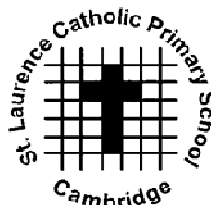


St Laurence Catholic Primary School



**A member of Our Lady of Walsingham
Catholic Multi-Academy Trust**



Data Protection Policy

**This policy was agreed by the Resources Committee of the
Governing Body on 29th November 2019**

Next due for review: November 2020

***Through God's grace a community growing in knowledge
and understanding***

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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 the General Data Protection Regulations (GDPR) May 2018 and the Data Protection Act (2018).

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

2. Legislation and Guidance

This policy is based on the latest version of the Cambridgeshire ICT service model policy (2018). It 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 provisions of the General Data Protection Regulation, which came into force in May 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

	<ul style="list-style-type: none"> • 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. This is the Headteacher, Mrs Clare Clark
Data Processor	A person, other than an employee of the data controller, who processes the data on behalf of the data controller
Data Protection Officer (DPO)	<p>A person, either an employee or a managed service, who is responsible for ensuring that the school is complying with this policy, our privacy notices, other linked data protection policies and meeting the spirit and detail of the General Data Protection Regulations and the subsequent Data Protection Bill (to be published later in 2018).</p> <p>The DPO for St Laurence Catholic Primary School is the allocated person from ICT Services Cambs County Council.</p>
Subject Access Request (SAR)	A formal request made by the Data Subject or, where under the age of 12, his/her parents for copies of information held on them by the school.
Information Commissioner's Office (ICO)	<p>The authority with responsibility for overseeing Data Protection and Freedom of Information in the UK.</p> <p>https://ico.org.uk/global/contact-us/email/</p> <p>Helpline: 0303 123 1113 (Local rates)</p>

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 Headteacher, Mrs Clare Clark.

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

5. Data Protection Officer

We have appointed the ICT Services, a department of Cambs County Council, to provide a service which includes a Data Protection Officer. Our allocated Data Protection Officer can be contacted through the school office office@stlaurence.cambs.sch.uk.

6. 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 GDPR
- 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

7. Roles and Responsibilities

The governing board has overall responsibility for ensuring that the school complies with its obligations under the Data Protection Act 1998 and General Data Protection Regulations May 2018 and the subsequent Data Protection Bill expected late 2018.

Day-to-day responsibilities rest with the Headteacher, or the School Business Manager in the Headteacher's absence although all staff have an obligation to comply with the law, this policy and associated data protection and safeguarding policies. 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, store and process 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.

8. Privacy Notice

8.1 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
- 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
- Images

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. Mostly the school will be processing personal data to undertake a public task, that of Education. 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, the NHS and the Department for Education, so that they are able to meet their statutory obligations.

8.2 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
- Images
- Fingerprints

We will only retain the data we collect for as long as is necessary to satisfy the purpose for which it has been collected and to comply with other legislation including financial legislation.

We will not share information about staff with third parties without consent unless the law allows us to as we undertake a public task (that of Education) and / or meet contractual obligations from employment.

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.

In addition we share information with Education Personnel Management (EPM) who provide our school with a payroll and personnel service; Schools Advisory Service who provide a staff absence management service including access to well being services for all staff and Heales who are our Occupational Health advisers.

Any staff member wishing to see a copy of information about them that the school holds should contact Mrs L Taylor School Business Manager in the first instance or instigate procedures under section 9 of this policy..

9. Subject Access Requests

Under the Data Protection Act 1998 and the General Data Protection Regulations May 2018, pupils and staff

(including volunteers) and contractors have a right to request access to personal 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 or email to office@stlaurence.cambs.sch.uk
Requests should include:

- The pupil's or staff member'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 or member of staff

Subject access requests for all or part of the pupil's educational record will be provided within 15 school days. All other requests will be dealt with within a reasonable time but not later than one school month from receipt. We will write within one school month to advise if we think the work required to respond to your request will require an extension of up to two further school months explaining the need for the extension.

There will be no charge for this service unless further additional copies are requested of the same information or the request is considered to be unfounded or excessive.

10. Right for Rectification

Where the data subject (or his/ her parent) has identified an inaccuracy in the information held by the school and has informed the school in writing by letter or email, the school will correct the inaccuracy within one school month or write within one school month to explain why we need an extension of a further two months.

Where the school has decided it cannot take action to rectify it will write to explain and advise of the data subject's right to complain to the governing body and if no satisfaction to the Information Commissioner's Office (ICO).

11. Parental Requests to see the Educational Record

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 13 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.

12. 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
- Where personal information needs to be taken off site (in paper or electronic form), staff must sign it in and out from the school office with the express permission of the Headteacher.

- Passwords that are at least 6 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, pupils or governors who store personal information on their personal devices are expected to follow the same security procedures for school-owned equipment
- Images recorded on electronic devices are to be stored centrally on staff share in folders with deletion dates corresponding to when the child would be in Year (7) or earlier to enable systematic deletion in the first term of their departure from St Laurence Catholic Primary School.
- Retention of records will be linked to current IRMS guidance, other legislation and Local Authority expectations (Link to IRMS . [https://c.ymcdn.com/sites/irms.site-ym.com/resource/collection/8BCEF755-0353-4F66-9877-CCDA4BFEEAC4/2016 IRMS Toolkit for Schools v5 Master.pdf](https://c.ymcdn.com/sites/irms.site-ym.com/resource/collection/8BCEF755-0353-4F66-9877-CCDA4BFEEAC4/2016%20IRMS%20Toolkit%20for%20Schools%20v5%20Master.pdf))

13. 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.

14. Training

Our staff and governors are provided with data protection training as part of their induction process.

Data protection also forms part of continuing professional development, where changes to legislation, such as the introduction of the General Data Protection Regulations in May 2018 or the school's processes make it necessary.

15. Monitoring arrangements

C Clark, Head teacher, is responsible for monitoring and reviewing this policy.

The Data Protection Officer, checks that the school complies with this policy by, among other things, reviewing school records on a termly basis.

This document will be reviewed in one year's time and thereafter every 2 years.

At every review, the policy will be made available to the school community including governors, parents and all staff via our school website.

16. Data Breach Management

If a Data Breach were to be identified it would be managed under the school's protocols set down in its Data Breach Policy. An individual found to be compromising this policy could be subject to disciplinary action.

17. Data Privacy Impact Assessments

Where the school plans to revise practices, change or update computer systems, merge with another organisation, or any other project which affects the manner in which data is processed, it will conduct a Data Privacy Impact Assessment (DPIA). The school will liaise with staff and data subject representatives to ensure any risks to data security are identified and solutions are robust and transparent. DPIAs will be completed in line with the ICO guidance and with reference to the school's Data Protection Officer and be made available for public scrutiny if requested. DPIAs may result in additional training for staff and volunteers.

18. Information Sharing

St Laurence Catholic Primary School Primary School, as part of Cambs County Council, works within the Cambs

Information Sharing Framework which represents a group of public sector organisations who agree to share information in certain conditions including when to not do so would cause MORE harm.

Policy Name: Data Protection

Policy Date: November 2019



EQUALITY IMPACT ASSESSMENT for SCHOOL POLICIES

		Yes / No	Comments
1.	Does the Policy/Guidance affect one group less or more favourably than another on the basis of:		
	• Age (for policies affecting staff)	N	
	• Disability	N	
	• Sex	N	
	• Gender reassignment	N	
	• Pregnancy/maternity	N	
	• Race (which includes colour, nationality and ethnic or national origins)	N	
	• Sexual orientation	N	
	• Religion or belief	N	
	• Marriage / civil partnership	N	
2.	Is there any evidence that some groups are affected differently?	N	
3.	If we have identified potential discrimination are any exceptions reasonable, legal and justifiable?	N/A	
4.	Is the impact of the policy/guidance likely to be negative?	N	
5.	If so, can the impact be avoided?	N/A	
6.	What alternatives are there to achieving the policy/guidance without the impact?	N/A	
7.	Can we reduce the impact by taking different action?	N/A	

Equality Impact Assessment carried out by: Resources Committee

Date: October 2016, updated November 2019