



**Stalmine Primary School**

# **DATA PROTECTION POLICY**

Stalmine Primary School is committed to protecting and respecting the confidentiality of sensitive information relating to staff, pupils, parents and governors.

## **INTRODUCTION**

Stalmine Primary School is required to keep certain information about our employees, pupils and other users to allow us to monitor performance, achievement and health and safety. It is also necessary to process information so that staff can be recruited and paid, courses organised and legal obligations to funding bodies and government complied with.

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
- Be obtained for a specified and lawful purpose and shall not be processed in any manner incompatible with that purpose
- Be adequate, relevant and not excessive for that purpose
- Be accurate and kept up to date
- Not 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

All staff who process or use personal information must ensure that they follow these principles at all times. In order to ensure this happens the school has developed 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. Any failures to follow the policy could, therefore, result in disciplinary proceedings.

## **THE DATA CONTROLLER & 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 Head Teacher, the SENCo and the Business Support Officer.

Any member of staff, parent or other individual who considers that the policy has not been followed in respect of personal data should raise the matter with the Head Teacher in the first instance.

### **RESPONSIBILITIES OF STAFF**

All staff are responsible for:

- Checking any information that they provide to school in connection with their employment is accurate and up to date
- Informing the school of any changes to information they have (address, phone numbers etc)
- Handling all personal data (pupil attainment data etc) in accordance with this policy

### **DATA SECURITY**

All staff are responsible for ensuring that:

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

Staff should note that unauthorised disclosure is likely be a disciplinary matter and could be considered gross misconduct in some cases.

Personal information should be:

- Kept in a filing cabinet, drawer or safe in a secure office
- If it is computerised it should be password protected, both on a local hard drive, and on a network drive which is regularly backed up
- If a copy is kept on a USB device or other removable storage device this must be password protected and also kept in a filing cabinet, drawer or safe.

### **RIGHTS TO ACCESS INFORMATION**

(see also the Freedom of Information Policy)

All staff, parents and other users are entitled to:

- Know what information the school holds and processes about them and their children and why it is held and processed
- Know how to access 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 with other relevant users with a statement regarding the personal data held about them.

All staff, parents and other users have the right under the 1998 Act to access certain personal data being kept on them or their child either on computer or in certain files. Any person who wishes to exercise this right should make their request in writing and submit it to the Head Teacher. The school will ask to see evidence of identity, such as passport or driving license before any information is disclosed. The school may make a charge on each occasion that access is requested in order to meet the costs of providing the details of the information held.

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

### **RETENTION OF DATA**

The school has a duty to retain some staff and pupil personal data for a time following their departure from school, mainly for legal reasons. Different categories will be retained for different periods of time and the school follows the Lancashire Guidelines for this.

### **TYPE/CLASSES OF INFORMATION PROCESSED**

As a school, the information we process may include:

- name and personal details
- family, lifestyle and social circumstances
- financial details
- education details
- employment details
- student and disciplinary records
- vetting checks
- goods and services
- visual images, personal appearance and behaviour

We also process sensitive classes of information that may include:

- physical or mental health details
- racial or ethnic origin
- religious or other beliefs of a similar nature
- trade union membership

- offences and alleged offences

### **WHO INFORMATION MAY BE SHARED WITH**

The Data Protection Act will be complied with before any information is shared.

Where necessary or required we share information with:

- education, training, careers and examining bodies
- school staff and boards
- family, associates and representatives of the person whose personal data we are processing
- local and central government
- healthcare professionals
- social and welfare organisations
- police forces
- courts
- current, past or prospective employers
- voluntary and charitable organisations
- business associates and other professional advisers
- suppliers and service providers
- financial organisations
- security organisations

### **REVIEW**

This policy must be reviewed every 2 years.

Responsibility for this can be delegated to the Policy Review Group.

Review date: Summer Term 2017