



Data Protection Policy for Schools

Information and Guidelines

Date of Original Policy: January 2007
Member of Staff Responsible: G Parkes, Director of Resources
Review Date: January 2018

Approved by SLT on 20 October 2016
Approved in principal by Jean Horton, Chair of Governors on 21 October 2016
Approved by Full Governors on 30 January 2017 (Min no:114/2016/17.12)

'This policy was reviewed and has been impact assessed in the light of all other school policies including the Disability Equality Scheme.'

Contents

This pack contains various guidelines and samples to help schools to create a policy for the way in which personal information relating to students and employees, is held and handled by the school, both paper and electronic records, and with particular reference to the requirements of the Data Protection Act 1998.

Each school should have a cabinet file for Data Protection matters and it should contain the following items:

- The school's Data Protection Policy document
- The school should be registered with the Information Commissioner and the Registration document should be kept on file along with any reminder notices from the Commissioner.
- Parkside Community School's registration number is Z5978388. Valid until 19 December 2016. Registered contact is Mrs Kam Grewal-Joy, Headteacher
- If the school is notified of a breach, a record should be kept of that notification and the action taken as a result of the breach.
- Any guidelines or notices issued by the Information Commissioner or the Education Authority.
- If the school asks parents/ pupils to sign forms to allow their data to be disclosed to third parties, these forms and signatures should be kept on record.

If you require help or advice please contact

Tony Smith
Children and Younger Adults Department
County Hall, Matlock DE4 3AG

01629 536470
tony.smith@derbshire.gov.uk

Access to Information Officer
Corporate Resources Department
County Hall, Matlock DE4 3AG

01629 538373
access2info@derbyshire.gov.uk



Data Protection Policy

General Statement

The Headteacher and Governors of Parkside Community School intend to comply fully with the requirements and principles of the Data Protection Act 1998. All staff involved with the collection, processing and disclosure of personal data will be aware of their duties and responsibilities within these guidelines. Staff will be given training on the requirements of the Act as and when it is considered appropriate

Enquiries about the policy, the Notification and the data held on the computer(s)

Information about the School's Data Protection policy is available from Mrs Gill Parkes, Director of Resources and general information about the Data Protection Act can be obtained from the Derbyshire Education Department's Data Protection Liaison Officer at County Hall : 01629 580000 ext 6501.

Fair Obtaining

The School undertakes to obtain and process data fairly and lawfully by informing all data subjects of the reasons for the collection of the data, the purposes for which the data is held, the likely recipients of the data and their right to access that data either under the Education (Pupil Information) (England) Regulations 2005 or the Data Protection Act 1998. Data subjects will be informed about the collection and use of their data through the use of Privacy Notices which will be printed on the appropriate collection forms.

There is a general Privacy Notice which can be found on the school's website on the bottom of every page in the "Privacy" link.

<http://www.parkside.derbyshire.sch.uk/index.php/legaldisclaimers?id=253>

If these details are given verbally to the data subject the person collecting the data will explain the issues before obtaining the information.

Staff are aware of this policy as part of their induction, all policies are available for staff to access on the schools V Drive.

Registered Purposes

The Data Protection Registration entries for the School are available, by appointment, for inspection in the school office. Explanation of the codes and categories entered is available from the Mrs Gill Parkes, Director of Resources who is the person nominated to deal with Data Protection issues in the school.

Registered purposes covering the data held at the school are listed on the school's Registration and data collection documents. Information held for these stated purposes will not be used for any other purpose without the data subjects' consent.

Data Integrity

Parkside Community School undertakes to ensure data integrity by the following methods:

Data Accuracy

Data held will be as accurate and up to date as is reasonable possible. If a data subject informs the school of a change of circumstances their records will be updated as soon as practicable.

Parkside Community School has a system to ensure that where a data subject informs the school of a change of their circumstances, that all of the records held on the data subject are updated. (Parkside Community School uses SIMS - School Information Monitoring System database to record all student and staff data).

Where a data subject (the person who the data is about) challenges the accuracy of their data, Parkside Community School will investigate and make any changes. Parkside Community School will immediately mark the record as potentially inaccurate (challenged). We shall try to resolve the issue informally but if this is not possible, any disputes will be referred to the Governors for their deliberation.

Data Collection sheets are issues to all data subjects on an annual basis at the beginning of the academic year in September.

Data Relevance

Data held about people will be relevant to the purpose for holding the data. We shall not hold any data which are excessive in relation to the purpose. In order to ensure compliance with this principle the school will ensure an annual data check is carried out. Staff and student data collection sheets are issued annually for review. Data and its relevance will be discussed at senior level annually before any data is deleted.

Length of Time

Data held about individuals will not be kept for longer than is necessary for the purposes registered. It is the duty of data input staff: Mrs Vicky Ozen, School Business Assistant (Staff records) & Mrs Sue Hannant-Smith, Attendance Assistant as directed, to ensure that any obsolete data is erased.

If the problem is not resolved at this stage independent arbitration may be sought by either side. Until resolved, the challenged marker will remain and all disclosures of the affected information will contain both versions of the information. In order to prevent such problem areas we shall provide data subjects with opportunities to check their data accuracy and request amendments.

Subject Access

The Data Protection Act extends to all data subjects a right of access to their own personal data.

In order to ensure that people receive only information about themselves it is essential that a formal system of requests is in place. Where a request for subject access is received in respect of a student, the school's policy is that:

- Requests from parents of their own child will, provided that the child does not understand the nature of subject access requests, be processed as requests made on behalf of the data subject (the child) and the copy will be sent in a sealed envelope to the requesting parent.

- Requests from students who do NOT understand the nature of the request will be referred to the child's parents.
- Requests from students who can demonstrate an understanding of the nature of their request will be processed as any subject access request as outlined below and the copy will be given directly to the student.

Students are notified on entry of their right to view data.

Processing Subject Access Requests

Students/parents should ask for the Subject Access form available from the School Office and staff should use the Staff Request form available from the Headteacher.

Completed forms should be submitted to the Mrs Gill Parkes, Director of Resources. Provided that there is sufficient information to process the request, an entry will be made in the Subject Access log book, indicating the date of receipt, data subject's name, name and address of requester (if different), type of data required (e.g. Student Record, Personnel Record) and planned date of supplying the information (not more than 40 days from the request date).

Should more information be required to establish either the identity of the data subject (or agent) or the type of data requested, the date of entry in the log will be the date on which sufficient information has been provided.

Completed forms should be submitted to Mrs Kam Grewal-Joy, Headteacher.

Authorised Disclosures

Parkside Community School will only disclose data about individuals, in general, with their consent. However, if there are any circumstances under which the school's authorised officer(s) may wish to reveal data without express consent. These circumstances are limited to in an emergency and when required by law.

These circumstances are intentionally limited to:

- ✓ Student data disclosed to authorised recipients in respect of education and administration necessary for the school to perform its legitimate duties and obligations.
- ✓ Student data disclosed to authorised recipients in respect of their children's health, safety and welfare
- ✓ Student data disclosed to parents in respect of their children's progress, attendance, attitude and general demeanour within, and in the vicinity of, the school
- ✓ Staff data disclosed to the relevant authority in respect of payroll and schools' staff administration
- ✓ Other disclosures as may prove unavoidable, for example where an incidental disclosure occurs when an engineer is fixing the computer systems. In such cases, the engineer will sign a document to promise NOT to disclose such data outside the school. Education Authority IT Liaison/Support Officers are professionally bound not to disclose such data.

Only authorised and properly instructed staff are allowed to make external disclosures of personal data. Data used within the school by administrative staff, teachers and welfare workers must be made available only if the staff member **needs to know** the information for their work within the school.

Data and Computer Security

Parkside Community School undertakes to ensure security of personal data by the following general methods – (for security reasons we cannot reveal precise details in this document) :

Physical Security

Appropriate building security measures are in place, such as alarms, window bars, lockable cabinets, deadlocks and computer hardware cable locks. Only authorised persons are allowed in the server room. DVD's, tapes, flash drives, printouts and files are locked away securely when not in use. Visitors to the school are required to sign in and out and are, where appropriate, accompanied. Staff should not reveal any precise details in external documents.

Security locks have been fitted to all external main doors within each block and staff have identification cards to gain access. Their usage is monitored by the Site & Premises Manager, Mr Karl Barlow.

Logical Security

Security software is installed on all computers containing personal data, only authorised users are allowed access to the computer files and password changes are regularly undertaken. Computer files are backed up (i.e. security copies are taken) regularly. Filing cabinets should be kept locked when the room is unattended.

Procedural Security

In order to be given authorised access to the computer network, staff will be properly checked as part of their induction. All staff are trained and instructed in their Data Protection obligations and their knowledge updated as necessary. Computer printout and source documents are always shredded before disposal.

Overall security policy is determined by the Senior Leadership Team and will be monitored and reviewed as appropriate and whenever a major security breach or loophole is apparent. The School's security policy is kept in a safe place at all times. Any queries or concerns about security of data within the school should be brought to the attention of the Mrs Gill Parkes, Director of Resources.

Individual members of staff can be liable in law under the terms of this Act. They may also be subject to damages claims from persons harmed as a result of inaccuracy, unauthorised use or disclosure of their data. Any deliberate breach of this Data Protection policy will be treated as a disciplinary matter and serious breaches of the Act may lead to dismissal.

Further details on any aspect of this policy and its implementation can be obtained from the school.

Mrs Kam Grewal-Joy
Headteacher
Parkside Community School
Boythorpe Ave, Boythorpe
Chesterfield, Derbyshire

Adopted by Governing Body:

October 2016



Appendix 1

Data Protection Act 1998

Parkside Community School
Student/parents - Request Form for Subject Access to School Files

Request for Access to Personal Data

Under the Data Protection Act 1998, you have the right to enquire of any organization whether they hold your personal data and to see a copy of that data. Individuals are called 'data subjects' in the Act.

If you require copies of data we may hold, please complete all sections below and return this form together with the necessary verification details. The information on the form will only be used to process your request and find information which relates to you. It will be kept on file to respond to any subsequent correspondence, and will not be used for any other purpose. A response will be provided within 40 days of receipt of the completed form and proof of identity.

1. Details of Person Requesting Information

Full Name:

Date of Birth:

Address:

Tel. No.

Fax No.

E-Mail

Other Address Details (if less than 3 years at above address)

4. Are You the Data Subject?

YES: If you are the Data Subject please supply evidence of your identity – passport, driving licence or birth certificate (**originals only**) sent by special delivery unless you are able to bring them in person. Documents will be returned by special delivery. (Please go to question 7.)

NO: Are you acting on behalf of the Data Subject with their written authority? If so, that authority must be enclosed.

(Please complete questions 5 and 6)

5. Details of the Data Subject (if different to 1.)		
<i>Full name</i>		
Date of Birth		
Address		
Tel. No.	Fax No.	E-Mail
6. Please describe your relationship with the Data Subject that leads you to make this request for information on their behalf.		
7. Please describe the information you require:		
8. Please add any additional details (such as relevant dates, contact names, references etc.)		
9. Does the information requested include information relating to another person (a 3rd party)? YES/NO		
10. Do you wish to view the information in person? YES/NO (information will otherwise be supplied in hard copy to the address supplied above)		
Signed	Date	

Please note that it may be necessary to seek further information or proof of identity (of data subject or agent) before the request can be processed. If this is the case, then the statutory 40-day limit on response will start from the date that the Council receives all necessary information and proof. Every effort will be made to provide you with access or send you your details (along with an explanation of any codes or technical terms used) as soon as possible after receipt of your application.

If there is any part of this form you do not understand, or if you need further guidance, please contact the School.

Please return the completed form to the School. The following documents must accompany this application:

- evidence of your identity;
- evidence of the data subject's identity (if different from above) and their authority.

Data Protection Act 1998

Parkside Community School
Staff Request Form for Subject Access

To: Headteacher, Governors of Parkside Community School.

Please provide me with access to or supply me with a copy of personal data held on me by the school and Derbyshire County Council. I have read and understood the instructions and conditions overleaf. Please forward this request to the relevant Chief Officers.

Signed

(Employee) Date

Surname and Initials	Employee No.
Base Address/Room No	Home Address
Telephone Extension	
E-Mail Address	

Description of the Information Required (please also complete the tick boxes overleaf)

Any Additional Details (such as relevant dates, contact names, references etc.)

The above member of staff has requested Subject Access rights to personal data held in Derbyshire County Council files under the Data Protection Act 1998. Please search your data files and forward to me details of the personal data requested on this employee, as defined within the Act.

Signed:

Date:

(Headteacher or Chair of Governors)

Please tick the personal data you wish to have access to:

Type of Personal Data	Please tick ✓
Employment details -	
Specify -	
Personal details	
Health and medical records	
Financial records	
Pay records	
Pension records	
Car allowance/loan	
Telephone allowance	
Training/development records	
Disciplinary records	
Trade union membership records	
Other (please specify)	



**PRIVACY NOTICE
for
Pupils in Schools**

Privacy Notice - Data Protection Act 1998

We Parkside Community School are the Data Controller for the purposes of the Data Protection Act. We collect information from you, and may receive information about you from your previous school. We hold this personal data and use it to:

- support your teaching and learning;
- monitor and report on your progress;
- provide appropriate pastoral care, and
- assess how well your school is doing.

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

We will not give information about you to anyone outside the school without your consent unless the law and our rules allow us to.

We are required by law to pass some of your information to the Local Authority (LA), and the Department for Education (DfE).

If you want to see a copy of the information we hold and share about you then please contact Mrs Gill Parkes, Director of Resources.

If you require more information about how the LA and/or DfE store and use this data please go to the following websites:

www.derbyshire.gov.uk/privacynotices

<http://media.education.gov.uk/assets/files/doc/w/what%20the%20department%20does%20with%20data%20on%20pupils%20and%20children.doc>

<http://www.education.gov.uk/researchandstatistics/childrenandyoungpeople/a0064391/who-the-department-passes-pupil-data-to>

^A Attendance information is not collected for pupils under 5 at Early Years Settings or Maintained Schools

If you are unable to access these websites, please contact the LA or the DfE as follows:

Anne Kerneghan
Data Protection/Freedom of Information Officer
Children and Younger Adults Department
Derbyshire County Council
County Hall
Matlock
Derbyshire
DE4 3AG
website: www.derbyshire.gov.uk
email: anne.kerneghan@derbyshire.gov.uk
tel: 01629 532011

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>
Tel: 0370 000 2288.

In addition for Secondary Schools

If you are enrolling for post 14 qualifications we will be provided with your unique learner number (ULN) by the Learning Records service and may also obtain from them details of any learning or qualifications you have undertaken.

Once you are aged 13 or over, we are required by law to pass on certain information to the provider of youth support services in your area. This is the local authority support service for young people aged 13 to 19 in England. We must provide the address of you and your parents (and your date of birth) and any further information relevant to the support services' role.

However, until you are aged 16 or older, your parent(s) can ask that no information beyond your name, address and date of birth (and their name and address) be passed on to the youth services provider. This right transfers to you on your 16th birthday. Please inform Mrs Gill Parkes, Director of Resources if this is what you or your parents wish.

For more information about young peoples' services, please go to the Directgov Young People page at www.direct.gov.uk/en/youngpeople/index.htm or the LA website shown above.

GPA October 2016