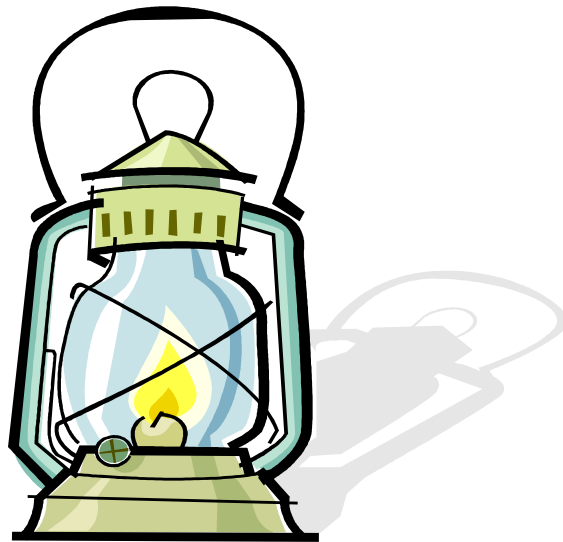




# *DATA PROTECTION POLICY*



Spring 2017



*“Shine like a lantern in the presence of the Lord.”*

## CONTENTS

The Data Controller & Designated Data Controllers .....	3
The Information Commissioner’s Office (ICO).....	3
Responsibilities of Staff.....	4
Data security .....	4
Rights to Access Information.....	5
Subject Access Requests.....	6
Charges for Information.....	6
Data Disclosures .....	6
Subject Consent .....	7
Processing Sensitive Information.....	7
Retention of Data.....	7
Taking Photos in schools .....	7
Freedom of Information.....	7
APPENDIX 1 - PRIVACY NOTICE (PUPILS and WORKFORCE).....	8
APPENDIX 2 - CHARGES FOR ACCESSING PERSONAL INFORMATION .....	10
APPENDIX 3 - Guide to Information available under the Publication Scheme.....	11

<b>Name of School</b>	<b>St Bede’s Catholic Primary School and Nursery</b>
<b>Policy review Date</b>	<b>Spring 2017</b>
<b>Agreed by Governing Body</b>	<b>2<sup>nd</sup> March 2017</b>
<b>Date of next Review</b>	<b>Autumn 2019</b>
<b>Who reviewed this policy?</b>	<b>Patricia Lawlor, School Business Manager &amp; Gary Nott, Headteacher</b>

## INTRODUCTION

This Policy should be read in conjunction with the School's Online Safety, Computing and Safeguarding and Child Protection (including PREVENT) Policies.

The School will comply with:

1. 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.
2. Information and guidance displayed on the Information Commissioner's website [www.ico.org.uk](http://www.ico.org.uk) or [www.gov.uk/data-protection](http://www.gov.uk/data-protection)

This policy is a statement of the aims of the School for ensuring confidentiality of sensitive information relating to staff, pupils, parents and governors. The objectives of this policy, intended for all school staff including Governors, are to

- Ensure the protection of confidentiality, integrity and availability of school information and assets
- Ensure all users are aware of and fully comply with all relevant legislation, and
- Ensure all staff understand the need for information and ICT security and what their own responsibilities are in this respect.

St Bede's needs to process and keep certain information about its employees, pupils and other users. Schools are legally obliged to protect that information. Under the Data Protection Act, we must

- Only collect information that we need for a specific purpose
- Keep it secure
- Ensure it is relevant and up to date
- Only hold as much as we need, and only for as long as we need it; and
- Allow the subject of the information to see it on request.

St Bede's School and all staff or others who process or use personal information must ensure they follow these principles at all times. In order to ensure this happens St Bede's have developed this Data Protection Policy.

All staff or others who process or use personal information must ensure that they follow these principles at all times.

### **The Data Controller & Designated Data Controllers**

The School is the Data Controller under the 1998 Data Protection Act, as we hold and manage personally identifiable information. The Governing Body is therefore responsible for implementation. However, the Designated Data Controller(s) will deal with day to day matters.

### **The Information Commissioner's Office (ICO)**

The Information Commissioner's Office (ICO) is the UK's independent public authority set up to uphold information rights. Notification with the Information Commissioner's Office is a statutory requirement and every organisation that processes personal information must notify the ICO, unless they are exempt.

The ICO promotes good practice, rules on complaints, provides information to individuals and organisations and takes appropriate action when the law is broken. The ICO has the power to prosecute, issue enforcement notices, instruct enforcement notices, and instruct organisations to sign undertakings and to issue fines.

Any member of staff, parent or other individual who considers that the Policy has not been followed in respect of personal data about themselves or their child should raise the matter with the Head teacher in the first instance.

### **Responsibilities of Staff**

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.

If and when, as part of their responsibilities, staff collect information about pupils or other people they must comply with the guidelines set out in this Policy.

### **Data security**

All staff or other individuals are responsible for ensuring that –

- All personal data relating to staff, pupils or others that we have contact with, whether held on computer or in paper files, is covered by the Act and must be held securely
- Personal information is not disclosed either orally or in writing or via web pages or by other means, accidentally or otherwise, to any unauthorised third party.

Personal information should -

- Be stored in a safe and secure manner ie. locked in a filing cabinet, drawer or safe etc.,
  - If computerised, be coded, encrypted or password protected on a local hard drive or on a network drive, regularly backed up; and
  - If a copy is kept on a removable storage media i.e. USB stick, that media must be encrypted and kept locked away
  - Computer workstation screens, particularly in administrative areas, should be positioned so that they are not visible to casual or unauthorised observers waiting in the office, at reception or in other parts of the school
  - Not be left on printers, computer screens or on desk tops while you are away from your desk; you can temporarily lock your computer screen so that no one can see the information, by pressing the Windows and the 'L' keys at the same time. You re-enter your password to later unlock the screen and continue using it
  - Not be sent via email or post without suitable security measures being applied e.g. recorded delivery for post or schools to schools website for electronic transfer of data
  - Manual data will be stored where it is 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
- Records or equipment must be disposed of properly i.e. paper copies to be shredded or disposed of through the confidential waste collection service or disks or other media destroyed. Make sure personal information cannot be retrieved from them

### **Strategic and operational practices**

At this school:

- The Head Teacher is the Senior Information Risk Officer (SIRO).
- We ensure staff know to immediately report any incidents where data protection may have been compromised so that relevant action(s) can be taken.
- All staff are DBS checked and records are held in one central record

- We ensure all staff sign an Acceptable User Agreement form (this is detailed in the Online Safety Policy) which makes clear all responsibilities and expectations with regard to data security.
- We have approved educational web filtering across our wired and wireless networks. We also have an additional layer of monitoring software across our network system (currently Impero).
- We follow local authority guidelines for the transfer of any data, such as MIS data or reports of children, to professionals working in the Local Authority or their partners in Children's Services / Family Services, Health, Welfare and Social Services.
- All staff have their own unique username and private passwords to access school systems. Staff are responsible for keeping their passwords secure.
- We require staff to change their passwords in accordance with the requirements of the secure system being used e.g. RM Integrus, School Admissions Module (SAM) etc.
- We require that any Protect and Restricted material must be encrypted if the material is to be removed from the school, and limit such data removal. We have an approved remote access solution so staff can access sensitive and other data from home, without need to take data home.
- School staff who set up usernames and passwords for e-mail, network access, <Learning Platform and online Services > access are working within the approved system and follow the security processes required by those systems.
- We ask staff to undertake house-keeping checks periodically to review, remove and destroy any digital materials and documents which need no longer be stored.

#### **Technical or manual solutions**

- Staff have secure area(s) on the network to store sensitive documents or photographs>.
- We require staff to lock their computers when leaving them unattended, otherwise they should log out of systems.
- We use Ericom for remote access into our systems.
- We use the DfE S2S site to securely transfer CTF pupil data files to DfE / other schools.
- We use the Pan-London Admissions system to review admissions data.
- We use LGfL AutoUpdate for creation of online user accounts for access to broadband services.
- We store any Protect and Restricted written material in lockable storage cabinets in a lockable storage area.
- All servers are in lockable locations and managed by DBS-checked staff.
- We comply with the WEEE directive on equipment disposal, by using an approved disposal company for disposal of IT equipment. For systems, where any protected or restricted data has been held, (such as servers, photocopiers), we get a certificate of secure deletion.
- Portable equipment loaned by the school (for use by staff at home), where used for any protected data, <is disposed of through the same procedure>.
- Paper based sensitive information is shredded or disposed of via the Borough's confidential waste collection service.

#### **Rights to Access Information**

All staff, parents and other users are entitled to:

- Know what information the School holds and processes about them or their child and why

- Know how to gain access to it
- Know how to keep it up to date and know what the School is doing to comply with the obligations under the 1998 Data Protection Act.

Parents of pupils have a right to see their personal information. They can make a subject access request to see the personal information the School holds about them. Parents of pupils also have the right to see their educational records.

One of the requirements of the Data Protection Act's fair processing provisions is that certain information is given to individuals concerned. The oral or written statement that individuals are given when information about them is collected is often called a "privacy notice" or a "fair processing notice".

Schools can choose to provide the privacy notices in a range of formats i.e. in writing or on the school website. The privacy notice for St Bede's is included in new starter packs and is also available on the school website. (Copy attached at appendix 1)

The School will, on request, provide all staff, parents and other users with a statement regarding the personal data held about them. This will state all the types of data the School holds and processes about them and the reasons for which they are processed.

### **Subject Access Requests**

All staff, parents and other users have the right under the 1998 Act to access certain personal data being kept about them or their child either on computer or in certain files. Any person who wishes to exercise this right should complete the Subject Access Request form and submit it to the Designated Data Controller.

If the School receives a written request from a data subject to see all or any personal data that the school holds about them then this should be treated as a Subject Access request.

The School aims to comply with requests for access to personal information as quickly as possible but will ensure that it is provided within 40 days, as required by the 1998 Act. For all requests for information from an educational record the school will reply within the 15 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 information will be instructed to make their application in writing and the School will comply with it's duty to reply promptly within the 40 day time limit.

### **Charges for Information**

For subject access requests that include information from the education record the school may levy a charge as per the ICO charge table (see appendix 2).

For all other requests that do not include the education record, the School will make a maximum charge of £10 on each occasion that access is requested (although the School has the discretion to waive this).

To view the education record will be free of charge.

### **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 to ensure the possibility of fraud is minimised. For clarity it is preferable for such requests to be made in writing, by email or fax. Make sure that any data shared will be kept secure.

If a personal request for 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, satisfactory proof of identity must be requested.

Requests from parents for printed lists of the names of children in their child's class (often at Christmas) should be politely refused.

Personal data will not be used in newsletters, websites or other media without the consent of the data provider.

Routine consent issues will generally be incorporated into pupil information sheets, to avoid the need for frequent and/or repeated requests for consent being made by the school.

Police Officers requesting personal data should first be able to supply form WA170 which notifies of a specific, legitimate need to have access to specific personal data.

### **Subject Consent**

In many cases, the School can only process personal data with the consent of the individual. In some cases, if the data is sensitive as defined in the 1998 Act an express consent must be obtained. Agreement to the School processing some specified cases of personal data is a condition of acceptance of employment for staff. This includes information about previous criminal convictions.

The School has a duty under certain legislation to ensure that staff are suitable for any job within the school environment as appointment to a post will bring them into direct contact with children. The School has a duty of care to all and pupils and must therefore make sure that all employees and those who use school facilities do not pose a threat or danger to others. The School may also ask for information about particular health needs such as allergies, or any medical conditions such as asthma or diabetes. The School will only use this information in the protection of the health and safety of the individual, but will need consent to process this data e.g. in the event of a medical emergency.

### **Processing Sensitive Information**

Sometimes it is necessary to process information about a person's health, criminal convictions, race or ethnicity, membership of trade unions, religious beliefs, sexuality etc.,. Because this information is considered sensitive under the 1998 Act, staff and parents will be asked to give their express consent for the School to process this data.

### **Retention and Disposal of Data**

The School has a duty to retain some staff and pupil 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 etc.,. Different categories of data will be retained for different periods of time.

Once personal data retention data has expired, documents will be destroyed using a secure and safe method.

### **Taking Photos in schools**

The Data Protection Act does not prevent parents and teachers from taking photos of events such as the Christmas play or sports day – asking permission to take photos is normally enough to ensure compliance.

### **Freedom of Information**

The Freedom of Information Act also means that official information must be disclosed when people ask for it (unless there is a good reason not to) and a reply must be sent within 20 working days. Public authorities must produce a publication scheme, which outlines the information which will routinely be made available to the public – such as minutes of meetings, annual reports etc.

**PRIVACY NOTICE**  
for  
**Pupils in Schools, Alternative Provision and Pupil Referral Units  
and Children in Early Years Settings**

**Privacy Notice - Data Protection Act 1998**

We, St Bede's Catholic Primary School and Nursery are a data controller for the purposes of the Data Protection Act. We collect information from you and may receive information about you from your previous school and the Learning Records Service. We hold this personal data and use it to:

- Support your teaching and learning;
- Monitor and report on your progress;
- Provide appropriate pastoral care, and
- Assess how well your school is doing.

This information includes your contact details, national curriculum assessment results, attendance information<sup>1</sup> and personal characteristics such as your ethnic group, any special educational needs and relevant medical information. If you are enrolling for post 14 qualifications we will be provided with your unique learner number (ULN) by the Learning Records Service and may also obtain from them details of any learning or qualifications you have undertaken.

***We will not give information about you to anyone outside the school without your consent unless the law and our rules allow us to.***

We are required by law to pass some information about you to the Local Authority and the Department for Education (DfE)

If you want to see a copy of the information about you that we hold and/or share, please contact the School Office, tel: 0208 590 1376.

If you require more information about how the Local Authority (LA) and/or DfE store and use your information, then please go to the following websites:

[http://www.redbridge.gov.uk/cms/education\\_and\\_young\\_people/school\\_support\\_information/strategies\\_plans\\_and\\_policy.aspx](http://www.redbridge.gov.uk/cms/education_and_young_people/school_support_information/strategies_plans_and_policy.aspx)

and

<http://media.education.gov.uk/assets/files/doc/w/what%20the%20department%20does%20with%20data%20on%20pupils%20and%20children.doc>

and

<http://www.education.gov.uk/researchandstatistics/datatdatam/b00212337/datause>

If you are unable to access these websites we can send you a copy of this information. Please contact the LA or DfE as follows:

- Research & Data Team  
Lynton House  
255-259 High Road  
Ilford  
Essex  
IG1 1NN
- Public Communications Unit  
Department for Education  
Sanctuary Buildings  
Great Smith Street  
London  
SW1P 3BT  
Website: [www.education.gov.uk](http://www.education.gov.uk)  
email: <http://www.education.gov.uk/help/contactus>  
Telephone: 0370 000 2288



## PRIVACY NOTICE

for

**School Workforce: those employed or otherwise engaged to work  
at a school or the Local Authority**

### Privacy Notice ~ Data Protection Act 1998

We St Bede's Catholic Primary School & Nursery are the Data Controller for the purposes of the Data Protection Act.

Personal data is held by the school / Local Authority about those employed or otherwise engaged to work at the school or Local Authority. This is to assist in the smooth running of the school and/or enable individuals to be paid. The collection of this information will benefit both national and local users by:

- Improving the management of school workforce data across the sector;
- Enabling a comprehensive picture of the workforce and how it is deployed to be built up;
- Informing the development of recruitment and retention policies;
- Allowing better financial modeling and planning;
- Enabling ethnicity and disability monitoring; and
- Supporting the work of the School Teacher Review Body and the School Support Staff Negotiating Body.

This personal data includes some or all of the following - identifiers such as name and National Insurance Number and characteristics such as ethnic group; employment contract and remuneration details, qualifications and absence information.

***We will not give information about you to anyone outside the school or Local Authority (LA) without your consent unless the law and our rules allow us to.***

We are required by law to pass on some of this data to:

- the LA
- the Department for Education (DfE)

If you require more information about how the LA and/or DfE store and use this data please go to the following websites:

- [http://www.redbridge.gov.uk/cms/education\\_and\\_young\\_people/school\\_support\\_information/strategies\\_plans\\_and\\_policy.aspx](http://www.redbridge.gov.uk/cms/education_and_young_people/school_support_information/strategies_plans_and_policy.aspx)
- and
- <http://www.education.gov.uk/schools/adminandfinance/schooladmin/a0077963/what-the-department-does-with-school-workforce-data>

If you are unable to access these websites, please contact the LA or DfE as follows:

- Research & Data Team  
Lynton House  
255-259 High Road  
Ilford  
Essex  
IG1 1NN
- Public Communications Unit  
Department for Education  
Sanctuary Buildings  
Great Smith Street  
London  
SW1P 3BT

Website: [www.education.gov.uk](http://www.education.gov.uk)  
Email: [info@education.gsi.gov.uk](mailto:info@education.gsi.gov.uk)  
Telephone: 0370 000 2288

## APPENDIX 2 - CHARGES FOR ACCESSING PERSONAL INFORMATION

If a parent of a pupil makes a subject access request for personal information containing, in whole or part, the “educational record”, the amount that can be charged depends on the number of pages provided. The fees work on a scale basis as shown below –

Number of pages	Maximum Fee £
1-19	1
20-29	2
30-39	3
40-49	4
50-59	5
60-69	6
70-79	7
80-89	8
90-99	9
100-149	10
150-199	15
200-249	20
250-299	25
300-349	30
350-399	35
400-449	40
450-499	45
500+	50

Note: If a parent of a pupil makes a subject access request which does not include any information from the educational record, the maximum fee which can be charged is £10.

If a parent exercises their independent right to simply view the record this will be free of charge.

**APPENDIX 3 - Guide to Information available under the Publication Scheme**

**Freedom of Information – St Bede’s Catholic Primary School & Nursery**

**Guide to Information available under the Publication Scheme**

<b>Information to be published</b>	<b>How the information can be obtained</b>
<b>Who we are and what we do</b> (Organisational information, structures, locations and contacts) This will be current information only.	
Who’s who in the school	Hard Copy and Website
Who’s who in the governing body and the basis of their appointment	Hard Copy and Website
Instrument of Government	Hard Copy
Contact details for the Headteacher and the Governing Body (named contacts where possible with telephone number and email address (if used))	Hard Copy and Website
School Prospectus	Hard Copy and Website
School Session times with term dates	Hard Copy and Website
<b>What we spend and how we spend it</b> (Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit) Current and previous financial year as a minimum	
Annual budget plan and financial statements	Hard Copy
Capitalised funding	Hard Copy
Additional Funding	Hard Copy
Procurement and projects	Hard Copy
Pay Policy	Hard Copy
<b>What our priorities are and how we are doing</b> (Strategies and plans, performance indicators, audits, inspections and reviews) Current information as a minimum	
<b>School profile</b> <ul style="list-style-type: none"> <li>• Government supplied performance data</li> <li>• The Latest OFSTED report</li> <li>• Summary</li> <li>• Full Report</li> </ul>	Hard Copy and Website
Performance management policy and procedures adopted by the governing body	Hard Copy
Schools future plans	Hard Copy
<b>How we make decisions</b> (Decision making processes and records of decisions) Current and previous three years as a minimum	
Admissions policy/decisions (not individual admission decisions)	Hard Copy and Website
Agendas of meetings of the governing body and sub-committees (if held)	Hard Copy
Agendas of meetings (as above) - this will exclude information that is property regarded as private to the meetings.	Hard Copy
<b>Our policies and procedures</b> (Current written protocols, policies and procedures for delivering our services and responsibilities) Current information only.	

<p>School Policies including:</p> <ul style="list-style-type: none"> <li>• Charging policy</li> <li>• Health and Safety</li> <li>• Complaints Procedure</li> <li>• Behaviour and Discipline Policy</li> <li>• Staffing structure implementation plan</li> <li>• Data Protection Policy inc. Information request handling</li> <li>• Equality and diversity (including equal opportunities) policies</li> <li>• Staff recruitment policies</li> </ul>	<p>Hard Copy/Website</p> <p>Hard Copy/Website</p> <p>Hard Copy/Website</p> <p>Hard Copy/Website</p> <p>Hard Copy/Website</p> <p>Hard Copy/Website</p> <p>Hard Copy/Website</p> <p>Hard Copy</p>
<p>Pupil and curriculum policies including:</p> <ul style="list-style-type: none"> <li>• Home-School agreement</li> <li>• Curriculum</li> <li>• PSHCE</li> <li>• Special education needs/inclusion</li> <li>• Accessibility</li> <li>• Race Equality</li> <li>• Collective Worship</li> </ul>	<p>Hard Copy/Website</p> <p>Hard Copy</p> <p>Hard Copy/Website</p> <p>Hard Copy/Website</p> <p>Hard Copy</p> <p>Hard Copy/Website</p> <p>Hard Copy/Website</p>
<p>Records management and personal data policies, including:</p> <ul style="list-style-type: none"> <li>• Information security policies</li> <li>• Records retention destruction and archive policies</li> <li>• Data Protection (including information sharing policies)</li> </ul>	<p>Hard Copy</p> <p>Hard Copy</p> <p>Hard Copy/Website</p>
<p>Charging regimes and policies. This should include details of any statutory charging regimes. Charging policies should include charges made for information routinely published. They should clearly state what costs are to be recovered, the basis on which they are made and how they are calculated.</p>	<p>Hard Copy/Website</p>
<p><b>Lists and Registers</b> Currently maintained lists and registers only</p>	
Curriculum circulars and statutory instruments	On inspection only
Disclosure logs	Hard Copy
Asset Register	Hard Copy
Any information the school is currently legally required to hold in publicly available registers <b>(THIS DOES NOT INCLUDE THE ATTENDANCE REGISTER)</b>	On inspection only

**The services we offer**

(Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses)

Current information only

Extra-Curricular activities	Hard copy and website
Out of School clubs	Hard copy and website
School Publications	Hard copy and website
Services for which the school is entitled to recover a fee, together with those fees	Hard copy and website
Leaflets, books and newsletters	Hard copy and website

**All requests for information in writing to:**

Headteacher

St Bede's Catholic Primary School & Nursery

Canon Avenue

Chadwell Heath

Essex RM6 5RR

**Retention of documents – St Bede’s Catholic Primary School & Nursery  
From 1<sup>st</sup> September 2016**

<b>DOCUMENT</b>	<b>MINIMUM PERIOD OF RETENTION AFTER END OF FINANCIAL YEAR</b>
Inventories	Indefinitely
Invoices/credit notes/delivery notes	6 years
Official Orders	6 years
Bank Statements	6 years
School Fund Accounts	6 years
Job Orders/T Numbers	3 years
Building Maintenance Quotes	3 years
Financial reports/Correspondence	3 years
Additional Hours Claims	1 year
	<b>MINIMUM PERIOD OF RETENTION AFTER END OF ACADEMIC YEAR</b>
All medical records/SEN/accident reports	Indefinitely
Admissions: headcounts/Census/education Welfare (EWO) files	6 years
Contracts/Staff Files	6 years
Past recruitment applications (for employees)	6 years
Behaviour Reflection	6 years
School Trips: Venue information/Check lists	3 years
Letters to Parents	3 years
Staff Absence Sheets & returns	2 years
Visitor/Staff signing in sheets	1 year
School Meals; registers/Reports/returns/Free School Meals (FSM)	1 year
Permissions slips for trips etc.,	Nil