

Understanding GDPR on placement

How is data about me used and shared?

Both the University and the placement providers have a legal obligation to ensure that the people involved in initial teacher education placements, or those working with vulnerable people, are suitable and do not pose a risk to those they will come into contact with. We therefore have a duty to ensure that appropriate steps are taken to verify that the people we place into this environment are both appropriate and capable of working in it.

The University shares information with placement providers so that they can make appropriate assessments of capability and, where required, reasonable adjustments to accommodate a student's individual needs. If we do not share relevant information, the placement provider cannot support a student's placement and for this reason processing does not require the consent of the individual. In addition, placement providers will share information with the University regarding student progress. Information is shared under the lawful basis provided under:

GDPR Articles 6 (1)

(b) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;

(e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;

GDPR Article 9 (2)

(b) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law in so far as it is authorised by Union or Member State law or a collective agreement pursuant to Member State law providing for appropriate safeguards for the fundamental rights and the interests of the data subject;

(g) processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject

UK Data Protection Act 2018

Schedule 1 Part 1 Para 1 – Employment, social security and social protection:

(1) (a) the processing is necessary for the purposes of performing or exercising obligations or rights of the controller or the data subject under employment law, social security law or the law relating to social protection

Data transfer and Security:

Both the University and placement providers will ensure that all personal data shared under this agreement will be kept secure and protected against unauthorised access, use or disclosure. If a placement provider becomes aware of any potential data breach of security which involves data supplied by the University, it must be raised with the University immediately.

Restrictions on the use of information:

The student personal data provided by the University to placement providers shall only be used for the purposes set out in this agreement. Student personal data shall not be passed to any third party by the provider or placement provider unless permitted by Data Protection legislation. The University will use personal data provided by the placement provider only for the purposes outlined in this agreement.

Both parties are responsible for complying with Data Protection legislation, including ensuring that all staff who have access to personal data are fully aware of the Data Protection principles.

Student Data Protection rights:

The university and placement provider are responsible for complying with the rights of students under applicable Data Protection legislation.

Retention of Information:

Personal data must only be kept for the length of time necessary to perform the processing for which it was collected. This applies to both electronic and non-electronic personal data. The University and placement provider will ensure that the student personal data specified in this agreement is destroyed once no longer needed.

Trainee access to and use of school data whilst on placement

All trainees will require access to personal pupil information whilst they are on placement. Trainees should be provided only with personal information that is relevant to their role as a trainee teacher within the class/es in which they are placed or to a specific assessment/task relevant to their training.

This information may include-

- Pupil progress records
- Medical and personal information

All schools must ensure that trainees are familiar with school GDPR policies.

Data Handling Advice for Trainees

THINK

Before you work with or use data think:

- What will I do with the data; will I be sharing it and where will it be kept? Does it need to be kept?
- How will I keep it safe? Don't leave information lying around. If away from your workspace, lock or shut down your computer and ensure hardcopy documents are not left out for others to see.

CHECK

Before you use, send by email or print information of any kind be clear about:

- Whether individuals who provided the data given their consent for it to be shared;
- How it will be used;
- Who will be able to access it or use it;
- Who it is going to and are they authorised to see it. If given in person check the recipient's ID;
- Whether any information is sensitive and should not be shared.

SECURE & SHARE

- Secure data or use passwords/encryption (inc. for portable drives & mobile devices).
- Avoid keeping individual passwords in places where others can see or get access to these. •

Take extra care when dealing with information that is confidential, sensitive or has copyright protection. If you are ever in any doubt do not share it.

- For storing your own data using online/cloud storage be careful. It is an offence to share data outside of the EEA without permitted safeguards. If you are in doubt do not use these services.

Emailing documents:

- Double check that email addresses are correct before sending, check any attachments/links before pressing send;
- Avoid sharing high/risk or confidential information e.g. personal data about individuals. When you receive an email with personal data, don't share it unless you have permission/it is required for work purposes;
- Where possible avoid emailing documents as attachments. If unavoidable ensure confidential documents sent are password protected/encrypted;
- Never email a password in the same email/message as the password protected document.

DISPOSE

Dispose of any information that you hold:

- Where the original purpose it was intended or used for has gone;
- When it is no longer needed.

This includes:

- Information stored on old equipment no longer used e.g. PC, laptop, tablet, mobile, etc.;
- Paper records with sensitive information (use a shredder or confidential waste bin);
- Old emails stored in your inbox.

Be Aware

Personal Information

- Always treat personal information with the utmost of care. Follow the policies of your school/setting
- Individuals can request all information held on them by an organisation for free, including any emails in which they are discussed. Always think carefully about what you write down/email.
- When uploading information to your e-Portfolio (PebblePad) avoid including personal information and data related to pupils. Take care when sharing the e-Portfolio link.

High Risk Data High risk/confidential information can be in the following forms:

- Printed – e.g. lists with names and/or addresses and phone numbers; purchase orders; CVs.
- Electronic – e.g. data/ mailing lists with names, addresses and/or phone numbers; student record information.

In the event of a data breach:

Please contact the university immediately if:

- a school/trainee believes that there has been a breach of data regarding personal information held by the school about a trainee on placement,

- a school/trainee believes that there has been a breach of data regarding personal pupil information held by the trainee

For further information, go to-

<https://www.northumbria.ac.uk/about-us/leadership-governance/vice-chancellors-office/legal-services-team/gdpr/>