that reflects the values of DEMAT and its Christian Ethos:

Vision

To Learn. To Know. To Lead Out. "I can do all things through Christ who strengthens me" (Philippians 4:13)

Values

Love – We engender love and tolerance between and for our staff, pupils, and others to foster an inspiring atmosphere of mutual support.

Community – We are committed to ensuring our academies are a living part of the community and contribute positively to its needs.

Respect – We do everything to provide a caring, safe, and secure place for our staff and pupils to be happy and respected in our academies so they may achieve their potential.

Trust – We acknowledge accountability and responsibility for our actions and ensure that we encourage each other to make brave decisions and then learn from any mistakes.

Ambition – We are determined that our academies offer a place for the joy of learning, enabling those of all abilities to thrive and go on to lead rewarding lives.

3. Associated Policies and Documents

This Policy/Procedure should be read in conjunction with the following DEMAT Policies/Procedures:

CCTV Use Policy	Privacy Notice for Staff
Freedom of Information Act Publication scheme	Privacy Notice for Parents/Carers: Own Data
ICT Acceptable Use Policy: Employees	Privacy Notice for Parents/Carers: Child's Data
ICT Acceptable Use Policy: Governors & Trustees	Privacy Notice for Suppliers of Goods and Services
ICT Acceptable Use Policy: Volunteers & Visitors	Privacy Notice for Governors, Trustees and Volunteers

Photos, Videos and Display Boards	Privacy Notice for Non-Parent Emergency Contacts
Records Management Policy	Privacy Notice for Job Applicants
	Privacy Notice for Visitors

4. Definitions

Term	Definition
AI	Artificial Intelligence – the use of technology that can be used to create new content based on large volumes of data that models have been trained on. This can include audio, code, images, text, simulations, and videos.
Data Subject	The identified or identifiable individual whose personal data is held or processed.
Data Controller	A person or organisation that determines the purposes and the means of processing of personal data.
Data Processor	A person or other body, other than an employee of the data controller, who processes personal data on behalf of the data controller.
DEMAT	Diocese of Ely Multi-Academy Trust
DPO	Data Protection Officer
ICO	Information Commissioner's Office
Personal Data	Any information relating to an identified, or identifiable, living individual. This may include the individual's: • name (including initials) • identification number • location data • online identifier, such as a username It may also include factors specific to the individual's physical, physiological, genetic, mental, economic, cultural, or social identity.
Personnel	Staff and Volunteers
Processing	Anything done to personal data, such as collecting, recording, organising, structuring, storing, adapting, altering, retrieving, using, disseminating, erasing, or destroying, Processing can be automated or manual.

Personal Data Breach	A breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data.
Special categories of personal data	Personal data, which is more sensitive and so needs more protection, including information about an individual's: • racial or ethnic origin • political opinions • religious or philosophical beliefs • trade union membership • genetics • health – physical or mental • sexual life or sexual orientation

5. Purpose and Scope

5.1 Legislation and Guidance

This policy meets the requirements of the GDPR and the provisions of the Data Protection Act 2018 (as amended). It is based on guidance published by the Information Commissioner's Office (ICO) on the UK GDPR.

It also reflects the ICO's code of practice for the use of surveillance cameras and personal information.

Academies in DEMAT that have CCTV will ensure that their use is in compliance with the ICO's code of practice for the use of surveillance cameras and personal information.

5.2 Data protection principles

The UK GDPR is based on data protection principles with which DEMAT, and its academies must comply. The principles state that personal data must be:

- Processed lawfully, fairly and in a transparent manner.
- Collected for specified, explicit and legitimate purposes.
- Adequate, relevant, and limited to what is necessary to fulfil the purposes for which it is processed.
- Accurate and, where necessary, kept up to date
- Kept for no longer than is necessary for the purposes for which it is processed.
- Processed in a way that ensures it is appropriately secure.

This policy sets out how DEMAT and its academies aim to comply with these principles.

6. Policy Statement

The Diocese of Ely Multi-Academy Trust (DEMAT) aims to ensure that all personal data collected about staff, pupils, parents, Governors, Trustees, visitors, and other individuals, is collected, stored, and processed in accordance with UK General Data Protection Regulation (UK GDPR).

This policy applies to all personal data, regardless of how it is held.

7. Procedures

7.1 Data controller

DEMAT processes personal data relating to parents, pupils, staff, Governors, Trustees, visitors, and others, and therefore acts as a data controller under UK GDPR. It is registered with the ICO to act in this capacity.

7.2 Roles and responsibilities

This policy applies to all staff employed by DEMAT, volunteers and to external organisations or individuals working on our behalf. Staff who do not comply with this policy may face disciplinary action under the DEMAT Disciplinary policy.

7.2.1 Board of Trustees

The Trustees have overall responsibility for ensuring that DEMAT complies with all relevant data protection obligations.

7.2.2 Data Protection Officer

Adam Downing is Data Protection Officer of DEMAT.

The function of this role is to:

- inform and advise employees and volunteers about their obligations to comply with the data protection laws.
- monitor compliance with the data protection laws and data protection polices, including managing internal data protection activities, raising awareness of data protection issues, training personnelf, and conducting internal audits.
- advise on, and to monitor, data protection impact assessments.
- cooperate with the UK Information Commissioner's Office and other supervisory authorities and act as the primary contact for DEMAT.
- be the first point of contact for supervisory authorities and for individuals whose data is processed (employees, customers etc.).
- overseeing the implementation of this policy, monitoring compliance with data protection law, and developing related policies and guidelines .
- providing an annual report of activities directly to Trustees and, where relevant, reporting to Trustees their advice and recommendations on Trust and Academy data protection issues.

- provide all data protection advice to academies, handling all data subject access, freedom of information and education records requests and handling data breaches in conjunction with the Head of Governance.

The DPO is contactable via dpo@demat.org.uk

7.2.3 Headteacher

The Headteacher in each academy acts as the representative of the data controller on a day-to-day basis for all data protection matters at academy level.

7.2.4 All Personnel

Personnel are responsible for:

- Informing DEMAT HR or Governance (as applicable) of any changes to their personal data, such as a change of address.
- Collecting, storing, and processing any personal data in accordance with this policy.
- Contacting the DPO in the following circumstances:
    - With any questions about the operation of this policy, data protection law, retaining personal data or keeping personal data secure.
    - If they have any concerns that this policy is not being followed.
    - If they are unsure whether, they have a lawful basis to use personal data in a particular way.
    - If they need to rely on or capture consent, draft a privacy notice, deal with data protection rights invoked by an individual, or transfer of personal data outside the European Economic Area.
    - If there has been a personal data breach.
    - Whenever they are engaging in a new activity that may affect the privacy rights of individuals.
    - If they need help with any contracts or sharing personal data with third parties.

7.3 Collecting personal data

7.3.1 Lawfulness, fairness, and transparency

DEMAT will only process personal data where DEMAT has one of 6 'lawful bases' (legal reasons) to do so under data protection law:

- The data needs to be processed so that DEMAT can fulfil a contract with the individual, or the individual has asked DEMAT to take specific steps before entering a contract.
- The data needs to be processed so that DEMAT can comply with a legal obligation.
- The data needs to be processed to ensure the vital interests of the individual, e.g., to protect someone's life.
- The data needs to be processed so that DEMAT, as a public authority, can perform a task in the public interest, and carry out its official functions.
- The data needs to be processed for the legitimate interests of DEMAT or a third party (provided the individual's rights and freedoms are not overridden).
- The individual (or their parent/carer when appropriate in the case of a pupil) has freely given clear consent.

For special categories of personal data, DEMAT will also meet one of the special category conditions for processing under data protection law:

- The individual (or their parent/carer when appropriate in the case of a pupil) has given explicit consent.
- The data needs to be processed to perform or exercise obligations or rights in relation to employment, social security, or social protection law.
- The data needs to be processed to ensure the vital interests of the individual or another person, where the individual is physically or legally incapable of giving consent.
- The data has already been made manifestly public by the individual.
- The data needs to be processed for the establishment, exercise, or defence of legal claims.
- The data needs to be processed for reasons of substantial public interest as defined in legislation.
- The data needs to be processed for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law.
- The data needs to be processed for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law.
- The data needs to be processed for archiving purposes, scientific or historical research purposes, or statistical purposes, and the processing is in the public interest
- For criminal offence data, DEMAT will meet both a lawful basis and a condition set out under data protection law. Conditions include:
    - The individual (or their parent/carer when appropriate in the case of a pupil) has given consent.
    - The data needs to be processed to ensure the vital interests of the individual or another person, where the individual is physically or legally incapable of giving consent.
    - The data has already been made manifestly public by the individual.
    - The data needs to be processed for or in connection with legal proceedings, to obtain legal advice, or for the establishment, exercise, or defence of legal rights.
    - The data needs to be processed for reasons of substantial public interest as defined in legislation.

Whenever DEMAT first collects personal data directly from individuals, DEMAT will provide them with the relevant information required under data protection law.

7.3.2 Limitation, minimisation, and accuracy

DEMAT will only collect personal data for specified explicit and legitimate reasons. DEMAT will explain these reasons to the individuals when it first collects their data.

If DEMAT wants to use personal data for reasons other than those given when it was first obtained, then the individuals concerned will be informed before it does so and to seek consent where necessary.

Personnel must only process personal data where it is necessary to perform their roles.

When Personnel no longer need the personal data they hold, they must ensure it is deleted or anonymised. This will be done in accordance with the DEMAT Records Management Policy which can be accessed at https://demat.org.uk/policies/.

7.4 Sharing personal data

DEMAT will not normally share personal data with anyone else without consent, but may do so where:

- There is an issue with a pupil or parent/carer that puts the safety of our staff at risk.
- DEMAT need to liaise with other agencies – DEMAT will seek consent as necessary before doing this.
- Our suppliers or contractors need data to enable us to provide services to our Personnel and pupils, e.g., IT companies. When doing this, DEMAT will:
    - Only appoint suppliers or contractors which can provide sufficient guarantees that they comply with UK data protection law.
    - Establish a data-sharing agreement with the supplier or contractor, either in the contract or as a stand-alone agreement, to ensure the fair and lawful processing of any personal data DEMAT shares.
    - Only share data that the supplier or contractor needs to carry out their service, and information necessary to keep them safe while working with us.

DEMAT will also share personal data with law enforcement and Government bodies where DEMAT is legally required to do so, including for:

- The prevention or detection of crime and/or fraud.
- The apprehension or prosecution of offenders.
- The assessment or collection of tax owed to HMRC.
- In connection with legal proceedings.
- Where the disclosure is required to satisfy our safeguarding obligations.
- Research and statistical purposes, if personal data is sufficiently anonymised, or consent has been provided.

DEMAT may also share personal data with emergency services and local authorities to help them to respond to an emergency that affects any of our pupils or staff.

Where DEMAT transfer personal data internationally, DEMAT will do so in accordance with UK data protection law.

7.5 Subject access requests and the rights of individuals

7.5.1 Subject access requests

Individuals have a right to make a 'subject access request' to gain access to personal information that DEMAT holds about them. This includes:

- Confirmation that their personal data is being processed.
- Access to a copy of the data.
- The purposes of the data processing.

- The categories of personal data concerned.
- Who the data has been, or will be, shared with.
- How long the data will be stored for, or if this isn't possible, the criteria used to determine this period.
- The source of the data, if not the individual.
- Whether any automated decision-making is being applied to their data, and what the significance and consequences of this might be for the individual
- The safeguards provided if the data is being transferred internationally.

Subject access requests can be submitted in any form. Requests should include:

- Name of individual.
- Correspondence address.
- Contact number and email address.
- Details of the information requested.

If staff or volunteers receive a subject access request, they must immediately forward it to the DPO.

7.5.2 Children and subject access requests

Personal data about a child belongs to that child, and not the child's parents or carers. For a parent or carer to make a subject access request with respect to their child, the child must either be unable to understand their rights and the implications of a subject access request or have given their consent.

Children below the age of 12 are generally not regarded to be mature enough to understand their rights and the implications of a subject access request. Therefore, most subject access requests from parents or carers of pupils at any of the DEMAT academies may be granted without the express permission of the pupil. This is not a rule, and a pupil's ability to understand their rights will always be judged on a case-by-case basis.

7.5.3 Responding to subject access requests

When responding to requests, DEMAT will:

- Carry out all reasonable checks to ensure that the request is valid with reference to any information held on the requester. This will include contact details held on Bromcom by the school
- Respond without delay and within 1 month of receipt of the request.
- Make it clear to the requester that we only have to make reasonable and proportionate searches when someone asks for access to their personal information.
- Provide the information free of charge.
- Tell the individual that DEMAT will comply within 3 months of receipt of the request, where a request is complex or numerous. DEMAT will inform the individual of this within 1 month and explain why the extension is necessary.

DEMAT will not disclose information if it:

- Might cause serious harm to the physical or mental health of the pupil or another individual.
- Would reveal that the child is at risk of abuse, where the disclosure of that information would not be in the child's best interests.

- Is part of sensitive documents related to crime, immigration, legal proceedings, legal professional privilege, management forecasts, negotiations, confidential references, exam scripts If the request is unfounded or excessive, DEMAT may refuse to act on it, or charge a reasonable fee which considers administrative costs.

A request will be deemed to be unfounded or excessive if it is repetitive or asks for further copies of the same information, and DEMAT may refuse to respond to it. If a request is refused DEMAT will tell the individual why and tell them they have the right to complain to the ICO.

7.5.4 Other data protection rights of the individual

In addition to the right to make a subject access request (see above), and to receive information when DEMAT is collecting their data about how DEMAT use and process, individuals also have the right to:

- Withdraw their consent to processing at any time.
- Ask us to rectify, erase or restrict processing of their personal data, or object to the processing of it (in certain circumstances).
- Prevent use of their personal data for direct marketing.
- Challenge processing which has been justified based on public interest, official authority, or legitimate interests.
- Request a copy of agreements under which their personal data is transferred outside of the United Kingdom or European Economic Area.
- Object to decisions based solely on automated decision-making or profiling (decisions taken with no human involvement, that might negatively affect them).
- Be notified of a data breach in certain circumstances.
- Make a complaint to the ICO.
- Ask for their personal data to be transferred to a third party in a structured, commonly used, and machine-readable format (in certain circumstances).

Individuals should submit any request to exercise these rights to the DPO. If Personnel receive such a request, they must immediately forward it to the DPO.

7.6 Parental requests to see the educational record

There is no automatic parental right of access to a pupil's educational record from an Academy.

If a parent wishes to request a copy, they should contact the headteacher of the pupil's Academy by letter or email, explaining why they wish to receive it. The Academy may decline to provide the information, but if they agree to supply the information, they will consider if the request is excessive and regular, the Academy may charge a reasonable fee which considers administrative costs.

A request will be deemed to be excessive if it is repetitive or asks for further copies of the same information.

7.7 Biometric recognition

Biometric recognition (also known as biometrics) refers to the automated recognition of individuals based on their biological and behavioural traits. Examples of biometric traits include fingerprint, face, iris, palmprint, retina, hand geometry, voice, signature, and gait.

In the context of academies, this would include using fingerprints to receive dinners instead of paying with cash.

Currently, DEMAT does not use Biometric Recognition Systems in any of its academies.

7.8 CCTV

DEMAT use CCTV in various locations around its sites in the interests of security and crime prevention.

DEMAT do not need to ask individuals' permission to use CCTV, but DEMAT make it clear where individuals are being recorded. Security cameras are clearly visible and accompanied by prominent signs explaining that CCTV is in use. Any enquiries about the CCTV system should be directed to the DPO.

7.9 Photographs and videos

As part of DEMAT's and the academies' activities, DEMAT may take photographs and record images of individuals within DEMAT and/or its academies.

DEMAT will obtain written consent from parents/carers for photographs and videos to be taken of their child for communication, marketing, and promotional materials. DEMAT will clearly explain how the photograph and/or video will be used to both the parent/carer.

Uses may include:

- Within academies on notice boards and in magazines, brochures, newsletters, etc.
- Outside of academies by external agencies such as the photographer, newspapers, campaigns.
- Online on DEMAT or the Academy website.

Consent can be refused or withdrawn at any time. If consent is withdrawn, DEMAT will delete the photograph or video and not distribute it further.

When using photographs and videos in this way, DEMAT will not accompany them with any other personal information about the child, to ensure they cannot be identified unless specific permission is received in writing from parents/carers for each new photograph or video.

Any photographs and videos taken by parents/carers at Academy events for their own personal use are not covered by data protection legislation. However, DEMAT will ask that photos or videos with other pupils are not shared publicly on social media for safeguarding reasons, unless all the relevant parents/carers have agreed to this.

7.10 Data protection by design and default

DEMAT will put measures in place to show that DEMAT has integrated data protection into all our data processing activities, including:

- Appointing a suitably qualified DPO, and ensuring they have the necessary resources to fulfil their duties and maintain their expert knowledge.
- Only processing personal data that is necessary for each specific purpose of processing, and always in line with the data protection principles set out in relevant data protection law.

- Completing data protection impact assessments where DEMAT's/the Academy's processing of personal data presents a high risk to rights and freedoms of individuals, and when introducing new technologies (the DPO will advise on this process)
- Integrating data protection into internal documents including this policy, any related policies and privacy notices.
- Regularly training members of Personnel on data protection law, this policy, any related policies, and any other data protection matters; DEMAT will also keep a record of attendance at training.
- Regularly conducting reviews and audits to test our privacy measures and make sure DEMAT is compliant.
- Maintaining records of our processing activities.

7.11 Data security and storage of records

DEMAT will protect personal data and keep it safe from unauthorised or unlawful access, alteration, processing, or disclosure, and against accidental or unlawful loss, destruction or damage.

In particular:

- Paper-based records and portable electronic devices, such as laptops and hard drives that contain personal data are kept under lock and key when not in use.
- Papers containing confidential personal data must not be left on office and classroom desks, on staffroom tables, pinned to notice/display boards, or left anywhere else where there is general access.
- Where personal information needs to be taken off site, staff must sign it in and out from the Academy via the office, or from DEMAT via the DPO.
- Passwords that are at least 10 characters long containing letters and numbers are used to access Academy computers, laptops, and other electronic devices. Staff and pupils are reminded to change their passwords at regular intervals and not reuse passwords used for other sites.
- Encryption software is used to protect all portable devices and removable media, such as laptops, tablets/iPads. Mobile phones must have a passcode on them. The use of USB sticks will only be used to store information that does not contain personal data. All employees must contact the DPO if they have the need to use a USB for storing personal data ensuring the USB is password protected and registered with the DPO.
- Employees must not store personal data information on their personal devices (see Acceptable Use Policy for Employees).
- In the unlikely event that Governors, volunteers, and visitors hold personal data information on their personal devices, this must be held securely and deleted once the individual does not work or has any ongoing involvement with DEMAT (see our Acceptable Use Policy for Governors and Trustees, and for Volunteers and Visitors).
- Where DEMAT needs to share personal data with a third party, DEMAT carries out due diligence and take reasonable steps to ensure it is stored securely and adequately protected.

7.12 Disposal of Records

Personal data that is no longer needed will be disposed of securely. Personal data that has become inaccurate or out of date will also be disposed of securely, where DEMAT cannot or do not need to rectify or update it.

For example, DEMAT will shred or incinerate paper-based records, and overwrite or delete electronic files. DEMAT may also use a third party to safely dispose of records on the Academy's behalf. If DEMAT does so, it will require the third party to provide sufficient guarantees that it complies with UK data protection law.

7.13 Personal data breaches

DEMAT and its academies will make all reasonable effort to ensure that there are no personal data breaches.

In the unlikely event of a suspected data breach, DEMAT will follow the procedure set out in Appendix 1.

The DPO will report the data breach to the ICO within 72 hours in situations where the circumstances of the breach represents a high privacy risk to the individuals affected.

7.14 Actions to minimise the impact of a data breach

Where data breaches occurs occur, DEMAT will take the actions set out below to try to mitigate the impact of different types of data breach, focusing especially on breaches involving particularly risky or sensitive information. DEMAT will review the effectiveness of these actions and amend them as necessary after any data breach.

Sensitive information being disclosed via email (including safeguarding records)*:*

- If special category data (sensitive information) is accidentally made available via email to unauthorised individuals, the sender must attempt to recall the email as soon as they become aware of the error.
- Personnel who receive personal data sent in error must alert the sender and the DPO as soon as they become aware of the error.
- If the sender is unavailable or cannot recall the email for any reason, the DPO will contact the IT provider and ask that they recall it.

In any cases where the recall is unsuccessful, the individual who sent the email or the DPO will contact the relevant unauthorised individuals who received the email, explain that the information was sent in error, and request that those individuals delete the information and do not publish, save, or replicate it in any way and ask they confirm by email that they have done so.

The DPO will ensure a written response is received from all the individuals who received the data, confirming that they have complied with this request. The DPO will carry out an internet search to check that the information has not been made public; if it has, DEMAT will contact the publisher/website owner or administrator to request that the information is removed from their website and deleted.

If safeguarding information is compromised, the DPO will inform the DEMAT Safeguarding Lead and discuss whether the Academy should inform any, or all, of its local safeguarding partners.

Any documents given out that contain non-anonymised information must be collected back in immediately. If additional copies have been distributed outside of the meeting, all recipients must be contacted and asked to return the paperwork, not to read if not already done so, and must not share the information with anyone else. A record of who received the document and confirmation that all copies were returned must be kept and signed to confirm that the information had not been shared via any other means nor to anyone else.

7.15 Document storage

All paperwork that contains personal or sensitive information must be locked away at the end of each day.

8 Use of Artificial Intelligence across DEMAT academies

DEMAT acknowledges the key strategic importance of AI tools across the education sector but also recognises the risk of using these tools.

DEMAT is currently developing an acceptable use strategy for the use of AI tools by its staff. Until this has been completed, the key principles that must be applied are the following:

- Personnel must not input any data which can be attributed to any person into any AI tool such as ChatGPT;

- the generation of material using AI tools is only the first step in the generation of such material. Staff remain responsible for the content and use of this material.

DEMAT currently only supports the use of Microsoft Co-Pilot, Google Gemini and Bromcom AI at academy and consolidated level. The reason for this is that these tools ensure proper data isolation between different users of the tool. This means that information input into these tools by organisations does not enhance the dataset used by those tools for processing further queries. This is not the case for ChatGPT. The use of ChatGPT in DEMAT academies is explicitly forbidden.

For more information on the reason behind this policy, please refer to the following article "ChatGPT and large language models: what's the risk?" (https://www.ncsc.gov.uk/blog-post/chatgpt-and-large-language-models-whats-the-risk)

Appendix 2 sets out guidance on the use of AI in schools.

9. Training

All staff and Governors/Trustees are provided with data protection training as part of their induction process.

Data protection will also form part of continuing professional development, where changes to legislation, guidance or DEMAT's/ the Academy's processes make it necessary. Mandatory refresher training is provided to all staff and Governors/Trustees via Smartlog every two years.

10. Legal duties under the Equality Act 2010

The Equality Act 2010 prohibits discrimination against an individual based on the protected characteristics, which include, sex, race, religion or belief, and gender reassignment.

It is not considered that provisions of this policy would create the risk of discrimination as contemplated under this Act.

11. Contact us

If you have any questions, concerns or would like more information about anything mentioned in this procedure, please contact our Data Protection Officer: dpo@demat.org.uk.

Diocese of Ely
multi-academy trust

Appendix 1

Guidance on the handling of data breaches

- On finding or causing a breach, or potential breach, the Personnel member or data processor must immediately notify the DEMAT DPO.
- The DPO will investigate the report and determine whether a breach has occurred. To decide, the DPO will consider whether personal data has been accidentally or unlawfully:
    - Lost.
    - Stolen.
    - Destroyed.
    - Altered.
    - Disclosed or made available where it should not have been.
    - Made available to unauthorised people.
- The DPO will alert the headteacher if the breach is within an Academy.
- The DPO will work with the Academy to make all reasonable efforts to contain and minimise the impact of the breach, assisted by relevant Personnel members or data processors where necessary (actions relevant to specific data types are set out at the end of this procedure).
- The DPO will assess the potential consequences, based on how serious they are, and how likely they are to happen.
- The DPO will work out whether the breach must be reported to the ICO and the individuals affected using the ICO's Self-assessment for data breaches | ICO
- If it is likely that there will be a risk to people's rights and freedoms, the DPO must notify the ICO.
- The DPO will document the decision (either way) in case it is challenged later by the ICO, or an individual affected by the breach. Documented decisions are stored on a secure area of DEMAT's computer system, and where necessary a paper copy kept in a locked filing cabinet.
- Where the ICO must be notified, the DPO will do this via the 'report a breach' page of the ICO website within 72 hours. As required, the DPO will set out:
    - A description of the nature of the personal data breach including, where possible.
    - The categories and approximate number of individuals concerned.
    - The categories an approximate number of personal data records concerned.
    - The name and contact details of the DPO.
    - A description of the likely consequences of the personal data breach.
    - A description of the measures that have been, or will be, taken to deal with the breach and mitigate any possible adverse effects on the individual(s) concerned.

If all the above details are not yet known, the DPO will report as much as they can within 72 hours. The report will explain that there is a delay, the reasons why, and when the DPO expects to have further information. The DPO will submit the remaining information as soon as possible.

The DPO will also assess the risk to individuals, again based on the severity and likelihood of potential or actual impact. If the risk is high, the DPO will support the Headteacher in promptly informing, in writing, all individuals whose personal data has been breached. This notification will set out:

- The name and contact details of the DPO.

- A description of the likely consequences of the personal data breach.
- A description of the measures that have been, or will be, taken to deal with the data breach and mitigate any possible adverse effects on the individual(s) concerned:
- The DPO will notify any relevant third parties who can help mitigate the loss to individuals, for example, the police, insurers, banks, or credit card companies
- The DPO will document each breach, irrespective of whether it is reported to the ICO. For each breach, this record will include:
    - Facts and cause.
    - Effects.
    - Action taken to contain it and ensure it does not happen again (such as establishing more robust processes or providing further training for individuals)

Records of all breaches will be stored on a secure area of DEMAT's computer system.

The DPO and/or headteacher will meet to review what happened and how it can be stopped from happening again. This meeting will happen as soon as reasonably possible.

Diocese of Ely
multi-academy trust

Appendix 2

Guidance on use of Artificial Intelligence in academies

Purpose

This guidance aims to ensure the safe, effective, and ethical use of artificial intelligence (AI) tools and technologies within DEMAT and all of its academies to enhance educational outcomes and support Personnel in their roles.

Overview

Generative AI refers to technology that can be used to create new content based on large volumes of data that models have been trained on. This can include audio, code, images, text, simulations, and videos.

The use of AI in schools and the impact it will have on teachers and pupils is something which the education sector is coming to terms with. There are many benefits with the use of AI but there are also significant risks too.

Principles for the use of AI tools

1. ***Safety and Security***
   AI tools must be used in a manner that ensures the safety and security of all users, including students and Personnel.

2. ***Ethical Use***
   AI must be used ethically, respecting the privacy and intellectual property rights of all individuals.

3. ***Transparency***
   The use of AI tools and technologies must be transparent to all stakeholders, including students, parents, and Personnel.

4. ***Professional Development***
   Staff will be provided with training and support to effectively use AI tools in their roles.

5. ***Continuous Improvement***
   DEMAT will continuously monitor and evaluate the use of AI to ensure it meets educational goals and adapts to new developments.

Guidelines

1. ***Data Protection:***
   All AI tools must comply with data protection regulations, ensuring that personal data is handled securely and confidentially.

2. ***AI Tool Selection***
   AI tools must be selected based on their educational value, effectiveness, and compliance with safety and ethical standards.

3. ***Training and Support***
   DEMAT will provide ongoing training and support for Personnel to ensure they are proficient in using AI tools.

4. ***Pilot Projects***
   Before full implementation, AI tools will be tested through pilot projects to assess their impact and effectiveness.

5. ***Feedback Mechanism***
   Staff will have the opportunity to provide feedback on the use of AI tools, which will be used to improve their implementation.

Responsibilities

1. ***Senior Leadership***
   Ensure the strategic alignment of AI use with the MAT's educational goals.

2. ***Teachers and Staff***
   Use AI tools responsibly and ethically in their daily work.

3. ***Data Protection Officer***
   Carrying out Data Protection Impact Assessments of AI tools where they are to be used across all academies and are considered to create a significant privacy risk.

4. ***IT Department***
   Ensure the security and reliability of AI tools and provide technical support.

For more information, please refer to the DfE Guidance “Generative Artificial Intelligence in Education” Generative artificial intelligence (AI) in education - GOV.UK