

# STANLEY PARK JUNIOR SCHOOL



## Data Protection Policy and Privacy Notice

"We believe that every child and adult matters. At Stanley Park Junior School, we work together as staff, parents, carers and governors, in a fun, safe and inclusive environment. We strive to create a rich, varied and challenging curriculum that provides inspirational learning opportunities for all children as they aspire to become successful learners, confident individuals and responsible citizens with a sense of pride in themselves and their school"

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### 1. Aims

Our school aims to ensure that all data collected about staff, pupils, parents and visitors is collected, stored and processed in accordance with all current legislation.

### 2. Legislation and guidance

This policy meets the requirements of the [Data Protection Act 2018](#), and is based on [guidance published by the Information Commissioner's Office](#) and [model privacy notices published by the Department for Education](#).

This data protection policy meets the requirements of the General Data Protection Regulations (GDPR) 2018 which has been enacted into UK law as the Data Protection Act 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

<b>Special Category personal data</b>	Data such as: <ul style="list-style-type: none"> <li>• Racial or ethnic origin</li> <li>• Political opinions</li> <li>• Religious beliefs, or beliefs of a similar nature</li> <li>• Where a person is a member of a trade union</li> <li>• Physical and mental health</li> <li>• Sexual orientation</li> <li>• Whether a person has committed, or is alleged to have committed, an offence</li> <li>• Criminal convictions</li> </ul>
<b>Processing</b>	Obtaining, recording or holding data
<b>Data subject</b>	The person whose personal data is held or processed
<b>Data controller</b>	A person or organisation that determines the purposes for which, and the manner in which, personal data is processed
<b>Data processor</b>	A person, other than an employee of the data controller, who processes the data on behalf of the data controller

## 4. The data controller

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 School Business Manager.

The school is registered as a data controller with the Information Commissioner's Office and renews this registration annually.

## 5. Data protection principles

The Data Protection Act 2018 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 2018
- 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 2018.

Day-to-day responsibilities rest with the Headteacher, or the Deputy Headteacher in the headteacher's absence. The headteacher 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 Pupils and parents

We hold personal data about pupils to support teaching and learning, to provide pastoral care and to assess how the school is performing. We may also receive data about pupils 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
- Family Relationship Details
- Results of internal assessment and externally set tests
- Data on pupil characteristics, such as ethnic group or special educational needs
- Detention Information
- 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.

For further details please see 'Privacy Statement for Pupils' which can be found on our school website.

### 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 Gill Haldane - School Business Manager. Our staff privacy notice will be attached to the back of all future staff contracts and has been distributed to all existing staff.

## 8. Subject access requests

Under the Data Protection Act 2018, pupils have a right to request access to information the school holds about them. This is known as a subject access 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.

All subject access requests must be submitted in writing, either by letter via the school office marked to the Attention of the Headteacher or by email to the office at [office@spjs.org](mailto:office@spjs.org) with a subject line ' Subject Access Request'. Requests should include:

- The pupil's name
- A correspondence address
- A contact number and email address

- Full details of 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 will be provided within 30 calendar days. Where a request is complex and the school will require more time to respond, the requestor will be informed. The school may ask the requestor to confirm their identity prior to releasing any information.

## **9. Parental requests to see the educational record**

Parents have the right of access to their child's educational record and can come and view the folder within 15 school days of a request.

If a parent requests a photocopy of their child's educational record this will be completed within 30 working days and be asked to collect it from the school.

## **10. 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 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
- Personal emergency contact details are taken off site on a permission form for sporting events only for the children who attend the event. Afterwards, slips are shredded. For residential trips, two copies of children's personal details are taken with the leader of the trip as well as the headteacher in case of an emergency overnight and then shredded after the trip has finished.
- Passwords are used to access school computers, laptops and other electronic devices. Staff are reminded to change their passwords at regular intervals and not to have them written down.
- Encryption software is used to protect all portable devices and removable media, such as laptops and USB devices that contain personal information about a child/family.
- Staff, pupils or governors who store personal information on their personal devices are expected to follow the same security procedures for school-owned equipment
- As a school we adhere to the guidelines issued by the Information Records Management Society (IRMS) toolkit for schools.

## **11. 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 may also use an outside company to safely dispose of electronic records.

## **12. 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.

## **13. Monitoring**

Headteacher is responsible for monitoring and reviewing this policy.

A Governor checks that the school complies with this policy by, among other things, reviewing school records annually.

## **14. Links with other policies**

This data protection policy is linked to the freedom of information publication scheme, our privacy notices and our Data Breach Policy