

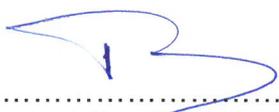


DATA PROTECTION POLICY

Reviewed: Summer 2016
Next Review: Summer 2019

Signed.....  Date 

Kate Stevens Head Teacher

Signed.....  Date 

Norman Byrne Chair of Governors

Round Oak School

Data Protection Policy 2016

The Governing Body of the school has overall responsibility for ensuring that records are maintained, including security and access arrangements, in accordance with Education Regulations and all other statutory provisions.

Purpose

The Head Teacher and the Governors of this school intend to comply fully with the requirements and principles of the Data Protection Act 1998. It will apply to information regardless of the way it is collected, used, recorded, stored and destroyed, and irrespective of whether it is held in paper files or electronically.

All staff involved with the collection, processing and disclosure of personal data will be aware of their duties and responsibilities within these guidelines.

Enquiries

Information about the school's Data Protection Policy is available from the school business manager. General information about the Data Protection Act can be obtained from the Information Commissioner's Office (Information Line 01625 545 7453), website: www.ico.org.uk

What is Personal Information?

Personal information or data is defined as data which relates to a living individual who can be identified from that data, or other information held.

Data Protection Principles

The Data Protection Act 1998 (updated April 2013) establishes eight enforceable principles that must be adhered to at all times:

- Personal data shall be used fairly and lawfully
- Personal data shall be used for limited, specifically stated purposes
- Personal data shall be used in a way that is adequate, relevant and not excessive
- Personal data shall be accurate and where necessary, kept up to date
- Personal data will be kept for no longer than is absolutely necessary
- Personal data shall be handled according to people's data protection rights
- Personal data shall be kept safe and secure
- Personal data shall not be transferred outside the UK without adequate protection

There is stronger legal protection for more sensitive information, such as:

- ethnic background
- political opinions
- religious beliefs
- health
- sexual health
- criminal records

The school is committed to maintaining the above principles at all times. Therefore the school will:

- Inform individuals why the information is being collected when it is collected
- Inform individuals when their information is shared, and why and with whom it was shared
- Check the quality and the accuracy of the information it holds
- Ensure that information is not retained for longer than is necessary
- Ensure that when obsolete information is destroyed that it is done so appropriately and securely
- Ensure that clear and robust safeguards are in place to protect personal information from loss, theft and unauthorised disclosure, irrespective of the format in which it is recorded
- Share information with others only when it is legally appropriate to do so
- Set out procedures to ensure compliance with the duty to respond to requests for access to personal information, known as Subject Access Requests
- Ensure our staff are aware of and understand our policies and procedures

Fair Obtaining and Processing

Round Oak School undertakes to obtain and process data fairly and lawfully by informing all data subjects of the reasons for data collection, the purposes for which the data are held, the likely recipients of the data and the data subjects' right of access. If details are given verbally, the person collecting will explain the issues before obtaining the information.

'Processing'	Means obtaining, recording or holding the information or data or carrying out any or set of operations on the information or data.
'Data subject'	Means an individual who is the subject of personal data or the person to whom the information relates.
'Personal data'	Means data which relates to a living individual who can be identified. Addresses and telephone numbers are particularly vulnerable to abuse, but so can names and photographs be, if published in the press, internet or media.
'Parent'	As the meaning given in the Education action 1996, and includes any person having parental responsibility or care of a child.

The Data Protection Registration entries for the school are available for inspection, by appointment, at the school. Explanation of any codes and categories entered is available from the Business Manager who is the person nominated to deal with Data Protection issues in the school. Information held for these stated purposes will not be used for any other purpose without the data subject's consent.

Round Oak School collects and uses personal information about staff, pupils, parents 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.

Schools have a duty to be registered, as Data Controllers, with the Information Commissioner's Office (ICO) detailing the information held and its use. These details are then available on the ICO's website.

Data integrity

The school undertakes to ensure data integrity by the following methods:

Data accuracy

Data held will be as accurate and up to date as is reasonably possible. If the data subject informs the school of a change of circumstances their computer record will be updated as soon as is practicable. A printout of their data record will be provided to data subjects annually so they can check its accuracy and make any amendments.

Where a data subject challenges the accuracy of their data, the school will immediately mark the record as potentially inaccurate, or 'challenged'. In the case of any dispute we shall try to resolve the issue informally, but if this proves impossible, disputes will be referred to the Governing Body for their judgement. If the problem cannot be resolved at this stage, either side may seek independent arbitration. Until resolved the 'challenged' marker will remain and all disclosures of the affected information will contain both versions of the information.

Data adequacy and relevance

Data held about people will be adequate, relevant and not excessive in relation to the purpose for which the data is being held. In order to ensure compliance with this principle the school will check records regularly for missing, irrelevant or seemingly excessive information and may contact data subjects to verify certain items of data.

Subject access

The Data Protection Acts extend to all data subjects a right of access to their own personal data. In order to ensure that people receive only information about themselves it is essential that a formal system of requests is in place. Where a request for subject access is received from a pupil, the school's policy is that:

- Requests from pupils will be processed as any subject access request as outlined below and the copy will be given directly to the pupil, unless it is clear that the pupil does not understand the nature of the request.
- Requests from pupils who do not appear to understand the nature of the request will be referred to their parents or carers.
- Requests from parents in respect of their own child will be processed as requests made on behalf of the data subject (the child) and the copy will be sent in a sealed envelope to the requesting parent.

Processing subject access requests

Requests for access must be made in writing.

Provided that there is sufficient information to process the request, an entry will be made in the Subject Access log book, showing the date of receipt, the data subject's name, the name and address of requester

(if different), the type of data required (e.g. Student Record, Personnel Record), and the planned date of supplying the information (normally not more than 40 days from the request date). Should more information be required to establish either the identity of the data subject (or agent) or the type of data requested, the date of entry in the log will be date on which sufficient information has been provided.

Note: In the case of any written request from a parent regarding their own child's record, access to the record will be provided within 15 school days in accordance with the current Education (Pupil Information) Regulations.

Authorised disclosures

The School will, in general, only disclose data about individuals with their consent. However there are circumstances under which the School's authorised officer may need to disclose data without explicit consent for that occasion.

These circumstances are strictly limited to:

- Pupil data disclosed to authorised recipients related to education and administration necessary for the school to perform its statutory duties and obligations.
- Pupil data disclosed to authorised recipients in respect of their child's health, safety and welfare.
- Pupil data disclosed to parents in respect of their child's progress, achievements, attendance, attitude or general demeanour within or in the vicinity of the school.
- Staff data disclosed to relevant authorities e.g. in respect of payroll and administrative matters.
- Unavoidable disclosures, for example to an engineer during maintenance of the computer system. In such circumstances the engineer would be required to sign a form promising not to disclose the data outside the school. Officers and IT personnel writing on behalf of the LA are IT liaison/data processing officers, for example in the LA, are contractually bound not to disclose personal data. Confidentiality form to be completed by outside contractors.
- Only authorised and trained staff are allowed to make external disclosures of personal data. Data used within the school by administrative staff, teachers and welfare officers will only be made available where the person requesting the information is a professional legitimately working within the school who **need to know** the information in order to do their work. The school will not disclose anything on pupils' records which would reasonably be likely to cause serious harm to their physical or mental health or that of anyone else – including anything where suggests that they are, or have been, either the subject of or at risk of child abuse.

A "**legal disclosure**" is the release of personal information from the computer to someone who requires the information to do his or her job within or for the school, provided that the purpose of that information has been registered.

An "**illegal disclosure**" is the release of information to someone who does not need it, or has no right to it, or one which falls outside the School's registered purposes.

Data and Computer Security

Round Oak School undertakes to ensure security of personal data by the following general methods (precise details cannot, of course, be revealed).

Physical security

Appropriate building security measures are in place, such as alarms, deadlocks and computer hardware cable locks. Only authorised persons are allowed in the computer room. Disks, tapes and printouts are locked away securely when not in use. Visitors to the school are required to sign in and out, to wear identification badges whilst in the school and are, where appropriate, accompanied.

Logical security

Security software is installed on all computers containing personal data. Only authorised users are allowed access to the computer files and password changes are regularly undertaken. Computer files are backed up (i.e. security copies are taken) regularly.

Procedural security

In order to be given authorised access to the computer, staff will have to undergo checks and will sign a confidentiality agreement. All staff are trained in their Data Protection obligations and their knowledge updated as necessary. Computer printouts as well as source documents are shredded before disposal.

Overall security policy for data is determined by The Governing Body and is monitored and reviewed regularly, especially if a security loophole or breach becomes apparent. The School's security policy is available to staff.

Any queries or concerns about security of data in the school should in the first instance be referred to the Head Teacher.

Individual members of staff can be personally liable in law under the terms of the Data Protection Acts. They may also be subject to claims for damages from persons who believe that they have been harmed as a result of inaccuracy, unauthorised use or disclosure of their data. A deliberate breach of this Data Protection Policy will be treated as disciplinary matter, and serious breaches could lead to dismissal.

Complaints

Complaints will be dealt with in accordance with the school's complaints policy. Complaints relating to information handling may be referred to the Information Commissioner (the statutory regulator).

Review

This policy will be reviewed every three years. The policy review will be undertaken by the Head Teacher or nominated representative.

Contacts

If you have any enquires in relation to this policy, please contact the Head Teacher who will also act as the contact point for any subject access requests.

Further advice and information is available from the Information Commissioner's Office, www.ico.gov.uk or telephone 01625 545 7453