



DOWNSELL PRIMARY SCHOOL

DATA PROTECTION POLICY

September 2015



At Downsell Primary School we aim to provide a safe, caring and stimulating environment, which offers opportunities:-

- For everyone within the school to reach their full potential and develop self worth, self confidence, the ability to take responsibility for their own individual actions and resilience.
- For everyone within the school to have a sense of wonder, an enthusiasm for learning and help children to develop as independent thinkers and learners with enquiring minds.
- To encourage and develop a respect and understanding for others.
- To develop all partnerships, small and large, from the individual parent to the wider community and beyond to support children's learning.
- To give children access to a broad and balanced creative curriculum to attain the highest possible standards in relation to prior attainment through assessment and learning.

Equal opportunities

At Downsell Primary school we believe that every child is entitled to equal access to a broad and balanced engaging curriculum, regardless of race, gender, class or disability. We positively celebrate diversity and difference.

Inclusion

- We are committed to promoting a learning and teaching environment for all that embeds the values of inclusive educational practices.
- We aim, through a child centred approach, to ensure that education is accessible and relevant to all our learners, to respect each other and to celebrate diversity and difference.

Data Protection Policy

Downsell Primary School is required to keep certain information about its staff, pupils, parents and other users. This information is gathered in order to enable it to provide education and other associated functions. In addition, there may be a legal requirement to collect and use information to ensure that the school complies with its statutory obligations.

Schools have a duty to be registered, as Data Controllers, with the Information Commissioner's Office (ICO) detailing the information held and its use. These details are then available on the ICO's website. Schools also have a duty to issue a Fair Processing Notice to all pupils/parents, which summarises the information held on pupils, why it is held and the other parties to whom it may be passed on.

Purpose

This policy is intended to ensure that personal information is dealt with correctly and securely and in accordance with the Data Protection Act 1998, and other related legislation. It will apply to

information regardless of the way it is collected, used, recorded, stored and destroyed, and irrespective of whether it is held in paper files or electronically.

All staff involved with the collection, processing and disclosure of personal data will be aware of their duties and responsibilities by adhering to these guidelines.

What is Personal Information?

Personal information is defined as data, which relates to a living individual who can be identified from that data, or other information held.

Data Protection Principles

The Data Protection Act 1998 establishes enforceable principles that must be adhered to at all times. These state that personal data shall:

- Be obtained and processed fairly and lawfully and shall not be processed unless certain conditions are met.
- Be obtained for a specific and lawful purpose and shall not be processed in any manner incompatible with that purpose.
- Be adequate, relevant and not excessive for that purpose.
- Be accurate and kept up to date.
- Not be kept for longer than is necessary for that purpose.
- Be processed in accordance with the data subject's rights.
- Be kept safe from unauthorised access, accidental loss or destruction.

General Statement

The school is committed to maintaining the above principles at all times. Therefore the school will:

- Inform individuals why the information is being collected when it is collected
- Inform individuals when their information is shared, and why and with whom it was shared
- Check the quality and the accuracy of the information it holds
- Ensure that information is not retained for longer than is necessary
- Ensure that when obsolete information is destroyed that it is done so appropriately and securely
- Ensure that clear and robust safeguards are in place to protect personal information from loss, theft and unauthorised disclosure, irrespective of the format in which it is recorded
- Share information with others only when it is legally appropriate to do so
- Set out procedures to ensure compliance with the duty to respond to requests for access to personal information, known as Subject Access Requests
- Ensure staff are aware of and understand our policies and procedures

Areas of Responsibility

The Governing Body is responsible for the implementation of the Data Protection Policy. Designated Data Controllers will be responsible for the day-to-day management of data protection matters. The Head Teacher and Office Staff are Designated Data Controllers.

All staff are responsible for:

- Checking that any information that they provide to the school in connection with their employment is accurate and up to date.
- Informing the school of any changes to information that they have provided e.g. change of address, either at the time of appointment or subsequently. The school cannot be held responsible for any errors unless the staff member has informed the school of such changes.

Processing Sensitive Information

It may be necessary to process information, for example, about a person's health, criminal convictions or race. This may be to ensure that the school is a safe place for everyone or to operate other school policies, such as the Sick Pay Policy or the Race Equality Policy. This information is considered sensitive under the 1998 Act and, therefore, staff will be asked to give their express consent for the school to process this data.

Retention of Data

The school has a duty to retain some staff and pupil personal data for a period of time following their departure from the school, mainly for legal reasons but also for other purposes such as being able to provide references. Different categories of data will be retained for different periods of time.

Rights to Access Information

Under the Data Protection Act 1998 any individual has the right to make a request to access the personal information held about them (a subject access request).

Requests for information must be made in writing, which includes, email, to the Head Teacher. If the initial request does not clearly identify the information required, then further enquiries will be made.

The identity of the requester must be established before the disclosure of any information, and checks should also be carried out regarding proof of relationship to the child.

Third party information is that which has been provided by another, such as the police, LA, health care professional or another school. Before disclosing third party information, consent should normally be obtained.

Any information which may cause serious harm to the physical or mental health or emotional condition of a pupil or another should not be disclosed, nor should information that would reveal that the child is at risk of abuse or information relating to court proceedings.

If there are concerns over the disclosure of information, then additional advice should be sought.

Where redaction (information blacked out/removed) has taken place, then a full copy of the information provided should be retained in order to establish, if a complaint is made, what was redacted and why.

Information disclosed should be clear, with any codes or technical terms clarified and explained. If information contained within the disclosure is difficult to read or illegible, then it should be re-typed.

Information can be provided at the school with a member of staff on hand to help and explain matters if requested or provided at a face to face handover.

Complaints

Complaints will be dealt with in accordance with the school's complaints policy.

Conclusion

Compliance with the 1998 Act is the responsibility of all members of the school. Any deliberate breach of the Data Protection Policy may lead to disciplinary action being taken.

Review

This policy will be reviewed as it is deemed appropriate but no less frequently than every two years. The policy review will be undertaken by the Head Teacher, or nominated governing body representative.

Date of next review: September 2017