



**BLYTHE BRIDGE HIGH SCHOOL
& SIXTH FORM
A FOUNDATION TRUST SCHOOL**

COVID 19 ROLLOVER

Statutory/Non Statutory Policy

On

Data Protection Policy and Privacy Notice

Drafted by:
Mrs Keeble - Director of Business & Finance

Date of Approval by Governing Body:
ROLLOVER TO MARCH 2021

Signed by Chair of Governors:

Review date:
ROLLOVER TO MARCH 2022

Person(s) Responsible for Day to Day Management:
Director of Business & Finance

Person Responsible for Review
Director of Business & Finance



1. Aims

Our school aims to ensure that all data collected about staff, students, parents and visitors is collected, stored and processed in accordance with the Data Protection Act 1998.

This policy applies to all data, regardless of whether it is in paper or electronic format.

2. Legislation and Guidance

This policy meets the requirements of the [Data Protection Act 1998](#), and is based on [guidance published by the Information Commissioner's Office](#) and [model privacy notices published by the Department for Education](#).

It also takes into account the expected provisions of the [General Data Protection Regulation](#), which is new legislation due to come into force in 2018.

In addition, this policy complies with regulation 5 of the [Education \(Pupil Information\) \(England\) Regulations 2005](#), which gives parents the right of access to their child's educational record.

3. Definitions

Term	Definition
Personal data	Data from which a person can be identified, including data that, when combined with other readily available information, leads to a person being identified
Sensitive personal data	Data such as: <ul style="list-style-type: none">• Contact details• Racial or ethnic origin• Political opinions• Religious beliefs, or beliefs of a similar nature• Where a person is a member of a trade union• Physical and mental health• Sexual orientation• Whether a person has committed, or is alleged to have committed, an offence• Criminal convictions
Processing	Obtaining, recording or holding data
Data subject	The person whose personal data is held or processed
Data controller	A person or organisation that determines the purposes for which, and the manner in which, personal data is processed
Data processor	A person, other than an employee of the data controller, who processes the data on behalf of the data controller

4. The Data Controller & Data Processor

Our school processes personal information relating to pupils, staff and visitors, and, therefore, is a data controller. Our school delegates the responsibility of data controller to the Headteacher. The school is registered as a data controller with the Information Commissioner's Office and renews this registration. (Registration Number: Z9722469, Date Registered: 26 January 2007; Registration Expires: 25 January 2019).

Our Data Protection Officer is Mrs Wendy Keeble, Director of Business & Finance and our Data Auditor is Mr B Wilken, Headteacher, The William Amory Primary School.

5. Data Protection Principles

The Data Protection Act 1998 is based on the following data protection principles, or rules for good data handling:

- Data shall be processed fairly and lawfully,
- Personal data shall be obtained only for one or more specified and lawful purposes,
- Personal data shall be relevant and not excessive in relation to the purpose(s) for which it is processed,
- Personal data shall be accurate and, where necessary, kept up to date
- Personal data shall not be kept for longer than is necessary for the purpose(s) for which it is processed
- Personal data shall be processed in accordance with the rights of data subjects under the Data Protection Act 1998
- Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data, and against accidental loss or destruction of, or damage to, personal data
- Personal data shall not be transferred to a country or territory outside the European Economic Area unless the country or territory ensures an adequate level of protection for the rights and freedoms of data in relation to the processing of personal data

6. Roles and Responsibilities

The governing board has overall responsibility for ensuring that the school complies with its obligations under the Data Protection Act 1998.

Day-to-day responsibilities rest with the Director of Business & Finance as designated Data Controller. The Data Controller will ensure that all staff are aware of their data protection obligations, and oversee any queries related to the storing or processing of personal data.

Staff are responsible for ensuring that they collect and store any personal data in accordance with this policy. Staff must also inform the school of any changes to their personal data, such as a change of address.

7. Privacy/Fair Processing Notice

7.1 Students and parents

We hold personal data about students to support teaching and learning, to provide pastoral care and to assess how the school is performing. We may also receive data about students from other organisations including, but not limited to, other schools, local authorities and the Department for Education.

This data includes, but is not restricted to:

- Contact details
- Results of internal assessment and externally set tests
- Data on pupil characteristics, such as ethnic group or special educational needs
- Exclusion information
- Details of any medical conditions

We will only retain the data we collect for as long as is necessary to satisfy the purpose for which it has been collected.

We will not share information about pupils with anyone without consent unless the law and our policies allow us to do so.

Individuals who wish to receive a copy of the information that we hold about them/their child should refer to sections 8 and 9 of this policy.

We are required, by law, to pass certain information about pupils to specified external bodies, such as our local authority and the Department for Education, so that they are able to meet their statutory obligations.

Notifications shall be in accordance with ICO guidance and, where relevant, be written in a form understandable by those defined as 'Children' under the legislation. <https://ico.org.uk/for-organisations/guide-to-data-protection/privacy-notice-transparency-and-control/>

***7.2 Staff**

We process data relating to those we employ to work at, or otherwise engage to work at, our school. The purpose of processing this data is to assist in the running of the school, including to:

- Enable individuals to be paid
- Facilitate safe recruitment
- Support the effective performance management of staff
- Improve the management of workforce data across the sector
- Inform our recruitment and retention policies
- Allow better financial modelling and planning
- Enable ethnicity and disability monitoring
- Support the work of the School Teachers' Review Body

Staff personal data includes, but is not limited to, information such as:

- Contact details
- National Insurance numbers
- Salary information
- Qualifications
- Absence data
- Personal characteristics, including ethnic groups
- Medical information
- Outcomes of any disciplinary procedures

We will only retain the data we collect for as long as is necessary to satisfy the purpose for which it has been collected. We will not share information about staff with third parties without consent unless the law allows us to.

We are required, by law, to pass certain information about staff to specified external bodies, such as our local authority and the Department for Education, so that they are able to meet their statutory obligations.

Any staff member wishing to see a copy of information about them that the school holds should contact the Director of Business & Finance.

8. Subject Access Requests

Under the Data Protection Act 1998, students have a right to request access to information the school holds about them. This is known as a subject access request.

Subject access requests must be submitted in writing, either by letter, email or fax. Requests should include:

- The student's name
- A correspondence address
- A contact number and email address
- Details about the information requested

The school will not reveal the following information in response to subject access requests:

- Information that might cause serious harm to the physical or mental health of the pupil or another individual
- Information that would reveal that the child is at risk of abuse, where disclosure of that information would not be in the child's best interests

- Information contained in adoption and parental order records
- Certain information given to a court in proceedings concerning the child

Subject access requests for all or part of the student's educational record will be provided within 15 school days. The school will charge a maximum of £5 for all materials under 50 pages and £10 for all materials 50 pages or over.

If a subject access request does not relate to the educational record, we will respond within 40 calendar days. The maximum charge that will apply is £10.00.

9. Data Access Requests

Parents have the right of access to their child's educational record, free of charge, within 15 school days of a request.

Personal data about a child belongs to that child, and not the child's parents. This is the case even where a child is too young to understand the implications of subject access rights. For a parent to make a subject access request, the child must either be unable to understand their rights and the implications of a subject access request, or have given their consent.

The Information Commissioner's Office, the organisation that upholds information rights, generally regards children aged 12 and above as mature enough to understand their rights and the implications of a subject access request. Therefore, most subject access requests from parents of pupils at our school may be granted without the express permission of the pupil.

Requests should be addressed to the Director of Business & Finance of the school.

9.1 Other Schools

If student transfers from Blythe Bridge High School & Sixth Form to another school, their academic records and other data that relates to their health and welfare will be forwarded onto the new school. This will support a smooth transition from one school to the next and ensure that the child is provided for as is necessary. It will aid continuation which should ensure that there is minimal impact on the child's academic progress as a result of the move.

9.2 Examination authorities

This may be for registration purposes, to allow the pupils at our school to sit examinations set by external exam bodies.

9.3 Health Authorities

As obliged under health legislation, the school may pass on information regarding the health of children in the school to monitor and avoid the spread of contagious diseases in the interest of public health.

9.4 Police and Courts

If a situation arises where a criminal investigation is being carried out we may have to forward information on to the police to aid their investigation. We will pass information onto courts as and when it is ordered.

9.5 Social Workers and Support Agencies

In order to protect or maintain the welfare of our students, and in cases of child abuse, it may be necessary to pass personal data on to social workers or support agencies.

9.6 DfE and County

Schools may be required to pass data on in order to help the government to monitor the national educational system and enforce laws relating to education.

9.7 Right to be Forgotten

Where any personal data is no longer required for its original purpose, an individual can demand that the processing is stopped and all their personal data is erased by the school including any data held by contracted processors.

10. Storage of Records & Data Security

10.1 Storage of Records

- Paper-based records and portable electronic devices, such as laptops and hard drives, that contain personal information are kept under lock and key and/or encryption password protection when not in use;
- Papers containing confidential personal information should not be left on office and classroom desks, on staffroom tables or pinned to noticeboards where there is general access;
- Passwords that are at least 8 characters long containing letters and numbers are used to access school computers, laptops and other electronic devices. Staff and pupils are reminded to change their passwords at regular intervals;
- Encryption software is used to protect all portable devices and removable media, such as laptops and USB devices;
- Staff, students or governors who store personal information on their personal devices are expected to follow the same security procedures for school-owned equipment.

10.2 Disposal of Records

Personal information that is no longer needed, or has become inaccurate or out of date, is disposed of securely. For example, we will shred or incinerate paper-based records, and override electronic files. We also use an outside company to safely dispose of electronic records using industry standard shredding.

10.3 Photographs and Video

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.

11. Training

Our staff and governors are provided with data protection training as part of their induction process. Data protection will also form part of continuing professional development, where changes to legislation or the school's processes make it necessary.

12. The General Data Protection Regulation

We acknowledge that the law is changing on the rights of data subjects and that the General Data Protection Regulation is due to come into force in May 2018.

This policy addresses issues raised within this legislation but the school will review working practices when this new legislation takes effect and provide training to members of staff and governors where appropriate.

13. Monitoring arrangements

The Office Manager is responsible for monitoring and reviewing this policy.

The Office Manager checks that the school complies with this policy by, among other things, reviewing school records annually.

This document will be reviewed when the General Data Protection Regulation comes into force, and then **every 2 years**.

At every review, the policy will be shared with the governing board.

14. Links with other policies

This data protection policy and privacy notice is linked to the freedom of information publication scheme.