

Bullers Wood School

Data Protection Policy



Quod Potes Tenta
Strive to your Utmost

Policy created by: Anne Gouldthorpe, Deputy Headteacher	Date of Adoption December 2016	Review Date December 2019	To be reviewed by: Finance & Audit Committee
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Data Protection Policy

INTRODUCTION

The Governing Body of Bullers Wood School has overall responsibility for ensuring that records are maintained, including security access arrangements, in accordance with Education Regulations and all other statutory guidance.

Bullers Wood School collects and uses certain types of personal information about employees, students, parents and other individuals who come into contact with the School in order to provide education and other relevant functions. Additionally, it may be required by law to collect and use certain types of information to comply with its statutory obligations of the Local Education Authority, government agencies and other bodies as outlined in its Privacy Notice (Appendix 1)

This policy should be read in conjunction with the **Privacy Notice, Freedom of Information Policy, Use of ICT within the School Policy, Site Security Policy and Child Protection and Safeguarding Policy**

DEFINITIONS

“Processing” refers to any action involving personal information, including obtaining, viewing, recording, copying, amending, adding, deleting, extracting, storing, disclosing, destroying or otherwise using information.

Any reference to students, parents and other individuals in this policy who come into contact with the School as part of the provision of education and associated functions of the School includes current, past or prospective students, parents and other individuals as described.

DATA PROTECTION PRINCIPLES

Bullers Wood School (The School) will comply with the Eight Data Protection Principles as laid down in the 1998 Data Protection Act and displayed on the Information Commissioner’s Website (www.ico.gov.uk) which must be followed at all times:

1. Data must be processed fairly and lawfully
2. Personal data shall be obtained only for one or more specific and lawful purposes
3. Personal Data shall be adequate, relevant and not excessive in relation to the purpose (s) for which they are processed
4. Personal Data shall be accurate and where necessary kept up to date.
5. Personal data processed for any purpose (s) shall not be kept for longer than necessary for that purpose
6. Personal Data shall be processed in accordance with the rights of data subjects under the 1998 Data protection Act
7. Appropriate technical and organisational measures shall be taken against unauthorised and unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
8. Personal Data shall not be transferred to a country outside the EEA, unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

The School is committed to maintaining these principles at all times through:

Data and Computer Security

Bullers Wood School undertakes to ensure the security of personal data by the following methods (for security purposes, exact details cannot be released)

- **Physical Security** – appropriate building security measures are in place such as alarms and deadlocks. Only authorised persons are allowed in the Finance Office, HR Office and Examinations Office. Disks, tapes and printouts are locked away securely when not in use. Visitors to the School are required to sign in and out, wear identification badges and are, where appropriate accompanied at all times.
- Only authorised users are allowed access to the computer files and password changes are regularly undertaken. Computer files are backed up regularly.
- **Authorisation** – in order for staff to be given access to computers containing personal data, staff will have to undergo checks and sign a confidentiality agreement. All staff are trained in their Data Protection obligations and their knowledge updated regularly. Computer printouts and source documents are shredded before disposal.

Data Gathering

- All personal data relating to staff, students or other people with whom we have contact, whether held on computer or in paper files, are covered by the Act.
- Only relevant personal data may be collected and the person from whom it is collected should be informed of the data's intended use and any possible disclosures of the information that may be made.

Data Processing

- Only authorised and trained staff are allowed to process and make external disclosures of personal data
- Data used within the School by administrative staff and teachers will only be made available where the person requesting the information is legitimately working in the School who **need to know** the information in order to do their work.

Data Storage

- Personal data will be stored in a secure and safe manner.
- Electronic data will be protected by standard password and firewall systems operated by the School
- Computer workstations in administrative areas will be positioned so that they are not visible to casual observers waiting either in the office or at reception.
- Manual data will be stored where it not accessible to anyone who does not have a legitimate reason to view or process that data.

Particular attention will be paid to the need for security of sensitive personal data.

Data Checking

- The School will issue regular reminders to staff and parents to ensure that personal data held is up-to-date and accurate.
- Any errors discovered would be rectified and, if the incorrect information has been disclosed to a third party, any recipients informed of the corrected data.

Data Disclosures

- 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.
- When requests to disclose personal data are received by telephone it is the responsibility of the School to ensure the caller is entitled to receive the data and that they are who they

say they are. It is advisable to call them back, to ensure the possibility of fraud is minimised.

- If a personal request is made for personal data to be disclosed it is again the responsibility of the School to ensure the caller is entitled to receive the data and that they are who they say they are. If the person is not known personally, proof of identity should be requested.
- Requests from parents or children for printed lists of the names of children in particular classes should politely refused.
- Personal data will not be used in newsletters, websites or other media without the consent of the data subject.
- Routine consent issues will be incorporated into the School's student data gathering sheets, to avoid the need for frequent, similar requests for consent being made by the school.
- Personal data will only be disclosed to Police Officers if they are able to supply a relevant document which notifies of a specific, legitimate need to have access to specific personal data.
- A record should be kept of any personal data disclosed so that the recipient can be informed if the data is later found to be inaccurate.

Subject Access Requests

- If the School receives a written request from a data subject to see any, or all personal data that the School holds about them this should be treated as a legitimate request and the School will respond within the recommended 40 day deadline.
- Informal requests to view or have copies of personal data will be dealt with wherever possible at a mutually convenient time but, in the event of any disagreement over this, the person requesting the data will be instructed to make their application in writing and the School will comply with its duty to respond within the 40 day time limit.

Liability

Individual members of staff can be personally liable in law under the terms of the Data protection Act. They may also be subject to claims and damages from persons who believe that they have been harmed as a result of inaccuracy, unauthorized use or disclosure of their data. A deliberate breach of this data Protection Policy will be treated as a disciplinary matter, and serious breaches could lead to dismissal.

Data Controller name: Bullers Wood School

Data Protection Licence: Z2665878

Contact name: Mrs. Benton, Data Manager

Privacy Notice - Data Protection Act 1998

Bullers Wood School is a data controller for the purposes of the Data Protection Act 1998. It processes this data to:

- Support its students' teaching and learning;
- Monitor and report on their progress;
- Provide appropriate pastoral care, and
- Assess how well the school as a whole is doing.

This information includes contact details, national curriculum assessment results, attendance information and characteristics such as ethnic group, special educational needs and any relevant medical information.

This data may only be used and passed on for specific purposes allowed by law. From time to time the School is required to pass on some data to local authorities, the Department for Education (DfE), and to agencies that are prescribed by law, such as the Qualifications and Curriculum Authority (QCA) and Ofsted.

In addition for Secondary Schools

Any learner enrolling for post 14 qualifications will be provided with a unique learner number (ULN) by the Learning Records Service. The School may, in turn, obtain details of any learning or qualifications that its students have undertaken.

For students' aged 13 or over, the school is required by law to pass on certain information to providers of youth support services in the area. This is the local authority support service for young people aged 13 to 19 in England. This information includes the name and address of the student and the parent, and any further information relevant to the support services' role. However, the parents or the students themselves, if aged 16 or over, can ask that no information beyond name and address (for students and parent) be passed on to the support service. Please inform Mrs Benton, Data Manager if you wish to opt-out of this arrangement. For more information about young peoples' services, please go to the DirectGov Young Peoples' page at www.direct.gov.uk/en/YoungPeople/index.htm.

Students, as data subjects, have certain rights under the Data Protection Act, including a general right to be given access to personal data held about them by any data controller. The presumption is that by the age 12 a child has sufficient maturity to understand their rights and to make an access request themselves if they wish. A parent would be expected to make a request on a child's behalf if the child is younger.

The School will not give out information about students and their parents to anyone outside the school without consent unless the law and our rules allow us to.

If you wish to see a copy of the information that we you that we hold and/or share, please contact Mrs Benton, data Manager. If you require more information about how the Local Authority (LA) and/or DfE store and use your information, then please go to the following websites:

http://www.bromley.gov.uk/info/200086/schools_and_colleges/29/school_records
<http://www.education.gov.uk/researchandstatistics/datatdatam/b00212337/datause>

If you are unable to access these websites we can send you a copy of this information. Please contact the LA or DfE as follows:

- Data Protection Officer, LB Bromley, Education and Care Services Department, Civic Centre, Stockwell Close, Bromley, BR1 3UH
- Public Communications Unit, Department for Education, Sanctuary Buildings, Great Smith Street, London SW1P 3BT
Website: www.education.gov.uk
email: <http://www.education.gov.uk/help/contactus>
Telephone: 0370 000 228