



WREN'S NEST PRIMARY SCHOOL

Key Policy 2026-2027

Data Protection Policy

September 2026

Document to be read in conjunction with other key school policies

WREN'S NEST PRIMARY SCHOOL DATA PROTECTION POLICY

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1. Data Protection Policy for Schools

Wren's Nest Primary School is committed to ensuring that personal data is processed lawfully, fairly, securely, and transparently in accordance with UK GDPR, the Data Protection Act 2018, and the Data (Use and Access) Act 2025.

2. Legal Obligations

Recital 74 of the UK GDPR states:

"The controller should be obliged to implement appropriate and effective measures and be able to demonstrate the compliance of processing activities with the Regulation..."

Wren's Nest Primary School and its Governing Body adopt this policy to fulfil these obligations.

3. Data (Use and Access) Act 2025 (DUAA 2025)

The DUAA 2025 modernises existing data protection law. Key changes include:

- Clarifications on personal data use for research
- Updated rules on automated decision-making
- Allowing certain cookies without consent
- Restructuring the ICO as the Information Commission

4. Requirements for Schools under DUAA 2025

4.1 Handling Complaints

Wren's Nest Primary School must:

- Provide an electronic complaints form
- Acknowledge complaints within 30 days
- Respond without undue delay

4.2 Recognised Legitimate Interests

Routine systems such as ParentMail and Tucasi fall under Recognised Legitimate Interests. A bespoke LIA will be completed only where necessary.

4.3 Subject Access Requests (SARs)

Under Article 15(1A):

- Individuals are entitled only to information available following a reasonable and proportionate search
- Wren's Nest will determine what is reasonable in each case

5. Scope

Wren's Nest Primary School processes personal data relating to:

- Pupils
- Parents/carers
- Staff
- Volunteers
- Governors
- Visitors and contractors

Special Category Data

Includes:

- Ethnicity
- Religion/beliefs
- Health
- Biometric data
- Sexual orientation
- Trade union membership

The school will identify and document the lawful basis before processing.

Data Lifecycle Covered

- Collection
- Storage
- Use
- Transfer
- Disposal/destruction

The Governing Body recognises its duty to ensure confidentiality and security throughout.

6. Objectives

Wren's Nest Primary School will:

- Uphold individual rights
- Publish clear Privacy Notices
- Process only adequate, relevant, and limited data
- Maintain accuracy
- Apply strong technical and organisational security
- Ensure lawful data movement
- Provide appropriate access to personal information

7. Achieved By

The school will:

- Appoint a Senior Information Risk Owner (SIRO)
- Appoint a Data Protection Officer (DPO) – YourIG DPO Service

- Apply safeguards to all data-processing activities
- Include data protection clauses in all third-party contracts
- Provide mandatory staff training
- Restrict access to personal data appropriately
- Handle access requests courteously and lawfully
- Review this policy annually

Subject Access Request materials will be available in alternative formats where required.

8. AI and Data Protection

Wren's Nest Primary School recognises the risks associated with AI use (see Appendix 1) and will:

- Assess risks to individual rights
- Determine mitigation measures
- Ensure AI use aligns with UK GDPR and safeguarding
- Use risk assessment frameworks where appropriate

9. Supporting Guidance Documents

This policy is supported by:

- E-Safety Policy
- Generative AI Guidance
- Password Guidance
- Homeworking Guidance
- Protective Marking Guidance
- Information Asset Registers
- Security Incident Reporting Guidance

10. Version Control

Version	Review Date	Next Review	Notes
7.0	September 2026	September 2027	Updated for DUAA 2025

11. Further Information

YourIG Data Protection Officer Service Dudley MBC, The Council House Dudley, DY1 1HF Email: YourIGDPOService@dudley.gov.uk Tel: 01384 815026

12. Policies to Read Alongside the Data Protection Policy

These are the policies that typically intersect with data protection responsibilities in schools and should be referenced as supporting or related documents.

- Privacy Notice (Pupils, Parents, Staff)
- Retention Policy
- Information Security Policy
- Freedom of Information (FOI) Policy
- Home Working Policy
- Acceptable Use Policy (AUP) – Staff & Pupils
- Safeguarding & Child Protection Policy
- Staff Code of Conduct and Employee Conduct and Behaviour Policy
- Whistleblowing Policy

Appendix 1: Artificial Intelligence (AI) – Data Protection Considerations

Purpose and Scope

Applies to all staff, governors, and third-party providers using or interacting with AI tools and is reviewed annually. Covers:

- Generative AI
- Predictive analytics
- Automated marking/feedback
- AI features within digital platforms

Key Safeguards for Pupil Data

a. Age Restrictions

Pupils will not access AI tools with age ratings above their age (13+, 16+, 18+).

b. No Personal Data Shared with AI Models

AI systems must exclude identifiable pupil data and no pupil personal data will be entered into or shared with any AI model, including:

- Names
- Contact details
- Photos/videos
- Identifiable written work
- Behaviour data/Health/SEND/safeguarding information

GDPR Principles Applied to AI

- Lawfulness, fairness, transparency
- Purpose limitation and minimisation
- Accuracy and accountability
- Integrity and confidentiality

Staff must review all AI outputs before use.

Staff Responsibilities

Staff must:

- Use only approved AI tools
- Avoid entering personal/sensitive data
- Verify AI outputs
- Consult the DPO before adopting new AI tools

Third-Party AI Tools

Before adoption, the school will:

- Complete a DPIA
- Ensure data processing agreements
- Confirm data will not train external AI models unless anonymised

Automated Decision-Making

The school does not use AI to make decisions about individuals without human involvement.

Oversight

AI use is monitored by:

- The Data Protection Officer
- The Online Safety Lead