

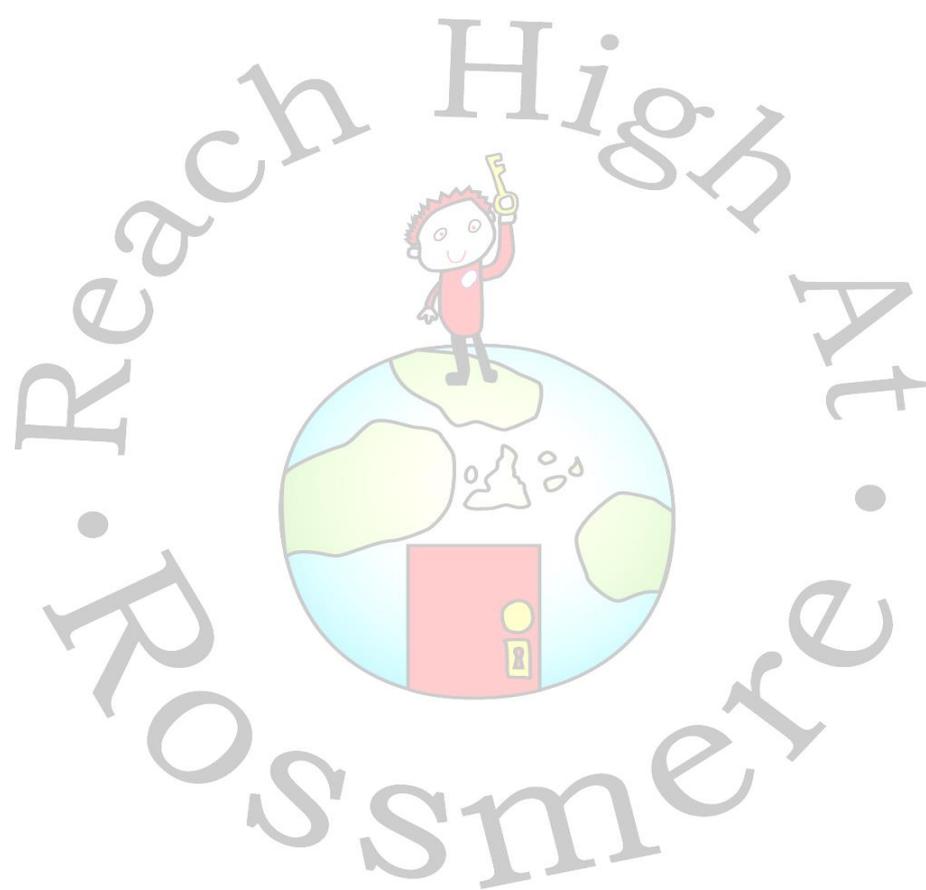
Data Protection



ADOPTED BY THE GOVERNING BODY

Autumn 2016

Policy Number 26



Data Protection

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Rossmere Primary School does comply with:

- The terms of the 1998 Data Protection Act, and any subsequent relevant legislation, to ensure personal data is treated in a manner that is fair and lawful.
- Advice and guidance will be sought from the Hartlepool Borough Councils Child and Adult department and their Local Authority Data protection Policy
- Information and guidance displayed on the Information Commissioner's website (www.dataprotection.gov.uk).

Principles of the DPA that Rossmere Primary School Comply with

First Principle

Process Personal Data Fairly

The first principle of the DPA requires that School process's personal data fairly and lawfully. To ensure the processing is fair we must be transparent about how we intend to use the data. It is good practice at Rossmere Primary School to include the privacy notice on our school website (<http://rossmereschool.org.uk>) and any forms that we use to collect data. These always clearly explain the reasons for using the data, including any disclosures.

Second Principle

Not to Process Information that is 'incompatible'

The second principle of the DPA requires that you do not process personal data in any manner that is 'incompatible' with your specified purposes.

At Rossmere Primary School if we need to use personal data for a new or different reason, that was not anticipated at the time of collection, we always consider whether this would be fair. In practice, we would often need to get prior consent to use or disclose personal data for a purpose that is additional to, or different from, the purpose you originally obtained it for.

Third Principle

Data is Adequate

The third principle of the DPA requires that personal data is adequate, relevant and not excessive for our schools purposes. In practice, this means that Rossmere Primary School (should) avoid collecting data without a legitimate business (educational) reason and collect only the minimum required to meet the purposes we need it for and which are specified in our privacy notice. Following the ICO (Information Commissionaires Office) a **PIA** (Privacy Impact Assessment) screening template will be used to identify if there is a need for a project.

Fourth Principle

Data Accurate

The fourth principle requires that personal data is accurate and, where necessary, kept up-to-date. Personal data is inaccurate if it is factually incorrect or misleading. When school identifies any inaccurate data, we make sure we update the records accordingly. Rossmere Primary School regularly reviews information to identify when we need to do things like correct inaccurate records, remove irrelevant ones and update out-of-date ones. Records management policies, with rules for creating and keeping records (including emails) can help.

Fifth Principle

Retention and Disposal

The fifth principle of the DPA requires that personal data should not be kept for longer than necessary.

Record Keeping:

- Financial records – governors have agreed to follow the Local Authority financial scheme (7 years and the financial year we are in)
- Delete any anonymise personal data as soon as it becomes surplus to requirements
 1. Recruitment – interview process – 6 months
 2. Staff records – 25 years

- Governing Body minutes are kept for 7 years including the academic year we are in
- First Aid records – 25 years
- Pupil's records – these will transfer with migrating pupils. Records will be kept for

Disposal of Records

- A record of when various categories of data are disposed
- Secure methods of disposal:
 - I. Shredding of documents in a cross shredder
 - II. Electronic devices wiped (Refer to **Online Safety Acceptable Use Policy for Adults.**)

Sixth Principle

Responding to Access Requests

The sixth principle of the DPA requires that personal data is processed in accordance with individual rights under the DPA. Rossmere Primary School will recognise and respond to any individual requests or notices in line with our legal obligations.

The most significant of these is the right of access, which gives anyone you hold personal data about the right to request, to see and obtain a copy of the information. Anyone wishing to access their personal data must make a request through Rossmere Primary Schools **Complaints and Concerns Policy and Procedures** document and a response will be made within statutory timescales.

Seventh Principle

Security Policy

The seventh principle of the DPA requires that personal data is protected by appropriate security measures. Before you can decide what level of security is right for your business you will need to assess the risks to the personal data you hold and choose the security measures that are appropriate to your needs.

At Rossmere Primary School

Outsource the processing of personal data you will still remain responsible for the data under the DPA.

The seventh principle of the DPA requires that you choose an organisation that provides sufficient guarantees about how it will protect the data, and ensure written and enforceable contracts are in place setting out information security conditions.

Eighth Principle

Outsourcing

The eighth principle of the DPA requires that you ensure there is an adequate level of protection for personal data transferred to a country or territory outside the European Economic Area. You should consider whether outsourcing involves the transfer of data overseas and whether the recipient will provide adequate protection. You are likely to make such transfers if you use hosted services (including cloud computing solutions) that are based overseas.

Policies

- This policy should be used in conjunction with the school's **Online Safety Acceptable Use Policy for Adults.**
- This policy will be included in the schools policies list to review.

Data Gathering

- All personal data relating to staff, pupils or other people with whom we have contact, whether held on computer or in paper files, are covered by the Act.
- Only relevant personal data may be collected and the person from whom it is collected should be informed of the data's intended use and any possible disclosures of the information that may be made.

Data Storage

- Personal data will be stored in a secure and safe manner in line with the schools Online Safety Acceptable Use Policy for Adults.
- Electronic data will be protected by firewall systems and passwords operated by the school.
- Computer workstations in administrative areas will be positioned so that they are not visible to casual observers waiting either in the office or at the reception area.
- Manual data will be stored where it not accessible to anyone who does not have a legitimate reason to view or process that data.
- Particular attention will be paid to the need for security of sensitive personal data.

Data Checking

- The school will issue regular reminders to staff and parents to ensure that personal data held is up-to-date and accurate.
- Any errors discovered would be rectified and, if the incorrect information has been disclosed to a third party, any recipients informed of the corrected data.

Data Disclosures

- Personal data will only be disclosed to organisations or individuals for whom consent has been given to receive the data, or organisations that have a legal right to receive the data without consent being given.
- When requests to disclose personal data are received by telephone it is the responsibility of the school to ensure the caller is entitled to receive the data and that they are who they say they are. It is advisable to call them back, preferably via a switchboard, to ensure the possibility of fraud is minimised.
- If a personal request is made for personal data to be disclosed it is again the responsibility of the school to ensure the caller is entitled to receive the data and that they are who they say they are. If the person is not known personally, proof of identity should be requested.
- Requests from parents or children for printed lists of the names of children in particular classes, which are frequently sought at Christmas, should politely refused as permission would be needed from all the data subjects contained in the list. (Note: A suggestion that the child makes a list of names when all the pupils are present in class will resolve the problem.)
- Personal data will not be used in newsletters, websites or other media without the consent of the data subject.
- Routine consent issues will be incorporated into the school's pupil data gathering sheets, to avoid the need for frequent, similar requests for consent being made by the school.
- Personal data will only be disclosed to Police Officers if they are able to supply a WA170 form which notifies of a specific, legitimate need to have access to specific personal data..
- A record should be kept of any personal data disclosed so that the recipient can be informed if the data is later found to be inaccurate.

Subject Access Requests

- If the school receives a written request from a data subject to see any or all personal data that the school holds about them this should be treated as a Subject Access Request and the school will respond within the 40 day deadline.
- Informal requests to view or have copies of personal data will be dealt with wherever possible at a mutually convenient time but, in the event of any disagreement over this, the person requesting the data will be instructed to make their application in writing and the school will comply with its duty to respond within the 40 day time limit.

Data Protection Information

- Data Protection statements (Privacy Notice) will be on the school website (policies) and on any forms that are used to collect personal data.

Privacy Notices

- The first principle of the DPA (Data Protection Act) requires that school process personal data fairly and lawfully. To ensure the processing is fair we are transparent about how we intend to use the data. Rossmere Primary School follows good practice by including a privacy notice on our school website and at the beginning of the new school year when collecting school data and in packs for new starters. The privacy notice clearly explains the reasons for using the data, including any disclosures.

Management and Responsibilities

- Ann Swan and Charlotte Rennie have the day-to-day responsibility for developing, implementing and monitoring the data protection policy. Lynne Pawley (Headteacher) leads the management/co-ordination of data protection.

Education and Awareness

- Staff, receive regular communication of key messages and sign to confirm they have read and understood the Rossmere Primary School Data Protection policy annually. The appropriate staff who may deal with data security breaches will be updated/briefed regarding the handling of personal data on their data protection responsibilities. Specialist training for staff with specific duties, such as marketing, information security and database management, will be considered for additional training. Regular communication of key messages are distributed to help reinforce/update training and maintain awareness (for example, intranet articles, circulars, team briefings, training sessions and posters).

Privacy impact assessments

Rossmere Primary School will build in/factor privacy considerations at the start of projects or initiatives that involve the processing of personal data. Thinking about privacy early on will reduce risks and avoid costly changes at a later date. It is good practice to conduct privacy impact assessments (PIA) during the development, testing and delivery stages of any project.

Policy

This policy clearly sets out Rossmere Primary Schools business's approach to data protection together with responsibilities for implementing the policy and monitoring compliance. The policy is approved by management, published and communicated to all staff. The policy is also reviewed and updated at planned intervals or when required to ensure it remains relevant.

Review

As part of a one year rolling programme this policy will be reviewed in **Autumn 2017**.

Reviewed Headteacher.