



KENSWORTH PRIMARY SCHOOL

DATA PROTECTION POLICY & PRIVACY NOTICES

KPS-007

This Policy exists to cover the following areas

- To ensure that personal information held by the school is stored securely, and remains confidential
- To ensure, in respect of all communications and other use of personal information, that confidentiality is maintained at all times
- To ensure that all staff and governors abide by the policy principles

The policy should be read in conjunction with the Human Rights Act, the Data Protection Act, the Child Protection & Safeguarding Policy, the School Teachers Pay and Conditions Document, LA Personnel Manual, the Equal Opportunities and Race Equality Policy, the Inclusion Policy and the Monitoring and Evaluation Policy.

Agreed by	The Full Governing Body
Signed	x <u>Anthony Todd</u> Anthony Todd (Chair of Governors)
Date	5th December 2016
Next Review Date	July 2018



Introduction

The Data Protection Act 1998 is the law that protects personal privacy and upholds individual's rights. It applies to anyone who handles or has access to people's personal data.

This policy is intended to ensure that personal information is dealt with properly and securely and in accordance with the Data Protection Act. It will apply to information regardless of the way it is used, recorded and stored and whether it is held in paper files or electronically.

Scope of the Policy

Personal information is any information that relates to a living individual who can be identified from the information. This includes any expression of opinion about an individual and intentions towards an individual. It also applies to personal data held visually in photographs or video clips (including CCTV) or as sound recordings.

The School collects a large amount of personal data every year including: staff records, names and addresses of those requesting prospectuses, examination marks, references, fee collection as well as the many different types of research data used by the School. In addition, it may be required by law to collect and use certain types of information to comply with statutory obligations of Local Authorities (LAs), government agencies and other bodies.

The Eight Principles of the Data Protection Act

The Act is based on eight data protection principles, or rules for 'good information handling'.

1. Data must be processed fairly and lawfully.
2. Personal data shall be obtained only for one or more specific and lawful purposes.
3. Personal data shall be adequate, relevant and not excessive in relation to the purpose(s) for which they are processed.
4. Personal data shall be accurate and where necessary kept up to date.
5. Personal data processed for any purpose(s) shall not be kept for longer than is necessary for that purpose.
6. Personal data shall be processed in accordance with the rights of data subjects under the 1998 Data Protection Act.
7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
8. Personal data shall not be transferred to a country outside the EEA, unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.



Our Responsibilities

We must:

- Manage and process personal data properly
- Protect the individual's right to privacy
- Provide an individual with access to all personal data held on them.

The school has a legal responsibility to comply with the Act. The school, as a corporate body, is named as the Data Controller under the Act.

Data Controllers are people or organisations who hold and use personal information. They decide how and why the information is used and have a responsibility to establish workplace practices and policies that are in line with the Act.

The school is required to 'notify' the Information Commissioner of the processing of personal data annually. This information will be included in a public register which is available on the Information Commissioner's website at the following link:

http://www.ico.gov.uk/what_we_cover/promoting_data_privacy/keeping_the_register.aspx

Every member of staff that holds personal information has to comply with the Act when managing that information.

The school is committed to maintaining the eight principles at all times. This means that the school will:

- inform Data Subjects why they need their personal information, how they will use it and with whom it may be shared. This is known as a Privacy Notice.
- check the quality and accuracy of the information held
- apply the records management policies and procedures to ensure that information is not held longer than is necessary
- ensure that when information is authorised for disposal it is done appropriately
- ensure appropriate security measures are in place to safeguard personal information whether that is held in paper files or on a computer system
- only share personal information with others when it is necessary and legally appropriate to do so
- set out clear procedures for responding to requests for access to personal information known as subject access in the Data Protection Act
- train all staff so that they are aware of their responsibilities and of the schools relevant policies and procedures

This policy will be updated as necessary to reflect best practice or amendments made to the Data Protection Act 1998.



Please follow this link to the ICO's website (www.ico.gov.uk) which provides further detailed guidance on a range of topics including individuals' rights, exemptions from the Act, dealing with subject access requests, how to handle requests from third parties for personal data to be disclosed etc. In particular, you may find it helpful to read the Guide to Data Protection which is available from the website.

Privacy Notices

How we use pupil information

We collect and hold personal information relating to our pupils and may also receive information about them from their previous school, local authority and/or the Department for Education (DfE). We use this personal data to:

- support our pupils' learning
- monitor and report on their progress
- provide appropriate pastoral care; and
- assess the quality of our services

This information will include their contact details, national curriculum assessment results, attendance information, any exclusion information, where they go after they leave us and personal characteristics such as their ethnic group, any special educational needs they may have as well as relevant medical information.

We will not give information about our pupils to anyone without your consent unless the law and our policies allow us to do so. If you want to receive a copy of the information about your son/daughter that we hold, please contact:

- The office manager.

We are required, by law, to pass certain information about our pupils to our local authority (LA) and the Department for Education (DfE).

DfE may also share pupil level personal data that we supply to them, with third parties. This will only take place where legislation allows it to do so and it is in compliance with the Data Protection Act 1998.

Decisions on whether DfE releases this personal data to third parties are subject to a robust approval process and are based on a detailed assessment of who is requesting the data, the purpose for which it is required, the level and sensitivity of data requested and the arrangements in place to store and handle the data. To be granted access to pupil level data, requestors must comply with strict terms and conditions covering the confidentiality and handling of data, security arrangements and retention and use of the data.



For more information on how this sharing process works, please visit:

<https://www.gov.uk/guidance/national-pupil-database-apply-for-a-data-extract>

For information on which third party organisations (and for which project) pupil level data has been provided to, please visit: <https://www.gov.uk/government/publications/national-pupil-database-requests-received>

If you require more information about how the Local Authority (LA) and/or DfE store and use this data please contact the following departments:

- The Local Authority, Information and Records Officer, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ; tel: 0300 300 8000
- Public Communications Unit, Department for Education, Castle View House, East Lane, Runcorn, Cheshire, WA7 2GJ website: www.education.gov.uk tel: 0370 000 2288

How we use school workforce information

We process personal data relating to those we employ to work at, or otherwise engage to work at, our school. This is for employment purposes to assist in the running of the and/or to enable individuals to be paid. The collection of this information will benefit both national and local users by:

- improving the management of workforce data across the sector
- enabling development of a comprehensive picture of the workforce and how it is deployed
- informing the development of recruitment and retention policies
- allowing better financial modelling and planning
- enabling ethnicity and disability monitoring; and
- supporting the work of the School Teachers' Review Body

This personal data includes identifiers such as names and National Insurance numbers and characteristics such as ethnic group, employment contracts and remuneration details, qualifications and absence information.

If you want to receive a copy of the information about your son/daughter that we hold, please contact:

- The office manager.

We will not share information about you with third parties without your consent unless the law allows us to. We are required, by law, to pass on some of this personal data to:

- our local authority
- the Department for Education (DfE)



If you require more information about how the Local Authority (LA) and/or DfE store and use this data please contact the following departments:

- The Local Authority, Information and Records Officer, Central Bedfordshire Council, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ; tel: 0300 300 8000
- Public Communications Unit, Department for Education, Castle View House, East Lane, Runcorn, Cheshire, WA7 2GJ website: www.education.gov.uk tel: 0370 000 2288