

# Data Protection Policy



<b>It was developed by</b>	<b>Data Protection Officer</b>
<b>Consultation</b>	<b>Governors</b>
<b>Governing Sub Committee</b>	<b>Leadership</b>
<b>It has been presented to the governors.</b>	<b>March 2017</b>
<b>It will be reviewed:</b>	<b>Annually</b>
<b>It was last reviewed:</b>	<b>March 2019</b>
<b>Next Planned Review</b>	<b>March 2020</b>
<b>Hard Copy</b>	<b>Staff Room</b>
<b>Web Link</b>	<b><a href="http://www.chesswood.w-sussex.sch.uk/page/?title=FOI+%26+Data+Protection&amp;pid=272">http://www.chesswood.w-sussex.sch.uk/page/?title=FOI+%26+Data+Protection&amp;pid=272</a></b>
<b>System Link</b>	<b>Y:\School Level\Policies\Data protection</b>



## School Vision

At Chesswood Junior School we inspire our whole school community to enjoy their learning adventure and have fun along the way. We ignite a passion for learning throughout the school community, securing excellence, empathy and equality in all that we do.

## School Mission

We will strive to achieve the highest standards of academic achievement and behaviour within a vibrant, exciting learning environment so that all children leave this school with confidence and the ability to take advantage of future opportunities.



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## 1. Introduction

From the 25th May 2018 the General Data Protection Regulation (GDPR) has replaced the current Data Protection Act (DPA). This Policy sets out the manner in which personal data of staff, students and other individuals is processed fairly and lawfully at the school

The School collects and uses personal information about staff, students, parents or carers and other individuals who come into contact with the School. 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.

The School is a data controller and must therefore comply with the Data Protection Principles in the processing of personal data, including the way in which the data is obtained, stored, used, disclosed and destroyed. The School must be able to demonstrate compliance. Failure to comply with the Principles exposes the School and staff to civil and criminal claims and possible financial penalties.

Details of the School's purpose for holding and processing data can be viewed on the data protection register: <https://ico.org.uk/esdwebpages/search>. The Schools registration number is Z7504131. This registration is renewed annually and up dated as and when necessary.



## 2. Aim

This Policy will ensure:

- The School processes person data fairly and lawfully and in compliance with the Data Protection Principles.
- All staff involved with the collection, processing and disclosure of personal data will be aware of their duties and responsibilities under this policy.
- That the data protection rights of those involved with the School community are safeguarded.
- Confidence in the School's ability to process data fairly and securely.

## 3. Scope

This Policy applies to:

- Personal data of all School employees, governors, students, parents and carers, volunteers and any other person carrying out activities on behalf of the School.
- The processing of personal data, both in manual form and on computer.
- All staff and governors.



## 4. The Data Protection Principles

The School will ensure that personal data will be:

- Processed fairly, lawfully and in a transparent manner.
- Collected for specified, explicit and legitimate purposes and not further processed for other purposes incompatible with those purposes.
- Adequate, relevant and limited to what is necessary in relation to the purposes for which data is processed.
- Accurate and, where necessary, kept up to date.
- Kept in a form that permits identification of data subjects for no longer than is necessary for the purposes for which the personal data is processed.
- Processed in a way that ensures appropriate security of the personal data including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

The School will be able to demonstrate compliance with these principles. The School will have in place a process for dealing with the exercise of the following rights by Governors, staff, students, parents and members of the public in respect of their personal data:

- to be informed about what data is held, why it is being processed and who it is shared with;
- to access their data;
- to rectification of the record;
- to erasure;
- to restrict processing;
- to data portability;
- to object to processing;
- not to be subject to automated decision-making including
- profiling.



## 5. Roles and Responsibilities

The Governing Body of the School and the Head Teacher are responsible for implementing good data protection practices and procedures within the School and for compliance with the Data Protection Principles.

It is the responsibility of all staff to ensure that their working practices comply with the Data Protection Principles. Disciplinary action may be taken against any employee who breaches any of the instructions or procedures forming part of this policy.

A designated member of staff, the Data Protection Officer, will have responsibility for all issues relating to the processing of personal data and will report directly to the Head Teacher.

The Data Protection Officer will comply with responsibilities under the GDPR and will deal with subject access requests, requests for rectification and erasure, data security breaches. Complaints about data processing will be dealt with in accordance with the Schools Complaints Policy.

## 6. Data Security and Data Security Breach Management

All staff are responsible for ensuring that personal data which they process is kept securely and is not disclosed to any unauthorised third parties.

Access to personal data should only be given to those who need access for the purpose of their duties.

All staff will comply with the schools Acceptable IT use Policy.

Staff who work from home must have particular regard to the need to ensure compliance with this Policy and the Acceptable IT use Policy.

Data will be destroyed securely in accordance with the 'Information and Records Management



Society Retention Guidelines for Schools’.

New types of processing personal data including surveillance technology which are likely to result in a high risk to the rights and freedoms of the individual will not be implemented until a Privacy Impact Risk Assessment has been carried out.

The School will have in place a data breach security management process and serious breaches where there is a high risk to the rights of the individual will be reported to the Information Commissioner’s Office (ICO) in compliance with the GDPR.

All staff will be aware of and follow the data breach security management process.

## **7. Subject Access Requests**

Requests for access to personal data (Subject Access Requests)(SARs) will be processed by the Data Protection Officer. Those making a Subject Access Request will not be charged any fees in accordance with Regulations. Records of all requests will be maintained.

The School will comply with the statutory time limits for effecting disclosure in response to a Subject Access Request which is one calendar month of receipt of the request.

## **8. Sharing data with third parties and data processing undertaken on behalf of the School.**

Personal data will only be shared with appropriate authorities and third parties where it is fair and lawful to do so. Any sharing will be undertaken by trained personnel using secure methods. Where a third party undertakes data processing on behalf of the School e.g. by providing cloud based systems or shredding services, the School will ensure that there is a agreement requiring the data to be processed in accordance with the Data Protection Principles. The school keeps a record of what data is shared to 3<sup>rd</sup> parties and explicate agreements are sort to ensure compliance.





## 9. Ensuring compliance

To ensure compliance the following principles are followed by the school:

- All new staff will be trained on the data protection requirements as part of their induction.
- Training and guidance will be available to all staff.
- All staff will read the Acceptable IT use Policy.
- The School advises students whose personal data is held, the purposes for which it is processed and who it will be shared with. This is referred to as a "Privacy Notice" and is available on the School website.
- The School also provides a Privacy Notice to staff which is available on the School website.

The School will ensure Privacy Notices contains the following information:

- Contact Data Controller and Data Protection Officer
- Purpose of processing and legal basis. Retentions period. Who we share data with.
- Right to request rectification, erasure, to withdraw consent, to complain, or to know about any automated decision making and the right to data portability where applicable.

## 10. Photographs, Additional Personal Data and Consents

During the school induction period the school will obtain explicit consent to process data such as photographs. This consent can be withdrawn by contacting the school, directly in writing. Written consent or withdrawal is required from the adult with parental responsibility.