

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



St. Laurence Catholic Primary School Data Protection Policy

Introduction

St. Laurence Catholic Primary School needs to keep certain information about our employees, pupils and other users to allow us to, for example monitor performance, achievement, and health and safety. To comply with the law, information must be collected and used fairly, stored safely and not disclosed to any other person unlawfully. To do this, we must comply with the Data Protection Principles which are set out in the Data Protection Act 1998.

In summary these principles state that personal data shall:

- Be obtained and processed fairly and lawfully and shall not be processed unless certain conditions are met
- Be obtained for a specified and lawful purpose and shall not be processed in any manner in compatible with that purpose.
- Be adequate, relevant and not excessive for that purpose
- Be accurate and kept up to date.
- Not be kept for longer than is necessary for that purpose.
- Be processed in accordance with the data subject's rights.
- Be kept safe from unauthorised access, accidental loss or destruction.

St Laurence Catholic Primary School and all staff or others 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.

Status of this Policy

This policy does not form part of the contract of employment for staff but it is a condition of employment that employees will abide by the rules and policies made by the school from time to time. Any failures to follow the policy can therefore result in disciplinary procedure. This policy is also used in conjunction with the School's IT Acceptable Use Policy.

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 School has identified its Designated Data Controllers as:

The Headteacher, Deputy Headteachers, the Senior Leadership team and the Office Manager.

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 with the Head Teacher in the first instance.

Responsibilities of Staff

All staff are responsible for:

- Checking that any information that they provide to the School in connection with their employment is accurate and up to date.
- Informing the School of any changes to information that they 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.
- Handling all personal data (e.g. pupil attainment data) with reference to this policy.

Data Security

All staff are responsible for ensuring that:

- Any personal data that they hold is kept securely.
- Personal information is not disclosed either orally or in writing or via web pages or by any other means, accidentally or otherwise, to any unauthorised third party.

Staff 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, or;
- If it is computerised, be password protected both on a local hard drive and on a network drive that is regularly backed up; and
- If a copy is kept on a USB memory key or other removable storage media, that media must itself be password protected or kept in a filing cabinet, drawer, or safe.

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 how to gain access to it.
- Know how to keep it up to date.
- Know what the School is doing to comply with its obligations under the 1998 Act.

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 wither on 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 required in order to meet the costs of providing details of the information held.

The School aims to comply with requests for access to personal information as quickly as possible, but will ensure that it is provided within 40 days, as required by the 1998 Act.

Subject Consent

In many cases, the School can only process personal data with the consent of the individual.

In some cases, if the data is sensitive, as defined in the 1998 Act, express consent must be obtained. Agreement to the School processing some specified classes of personal data is a condition of acceptance of employment for staff. This includes information about previous criminal convictions.

Jobs will bring the applicants into contact with children. The School has a duty under the Children Act 1989 and other enactments to ensure that staff are suitable for the job.

The School has a duty of care to all staff and students and must therefore make sure that all employees and those who use School facilities do not pose a threat or danger to other users.

The School may also ask for information about particular health needs, such as allergies to particular forms of medication, or any medical condition such as asthma or diabetes. The School will only use this information in the protection of the health and safety of the individual, but will need consent to process this data in the event of a medical emergency, for example.

Processing Sensitive Information

Sometimes it is necessary to process information about a person's health, criminal convictions, or race. This may be to ensure that the School is a safe place for everyone, or to operate other School policies, such as Sick Pay Policy or the Equal Opportunities Policy.

Because this information is considered **sensitive** under the 1998 Act, staff (and pupils where appropriate) will be asked to give their express consent for the School to process this data. An offer of employment may be withdrawn if an individual refuses to consent to this without good reason.

Retention of Data

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

Monitoring and Evaluation

This is ongoing; where any clarifications or actions are needed the Policy will be amended at its next review.

This policy has undergone an Equality Impact Assessment

Date: October 2016

Next Review Due: October 2019

Signed:

Policy Name: Data Protection

Policy Date: October 2016

**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: Finance & Personnel Committee

Date: October 2016