

DATA PORTABILITY PROCEDURE

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1 SCOPE

- 1.1** This procedure applies where a data subject exercises their right to data portability and applies to Focus School Dunstable and Northampton Campus (hereafter the school) to receive their data in order to reuse or transfer it to other data controllers.
- 1.2** Data subjects are entitled to ask:
 - 1.2.1** For a copy of the personal data they have provided to the school
 - 1.2.2** For the school to transmit the data to another data controller
- 1.3** Within the scope of this procedure is any personal data concerning the data subject that:
 - 1.3.1** he/she has provided to the data controller knowingly and actively, or through observations of his/her activities by virtue of the service of the school; and
 - 1.3.2** has been processed through automated means; and
 - 1.3.3** has been processed on the basis of the data subject's consent or a contract to which the data subject is a party.
- 1.4** This procedure will most commonly be used when transmitting data directly to another data controller.
- 1.5** This procedure also applies to circumstances when the school is the "receiving data controller". That is, when personal data from another data controller is received due to the data subject exercising their right to data portability. See clause 4 below.

2 POLICY

- 2.1** The school is responsible for transmitting the data without hindrance and ensures that it is transmitted with the appropriate level of security with encryption. The school should assess the specific risks linked with data portability and take appropriate risk mitigation measures.
- 2.2** The Data Protection Lead (DPL) is responsible for the application and effective working of this procedure.

3 PROCEDURE

- 3.1** The school informs data subjects of the existence of the new right to portability at the time where personal data is obtained.
- 3.2** Any request is immediately forwarded to the DPL to ensure that the requested data is provided/transmitted within the timeframe noted in 3.10 below.
- 3.3** The school chooses whether to request that the data subject provide evidence of their identity in a proportionate form depending on the nature of the request.
- 3.4** Where the data requested concerns a third party, the DPL reviews whether or not transmitting data to another data controller would cause harm to the rights and freedoms of other data subjects.
- 3.5** The data subject identifies the personal data that is to be transmitted or provided for their own use.
- 3.6** The DPL maintains a record of requests for data and of its receipt, including dates.
- 3.7** The school has set safeguards that ensure the personal data transmitted are only those that the data subject has requested to be transmitted.

- 3.8 The requested information is provided to the data subject in structured, commonly used and machine readable format that allows for the effective re-use of the data. The school retains a register of such file formats.
- 3.9 When transmitting data to another data controller, the school forwards the data in an interoperable format. In the event that technical impediments prohibit direct transmission, the school explains these impediments to the data subject(s).
- 3.10 The school provides the requested information within one month from the request date. If the request is complex, the school can extend this time frame to (maximum) three months. The school informs the data subject of the reasons for the delay within one month of the original request.
- 3.11 The request does not affect the original retention period that applies to the data that has been transmitted.

4 RECEIVING PERSONAL DATA

- 4.1 The school does not by default accept and process personal data received from another data controller following a personal data request nor does it retain all the data received.
- 4.2 The school only accepts and retains data that is necessary and relevant to the service being provided.
- 4.3 If data received contains third-party data, the school keeps the data under the sole control of the requested user. This data is only managed for their needs and not for other purposes of the school.
- 4.4 The school provides data subject(s) with information about the personal data relevant for the performance of their services, limiting risks posed to third parties and unnecessary duplication of personal data.

