



Data Protection Policy

Bale's Farm C.I.C.

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Definitions		
Organisation	means Bale's Farm C.I.C.	
GDPR	means the General Data Protection Regulation.	
Responsible Person	Means Alison Bosworth.	
Register of Systems	means a register of all systems or contexts in which personal data is processed by Bale's Farm	

1. Data protection principles

The Organisation is committed to processing data in accordance with its responsibilities under the GDPR.

Article 5 of the GDPR requires that personal data shall be:

- a. processed lawfully, fairly and in a transparent manner in relation to individuals;
- b. collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- c. adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- d. accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- e. kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data

may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals; and

- f. 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, using appropriate technical or organisational measures.”

2. General provisions

- a. This policy applies to all personal data processed by the Organisation.
- b. The Responsible Person shall take responsibility for the Organisation’s ongoing compliance with this policy.
- c. This policy shall be reviewed at least annually.
- d. The Organisation shall register with the Information Commissioner’s Office as an organisation that processes personal data.

3. Lawful, fair and transparent processing

- a. To ensure its processing of data is lawful, fair and transparent, the Organisation shall maintain a Register of Systems.
- b. The Register of Systems shall be reviewed at least annually.
- c. Individuals have the right to access their personal data and any such requests made to the Organisation shall be dealt with in a timely manner.

4. Lawful purposes

- a. All data processed by the charity must be done on one of the following lawful bases: consent, contract, legal obligation, vital interests, public task or legitimate interests ([see ICO guidance for more information](#)).
- b. The Organisation shall note the appropriate lawful basis in the Register of Systems.
- c. Where consent is relied upon as a lawful basis for processing data, evidence of opting consent shall be kept with the personal data.
- d. Where communications are sent to individuals based on their consent, the option for the individual to revoke their consent should be clearly available and systems should be in place to ensure such revocation is reflected accurately in the Organisation’s systems.

5. Data minimisation

- a. The Organisation shall ensure that personal data are adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.

6. Accuracy

- a. The Organisation shall take reasonable steps to ensure personal data is accurate.

- b. Where necessary for the lawful basis on which data is processed, steps shall be put in place to ensure that personal data is kept up to date.

7. Archiving / removal

- a. To ensure that personal data is kept for no longer than necessary, the Organisation shall put in place an archiving policy for each area in which personal data is processed and review this process annually.
- b. The archiving policy shall consider what data should/must be retained, for how long, and why.

8. Security

- a. The Organisation shall ensure that personal data is stored securely using modern software that is kept-up-to-date.
- b. Access to personal data shall be limited to personnel who need access and **appropriate security should be in place to avoid unauthorised sharing of information.**
- c. When personal data is deleted this should be done safely such that the data is irrecoverable.
- d. Appropriate back-up and disaster recovery solutions shall be in place.

9. Breach

In the event of a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data, the Organisation shall promptly assess the risk to people's rights and freedoms and if appropriate report this breach to the ICO ([more information on the ICO website](#)).

10. Access to personal files.

All personal data held on file can be requested in writing to Charlotte Haley or Alison Bosworth either via, email, letter or Basecamp.

Subject Access Request Policy

This policy should be read in conjunction with the Organisation's [Privacy Notice](#) which is available on our website or can be emailed to you or printed out for you by Bale's Farm.

What do you do if you need to make a Subject Access Request?

If you only want information about a specific incident you may find that you can get that information by asking for it directly from Bale's Farm, without having to go through the Subject Access Request procedure. If Bale's Farm is happy to release your data to you in this way, it will be a much shorter and less formal process than the Subject Access Request process. However, if you want information from a number of areas of the Bale's Farm the best way is still to use the Subject Access Request.

How do I make a request?

All SARs must be made in writing to the Organisation. You will need to specify how you would like to receive the information – either in paper form or to be emailed over.

What information do Bale's Farm need to start the search?

In order to find the information you are requesting we will need the following from you:

- name
- address
- date of birth
- copy of passport or driving licence including photograph page
- details of the information required

Identification is required to confirm that you are the data subject – that is, the individual to whom the data refers – so that the Bale's Farm does not disclose any data to someone who is not entitled to receive it.

If you are making a request on behalf of the data subject e.g. you are a solicitor acting on your client's behalf, you will need to provide the information detailed above for the data subject, plus proof that you have your client's consent to request and receive their personal data. This may be a signed form of authority from the individual.

It would be helpful to provide some contextual information about the required data e.g. dates that the information may have been produced, or whether it refers to your time as a student or a member of staff.

How will we search for the information requested?

The vast majority of searches for personal data carried out by Bale's Farm are general searches in relation to pupils or members of staff. If you are, or were, a pupil or parent, Bale's Farm will routinely search the following areas for your data as these are the areas where most student data is held:

- Paper based pupil files
- Data held on our database, and on computer network.
- Financial Services – for details of fee payments and any disputes over payments
- If you would like other areas of Bale's Farm records searched for your data, you can indicate these when making a request for access to data.

How long will it be before I receive my data?

Bale's Farm has one month in which to provide the data you have requested. This period starts on the date that the Bale's Farm receives all of the information it needs to confirm firstly, your identity, or your right to request a third party's data, and secondly, the type of search you want carried out (either a general search or a search for specific information). The date on which you will receive your requested information will be confirmed once the Bale's Farm has received all the required information.

How will your data be provided to you?

The General Data Protection Regulation requires that you receive a permanent copy of any personal data held about you. Therefore, you will receive either an electronic or paper copy of the personal data found about you, depending on the preference you selected when requesting access to data.

If you wish to receive your data in paper form, this will be sent to you using first class recorded delivery post. Bale's Farm uses recorded delivery post to ensure an audit trail exists to show where the parcel was sent, who signed for it and when. In the event that no-one is available to sign for your parcel, it will be held at a local office until it is collected or finally returned to the Organisation. This ensures your data is held as securely as possible until you receive it.

If you wish to receive your data electronically, assuming the file size is not too large, it will be sent to you by email as an attachment. The file will be password protected and once you receive the file, you will need to contact Bale's Farm for the password in order to access the attachment. Information on how to do this will be included in the email that sends your data to you, we generally use egress.

What data will be provided to you?

You will receive copies of the personal data relating to you. Personal data is defined as data that identifies a living individual and relates to that individual. Therefore, the data you receive will not only name you but also have some reference to you. Bale's Farm still holds some paper files as well as electronic records, a search will be carried out initially for files / folders that are named using your name in any format. After that, electronic searches will be carried out for any electronic records that contain your name in the body of the data – not just the title. It is not always possible to carry out this search fully without any background information on the type of record you are looking for.

Whether you receive copies of particular emails will depend on whether the data may relate to you. So, for example, you will not receive copies of emails that have been sent to a list of email addresses including yours, where the information in the email does not relate to you, e.g. it is a reminder of a student and graduate employment fair open to everyone. However, you will receive a copy of an email that has been sent to a list of email addresses including yours, where the information in the email does relate to you.

Your personal data may be held in a document or database that contains personal data relating to other individuals. To avoid providing you with a third party's personal data, it may be necessary to redact the other person's data (that is, blank it out or obscure it in other ways) or to extract your data from the larger document / database. Therefore, you may receive copies of documents with blank spaces in the text, or with only one line of information under column headings. These are examples of redacted documents or where your data has been extracted.

Will you receive all of the data that relates to you?

It is important to note that it is not always possible to know exactly what information is held about an individual when a search is made. It may not always be possible for Bale's Farm to provide every piece of information about your employment or studies, as there may have been some discussions relating to a final decision made at a meeting or over the telephone, which will not always be recorded. Emails are often seen as an informal method of communication and staff are encouraged to retain emails in line with their subject matter, but that does mean that not all emails will be kept for the same length of time. Therefore, an email in which someone agrees to attend a meeting does not need to be kept for as long as one that includes a decision on a particular subject that has ramifications for others or over a length of time.

There may be occasions where the final data is provided to you but information which led to that data is not provided. An example of this is the data given to a Board of Examiners, which shows the marks you have received as a student. Unless there is any information other than your name and marks, this information will not routinely be sent to you because you will be provided it in a transcript of your marks.

There may be times when Bale's Farm holds personal data about you which it does not / cannot disclose to you. This may be because it is not possible to disclose your personal data without disclosing a third party's data, and either the third party has refused to give consent for their data to be disclosed or the third party's data is awarded a degree of confidentiality which means the data cannot be disclosed.

There are other exemptions in the General Data Protection Regulations which mean that personal data can be withheld. Details and examples of these instances can be found in Chapter 9 of the [Information Commissioner's Office, Subject Access Code of Practice](#). If it is necessary to withhold any data, you will be informed of the reasons for the non-disclosure, but Bale's Farm endeavours to release as much of your data as possible.

Examples of information which (depending on the circumstances) may be withheld include information that:

- 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 disclosure of that information would not be in the child's best interests;
- is contained in adoption and parental order records; and
- is legally privileged, including certain information given to a court in proceedings concerning a child;
- records the intentions of Bale's Farm in negotiations with the individual making the access request;
- consists of confidential references either given or received by the organisation;
- consists of exam or test answers or exam results before the allotted publication time;
- is held for purposes of management planning (e.g. redundancy planning);
- would prejudice the prevention and detection of crime if disclosed (e.g. in live investigations);
- might cause serious harm or distress in limited social work contexts.

What can I do if I am unhappy with the response to my request?

You may first contact Bale's Farm to clarify any queries about the information you have received or to point out any omissions in the data that you expected to receive – although if you are looking for anything particular, it is best to stipulate this in your original request. We will look again at the information held within Bale's Farm to see if any new information can be sourced with the extra detail provided by you.

If you remain dissatisfied with the response to your request, you may submit a complaint to the Information Commissioner's Office (ICO). More advice on how to do this is available by contacting the ICO on its helpline number of 0303 123 1113.