



**GREAT FINBOROUGH
CHURCH PRIMARY**

Data Protection Policy

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Great Finborough Church Primary

Data Protection Policy

1 Introduction

- 1.1 The Data Protection Act 1998 sets out what can and cannot be done with personal data, that is, information about living individuals. Great Finborough CEVC Primary School has a legal obligation to comply with the provisions of this act.
- 1.2 The School as a body corporate is the Data Controller under the 1998 Act, and the Governors are ultimately responsible for implementation. However, School personnel will deal with day to day matters

2 Commitment to the Protection of Personal Information

- 2.1 Great Finborough CEVC Primary needs to collect and use certain types of information about people with whom it deals in order to operate effectively. These include pupils, parents, carers, staff, governors, suppliers and others with whom it communicates. In addition, it is required by law to collect and use certain types of information to comply with the requirements of government departments.
- 2.2 This personal information must be dealt with properly and securely regardless of what method is used for its collection, recording or use – whether this is paper, a computer system or any other material. There are safeguards to ensure that the processing of such information is carried out in a proper fashion and these are contained in the Act.
- 2.3 This policy does not seek to convey the whole legislation to its readers, rather to acquaint them with the main provisions and to demonstrate that Great Finborough CEVC Primary has a commitment to those provisions.
- 2.4 Great Finborough CEVC Primary regards the lawful and correct treatment of personal information as very important to successful and efficient performance of its functions and to maintaining confidence between those with whom we deal and ourselves. We ensure that our school treats personal information lawfully and fairly.
- 2.5 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 failure to follow the policy can, therefore, result in disciplinary proceedings.

3 Our Data Protection Standards

- 3.1 Great Finborough CEVC Primary will, through appropriate management and adherence to agreed procedures:
 - Observe fully the conditions relating to the fair collection and lawful use of personal information;
 - Meet its legal obligations to specify the purposes for which the information is used;
 - Collect and process appropriate information but only that which is necessary for it to meet its operational needs or meet its legal requirements;
 - Ensure the quality of information used. We will ask people to help us to achieve this by keeping us informed of any changes to the information we hold about them;
 - Apply strict checks to determine the length of time information is held and to ensure it will be disposed of when no longer required with due regard to sensitivity;

- Ensure that the rights of people about whom information is held can be exercised. These include the right to be informed that processing is being undertaken, the right to access one's personal information, , the right to prevent processing in certain circumstances and the right to correct, rectify, block or erase information which is regarded as wrong;
- Take appropriate technical and organisational measures to safeguard personal information.

3.2 Personal information will be:

- Kept in a locked filing cabinet, drawer or safe. or
- If it is computerised, be coded, encrypted, or password protected both on a local hard drive and on a network drive that is regularly backed up, or
- If a copy is kept on diskette or other removable storage media, that media will be kept in a locked filing cabinet, drawer or safe.

4 Responsibilities of Staff

4.1 All staff are responsible for:

- Checking that any information 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. The School cannot be held responsible unless the Staff member has informed the School of such changes.
- If and when, as part of their responsibilities, staff collect information about other people, e.g., details of personal circumstances or SEN information, they must ensure this is held in a manner that complies with the Act.
- Ensuring any data they hold is kept securely
- Ensuring that 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.

4.2 Compliance with the 1998 Act is the responsibility of all members of the School. Any unauthorised disclosure will usually be a disciplinary matter, and may be considered gross misconduct in some cases. Any deliberate breach of the Data Protection Policy may lead to disciplinary action being taken, or even to a criminal prosecution.

5 Rights to Access Information

5.1 All adults for whom we hold information, and parents/carers of children 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 Act.

5.2 The School will, upon request, provide a person 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.

5.3 Any person who wishes to request access to personal data being kept about them on computer or in files should put this request to the School in writing. The School will make a charge of £10 on each occasion this request is granted, although the School has discretion to change this.

- 5.4 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.

6 Data disclosures

- 6.1 Personal data will only be disclosed to organisations or individuals for whom consent has been given to receive the data, or organisations that have a legal right to receive the data without consent being given.
- 6.2 When requests to disclose personal data are received by telephone, it is the responsibility of the school to ensure they are entitled to receive the data and that they say who they are. It is advisable to call them back, preferably via a switchboard, to ensure the possibility of fraud is minimised.
- 6.3 If a personal request for personal data to be disclosed, it is the responsibility of the school to ensure the caller is entitled to receive the data and that they say who they are. If the person is not known personally, proof of identity must be requested.
- 6.4 Requests from parents or children for printed lists of the names of children in particular classes should be politely refused as permission would be required from all the data subjects contained in the list.

7 Subject Consent

- 7.1 In many cases the School can only process personal information 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.
- 7.2 Jobs will bring the applicants into contact with children. The School has a duty of care to all staff and students and must therefore make sure all 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 foods, or any medical condition such as asthma or diabetes. The School will only use this information in the protection of the health & safety of the individual, but will need consent to process this data in the event of a medical emergency, for example.

8 Processing Sensitive Information

- 8.1 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 the Equal Opportunities Policy. Because this information is considered **sensitive** under the 1998 Act, staff (and students 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 consent to this without good reason.

9 Publication of School Information

- 9.1 Certain items of information relating to School staff will be made available via searchable directories and on the School web site, in order to meet the legitimate needs of researchers, visitors and enquirers seeking to make contact with the School.

10 Retention of Data

10.1 The School has a duty to retain some staff and student 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 details. Records of personal information will not be kept for longer than is necessary, and will follow the guidance in the FOI retention Schedule.