General Data Protection Regulation

Our Commitment: Saughall All Saints C of E Primary School is committed to the protection of all personal and sensitive data for which it holds responsibility as the Data Controller and the handling of such data in line with the data protection principles and the Data Protection Act (DPA).

https://ico.org.uk/for-organisations/guide-to-data-protection/data-protection-principles/

Data Protection Policy

Introduction

On the 25th May 2018 the General Data Protection Regulation (GDPR) will be applicable and the current Data Protection Act (DPA) will be updated by a new Act.

This Policy sets out the manner in which personal data of staff, students and other individuals is processed fairly and lawfully.
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 Z6544921. This registration is renewed annually and up dated as and when necessary.

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.

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.

The Data Protection Principles

The School will be able to demonstrate compliance with these principles and 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 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.

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

The Data Protection Officer, Mrs D Prenton will have responsibility for all issues relating to the processing of personal data.

Data Security and Data 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 at 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 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.

A data breach security management process is in place, 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.

All staff will be aware of and comply with the list of Do's and Don'ts in relation to data security.

Subject Access Requests
Requests for access to personal data (Subject Access Requests) will be processed by the Data Protection Officer. Those making a Subject Access Request will be charged a fee 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. Under the GDPR the statutory time period is one calendar month of receipt of the request.

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, the School will ensure that there is a written agreement requiring the data to be processed in accordance with the Data Protection Principles.

Ensuring compliance

All new staff will be trained on the data protection requirements as part of their induction.

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.

Photographs, Additional Personal Data and Consents

Images of staff and pupils may be captured at appropriate times and as part of educational activities for use in school only.

Unless prior consent from parents/pupils/staff has been given, the school shall not utilise such images for publication or communication to external sources.

It is the school's policy that external parties (including parents) may not capture images of staff or pupils during such activities without prior consent.

Reviewed January 2022