

Atomix Educational Trust

Archive Policy

Version 1.1 2025

Introduction

In May 2018 the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA) became enforceable across the United Kingdom. Following the UK's departure from the European Union, this legislation continues to apply as UK GDPR.

As part of The Atomix Educational Trust (the Trust) programme to comply with data protection legislation, it has written a new suite of Information Governance policies.

This Archive Policy outlines how the Trust will maintain a record of its former students and staff in such a way as to comply with UK GDPR and DPA. The policy is based on compliance with Article 5 (the principles) and on Article 89 (safeguards and derogations), as enacted through Schedule 2, Part 6, Paragraph 28 of the DPA 2018.

This policy should be read in conjunction with the other policies in the Trust's Information Governance policy framework and particularly with the Records Management Policy, and the application of its retention schedule, from which this policy provides significant exceptions.

Purpose

The Trust wishes to create and preserve an organisational memory of its history, including its students and staff. This organisational memory is expected to contribute to the wider social memory of the communities which the Trust serves and reflects our commitment to equity as a foundational principle, ensuring diverse voices and experiences are preserved.

In general, records of students and staff are to be destroyed once their purpose is complete. However, the Trust wishes to maintain a record of its own history, and its role within the community, rather than simply forgetting those individuals completely, which is what would happen if the retention schedule is applied in full.

This policy sets out exceptions to that schedule. To remain compliant there are some criteria to apply which are set out below, covering the selection of data, and limits on how personal data found in the archive can be used.

Use of archive records

Uses for the archive might include:

- Historical displays by the Trust or community, perhaps when a significant anniversary occurs
- Loan of items to museums or other archives for their own displays or exhibitions
- Academic research into educational, social or other topics
- Reference to individuals if they become a focus of interest in the future (although subject to their reasonable expectations of privacy)

Any use of the archive will be constrained as follows:

- No unwarranted harm or distress should be caused to an individual by the inclusion or use of his or her data in the archive
- Where a purpose can be fulfilled using anonymous or pseudonymous data, then only anonymised or pseudonymised data will be disclosed
- Archive data must never be used to make decisions affecting particular individuals (e.g., employment decisions, student admissions, or automated profiling)

Anonymisation before further use or processing is the default, although it is likely very many uses (especially exhibitions and displays) will require fully identifiable data

Security and control of the archive

The archive will become another information asset and as such should be added to the information asset register.

Archive materials are maintained in secure storage (both physical and digital) with restricted access controls. Digital records are stored on the Trust's secure SharePoint environment with appropriate access permissions and backup procedures.

A Data Protection Impact Assessment (DPIA) has been completed for the archive processing activity and is reviewed every three years or when significant changes occur.

The Trust considers that its archive does fulfil a public interest in maintaining its own memory and that of the community. GDPR provides that an archive maintained in the public interest is not incompatible with the original purpose for which the data was collected.

Data subjects' rights

In general data subjects have the same rights over their data in the archive as anywhere else, though certain exemptions apply under Schedule 2, Paragraph 28 of the DPA 2018. The information asset owner will decide how to respond to requests to exert those rights.

Right to be informed: reference to this policy will be included in relevant privacy notices.

Subject access: there is no need to search for or disclose data held only in the archive in response to a subject access request if to do so would require disproportionate effort.

Erasure: as the archive is maintained in the public interest, erasure will usually be refused unless a compelling case for it is made. However, the Trust will grant erasure requests where:

- A compelling case demonstrates that retention would cause substantial harm or distress
- Safeguarding concerns require removal
- The material has no genuine archival or public interest value
- Retention would be incompatible with the Trust's values of Care & Compassion

Note that although data subjects may have been children when their data was collected this was not for the purpose of online ("information society") services, nor in reliance on their consent.

Rectification and restriction: similar exemptions apply where compliance would prevent or seriously impair archiving purposes. The Trust will consider adding supplementary notes to records or providing context where factual disputes exist rather than altering original materials.

Safeguarding considerations

Special care must be taken when archive materials involve children, young people, or individuals who may have been vulnerable during their time at the Trust. The Trust's Designated Safeguarding Lead must be consulted before any public use of archive materials involving individuals who were minors at the time, to ensure:

- Images do not pose modern safeguarding risks
- Appropriate contextual information is provided
- Consent status is confirmed

Third-party access

Academic or community researchers requesting archive access must submit a written application demonstrating:

- They cannot reasonably use anonymised data
- Processing will not cause substantial damage or distress to individuals
- Data will not be used for decision-making affecting individuals
- Appropriate data security measures are in place

All third-party access requires approval from the Information Asset Owner and signing of a data sharing agreement.

References

UK General Data Protection Regulation (UK GDPR) Article 5(1)(e): non-retention of personally identifiable data

UK GDPR Article 89 (Safeguards and derogations relating to processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes) and recitals 26, 29, 33, 50, 60, 61, 62, 75, 78, 156

DPA 2018, Schedule 2, Part 6, Paragraph 28, which provides further safeguards and restrictions. In particular, this means those wishing to use personal data from the archive must:

- Be able to demonstrate why they cannot use anonymised data.
- Consider whether they could use pseudonymisation to make it more difficult to link the personal data back to specific individuals.
- Be able to demonstrate that the processing is not likely to cause substantial damage or distress to individuals.
- Not use the data to take any action or make decisions in relation to the individuals concerned (unless carrying out approved medical research as defined in section 19(4) of the DPA 2018); and
- Consider other appropriate safeguards and security measures.

Information Commissioner's Office guidance on storage limitation and archiving

The National Archives' Guide to Archiving Personal Data

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