

The Weald Federation



Of Five Ashes, Frant, Mark Cross and Mayfield Church of England Primary Schools

With God's love we grow and learn together

Through our Christian ethos, excellent teaching and shared learning, we aim to encourage everyone to discover who they are in relation to God, the world and others. This is in order to prepare for, and positively contribute to, our ever changing and diverse world

The Weald Federation

Appropriate Policy Document (Special Category Data Policy)

Led by:	Joanna Challis and Jo Warren (EHTs)
Date implemented:	October 2025
Date for next review:	October 2026
Approved by:	Governing Board
ESCC policy / school	ESCC

Summary

This policy outlines the school's obligations under data protection legislation with regard to the processing of special category data and criminal offence data. This should be read alongside the school Data Protection and Information Security policy, and the privacy notice.

1. Policy Statement

The Weald Federation is committed to ensuring that all personal data it processes is managed appropriately and in compliance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018 (DPA 2018) (collectively referred to as "DP legislation"). The school recognises its duties to protect all personal data but in particular special category data as defined under Data Protection legislation i.e. information that may identify an individual's:

- racial or ethnic origin,
- political opinions,
- religious or philosophical beliefs,
- trade union membership,
- health,
- sex life/orientation
- genetic/biometric identifier

The federation is also committed to process criminal offence data in accordance with DP legislation requirements. Criminal offence data refers to personal data that relates to criminal convictions and offences and associated security measures. This includes the alleged commission of offences or proceedings for an offence committed or alleged to have been committed, including sentencing.

The federation will ensure that all special category and criminal offence data is captured, held and used in compliance with this policy. Any proposed new use of special category data will be subject to a data protection impact assessment (DPIA).

For all uses of special category data, the processing will be included in the federation's Record of Processing Activity (ROPA). This will include a description of the lawful basis for processing and confirmation that the appropriate data retention rules are being applied.

Failure to comply with this policy may be subject to disciplinary procedures.

2. Responsibilities

The Headteacher has overall responsibility for ensuring compliance with this policy and with DP legislation across the school.

The Data Protection Officer (DPO) has responsibility for advising the organisation on data protection matters, and for monitoring compliance with this policy.

All staff are responsible for understanding and complying with relevant policies and procedures for processing and protecting special category data.

3. Related Documents

- Data Protection and Information Security Policy

- Record of Processing Activity (ROPA)
- Retention Schedule
- Information Asset Register
- **Data In Transit policy**
- **Biometric Data Policy**
- **Data Protection and Information Security**

4. Compliance with the Principles

All processing of personal data is subject to the school's Data Protection and Information Security Policy and all related procedures for data handling.

Below is a summary of our procedures for compliance with the principles under Article 5 of UK GDPR.

Data Protection Principle	Procedures for securing compliance	Relevant policies/ procedures
Personal data will be processed lawfully, fairly and in a transparent manner	<p>All use of special category and criminal offence data will be:</p> <ul style="list-style-type: none"> • Assessed for lawfulness, fairness and transparency as part of data protection impact assessments • Described clearly and precisely in privacy notices available to data subjects <p>The school will ensure that personal data is only processed where a lawful basis applies (i.e. is subject to clear justification under Article 6 and 9 of UK GDPR).</p> <p>The school will only process personal data fairly and will ensure that data subjects are not misled about the purposes of any processing.</p>	<ul style="list-style-type: none"> • Data Protection and Information Security Policy • Privacy notices • ROPA • DPIA procedure • Information governance and DP training for staff and training log • Biometric Data Policy • Data in transit policy
Personal data will be collected and used for specified, explicit and legitimate purposes and not further processed in an incompatible way (' <i>purpose limitation</i> ')	<p>This will be checked within the DPIA process.</p> <p>Staff will be trained to ensure that they do not use personal data for purposes other than those authorised by the organisation.</p> <p>Staff will receive training and document procedures for relevant processes.</p> <p>Data subjects will be informed of the purpose for processing in a privacy notice</p>	<ul style="list-style-type: none"> • Data Protection and Information Security Policy • Privacy notices • ROPA • DPIA procedure • Information governance and DP training for staff and training log • Biometric Data Policy • Data in transit policy ???
Personal data collected and processed will be adequate, relevant	To adhere to the principle of privacy by design, the school only collects and holds data as necessary for their operational requirements or to meet statutory obligations.	<ul style="list-style-type: none"> • Data Protection and Information Security Policy • DPIA procedure • Information governance and DP training for staff and training log

Data Protection Principle	Procedures for securing compliance	Relevant policies/ procedures
and limited to what is necessary for the purpose for processing (' <i>data minimisation</i> ')	<p>Staff have roles-based access and are trained to record only the minimal necessary personal data for business needs.</p> <p>This will also be checked within the school DPIA process.</p>	<ul style="list-style-type: none"> • Biometric Data Policy • Data in transit policy
Personal data will be accurate and where required, rectified without delay (' <i>accuracy</i> ')	<p>The school has systems in place to verify the accuracy of the data it holds. These include:</p> <p>Arbor Parent Portal for students details, annual collection of data via MForms for parents, Annual collection of data for staff via annual returns</p>	<ul style="list-style-type: none"> • Data Protection and Policy • Information governance and DP training for staff and training log • Biometric Data Policy • Data in transit policy
Personal data will not be kept in an identifiable form for longer than necessary (' <i>storage limitation</i> ') i.e. in line with the school retention schedule	<p>Caroline Adams (Weald Business Manager) in school has responsibility for ensuring that the retention schedule is applied to all personal data, and in particular to special category and criminal offence data. Where systems do not have the functionality to automate disposal, staff have a scheduled task to manually delete time-expired data.</p> <p>Records will be securely disposed of once they have reached the end of their retention period.</p>	<ul style="list-style-type: none"> • Data Protection and Information Security Policy • Retention schedule • Information governance and DP training for staff and training log
Personal data will be kept securely	<p>All use of personal data is subject to our Data Protection and Information Security Policy and related security measures.</p> <p>Staff are trained to be particularly aware of the additional risks to special category data and the relevant individuals have appropriate data-handling processes and guidance.</p> <p>Appropriate means of transmitting data are used. Data is securely stored and securely disposed of (where retention periods are reached).</p> <p>Where processing is sub-contracted or outsourced there are suitable Data Protection clauses in the contract.</p>	<ul style="list-style-type: none"> • Data Protection and Information Security Policy • Retention schedule • Information governance and DP training for staff and training log

Contact

If you have any questions about this policy, please contact:
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Document Title: Appropriate Policy Document (Special Category Data Policy)

This policy is subject to review annually . Superseded policies will be retained for at least 6 months – **should be on the retention schedule.**