

Orchard Primary School



Data Protection Policy

Date	Review Date		GB Committee
Jan' 2017	Jan' 2019	HT / SBM	Premises, Health and Safety

1. INTRODUCTION

Orchard Primary School is committed to protecting and respecting the confidentiality of information relating to staff, pupils, parents and governors. We adopt the principles of data protection as outlined in the Data Protection Act 1998 which in summary state that personal data shall:

1. Be obtained and processed fairly and lawfully
2. Be obtained for a specified and lawful purpose and shall not be processed in any manner incompatible with that purpose.
3. Be adequate, relevant and not excessive for that purpose.
4. Be accurate and kept up to date.
5. Not be kept for longer than is necessary for that purpose.
6. Be processed in accordance with the data subject's rights.
7. Be kept safe from unauthorised access, accidental loss or destruction
8. Not be transferred out of the EEA (European Economic Area) unless certain conditions are met.

All staff who process or use personal information must ensure that they follow these principles at all times. In order to ensure that this happens, the school has developed this Data Protection Policy. This policy does not form part of the contract of the employment for staff, but it is a condition of employment that employees will abide by the rules and policies of the School. Any failures to follow the policy can therefore result in disciplinary proceedings.

We believe that all personal data covered by the Data Protection Act 998 includes:

- Attendance registers
- Pupils curricular records
- Assessment data
- Class lists
- Reports to parents
- Pupils disciplinary records
- School personnel files
- School financial information
- School strategic and improvement plans
- Recorded CCTV footage
- Pupils family and home contact details
- Record of contractors and suppliers
- Records of pupils entering public tests and examinations.

We hold personal information relating to pupils to support pupils' learning, monitor and report on their progress, provide appropriate pastoral care and assess the quality of our services.

We will ensure that under the Data Protection Act 1998 all school personnel are able to access their personal data that is held about them. We believe it is our duty to respond to any request of access within 40 days.

We will ensure a pupil's educational records will be made available to their parents or carers on receipt of a written request within 15 school days.

We aim to fulfil our obligations under the Data Protection Act 1998 and to protect the right of school personnel and pupils to privacy in line with the Act.

2. THE DATA CONTROLLER AND THE DESIGNATED DATA CONTROLLERS

The School, as a body, is the Data Controller under the 1998 Act, and the Governors are therefore ultimately responsible for implementation. However, the Designated Data controllers will deal with day to day matters.

The Designated Data Controllers at Orchard Primary School are:
The Headteacher, the Deputy Headteachers, the School Business Manager and the Administrative staff including the Headteacher's PA.

Any member of staff, parent or other individual who considers that the policy has not been followed in respect of personal data about himself or herself or their child should raise the matter the Headteacher in the first instance.

3. RESPONSIBILITIES OF STAFF

All staff are responsible for

- I. Checking that any information that they provide in connection with their employment is accurate and up to date.
- II. Informing the school of changes of information they may have provided e.g. change of address, either at the time of appointment or subsequently. The school cannot be held responsible for any errors unless the staff member has informed the school of such changes.
- III. Handling all personal data (e.g. – pupil attainment data) with reference to this policy.

4. DATA SECURITY

All staff are responsible for ensuring that

- I. Any information they hold is kept securely.
- II. Personal information is not disclosed either orally or in writing or via the internet or any other means, accidentally or otherwise, to any unauthorised third party.

Staff are expected to be discreet and confidential in relation to data. They should note that unauthorised disclosure will usually be a disciplinary matter, and may be considered gross misconduct in some cases.

Personal information should be kept in a filing cabinet, drawer, or safe in a secure office.

If computerised, the information should be password protected both on a local hard drive and on a network drive that is regularly backed up.

If a copy is kept on a usb memory key or other removable storage media, that media must itself be password protected and/or kept in a filing cabinet, drawer or safe.

5. 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 the name of the person or organisation requesting the information.
- Prevent the processing of their performance management records.
- Know how to gain access to it.
- Prevent processing which could be harmful to them or others.
- Know how to keep it up to date.
- Know what the school is doing to comply with its obligation under the 1998 Act.

Staff are not entitled to:

- Copies of their references
- Information on pay reviews
- Examination results until they have been released

The school will, upon request, provide all staff and parents and other relevant 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.

All staff, parents and other users have a right under the 1998 Act to access certain personal data being kept about them or their child either on the computer or in certain files. Any person who wishes to exercise this right should make a request in writing and submit it to the Headteacher. The school will ask to see evidence of your identity, such as your passport or driving license, before disclosure of information.

The school may make a charge on each occasion that access is requested in order to meet the costs of providing the details of the information held.

The school aims to comply with requests for personal information as quickly as possible but will ensure that it is provided within 40 days as required by the Act.

6. RETENTION OF DATA

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

7. MONITORING AND EVALUATION

The practical application of this policy will be reviewed every 2 years or when the need arises by, the Headteacher and the nominated governor / Premises, Health and Safety Committee.

APPENDIX 1

PRIVACY NOTICE SCHOOL WORKFORCE

(Those employed or otherwise engaged to work at a school or the Local Authority.)

Orchard Primary School and the London Borough of Hounslow re the Data Controller for the purposes of the Data Protection Act.

Personal data is held by the school and the Local Authority about those employed or otherwise engaged to work at the school or the 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
- 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 modelling and planning
- Enabling monitoring including in relation to ethnicity and disability.

This personal information includes some or all of the following:

- Name and contact details
- National Insurance Number
- Characteristics such as gender and ethnic group
- Employment contract and remuneration details
- Qualifications
- 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

APPENDIX 2

PRIVACY NOTICE SCHOOL PUPILS

Orchard Primary School is the data controller for the purposes of the Data Protection Act.

We collect information from pupils (parents) and may receive information about pupils from a previous school. We hold this personal data and use it to:

- Support teaching and learning
- Monitor and report on progress
- Provide appropriate pastoral care
- Assess how well we are doing.

This information includes:

- Contact details
- National curriculum assessment results
- Attendance information
- Any exclusion information
- Transferring school
- Personal characteristics such as ethnicity or gender
- Any special educational needs
- Relevant medical information

We will not share this information with anyone outside the school without consent unless the law and our rules allow us to.

We are required by law to pass some information about pupils to:

- The Local Authority
- The Department for Education

If you want to see a copy of the information about a particular pupil that is held and/or shared please contact the Headteacher or School Business Manager.