

Data Protection Policy

Reviewed by:	Lever Academy Trust
Last Reviewed:	May 2017
Next review due:	May 2018

Little Lever School

Data Protection Policy

General Statement

The Headteacher and Governors of the 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 the school's duties and responsibilities under the Data Protection Act 1998. Staff will be given training on the requirements of the Act as and when it is considered appropriate.

Aim

This policy explains how personal information relating to pupils 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.

The school is a Data Controller and retains a file for Data Protection matters containing the following items:

- The school's Data Protection Policy document
- Information Commissioner's Registration document and reminder notices from the Commissioner.
- Notification of any breach and record of that notification and the action taken as a result of the breach.
- Guidelines or notices issued by the Information Commissioner or the Education Authority.

Enquiries

Information about the School's Data Protection policy is available from the Headteacher or Business Manager and general information about the Data Protection Act can be obtained by contacting the school on 01204 333300, info@little-lever.bolton.sch.uk or from the LA's Information Management Unit, Children's and Adult Services, Bolton Council. 1st Floor, Town Hall, Bolton, BL1 1UA, ec.imu@bolton.gov.uk, 01204 33 2074

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 (Appendix 1) and a specific notice for staff (Appendix 2) which is distributed annually and stored on P drive (Blue Book)). If these details are given verbally to the data subject the person collecting the data will explain the issues before obtaining the information.

Registered (Notified) Purposes

The school's Notification with the Information Commissioner is available, by appointment, for inspection with the Office Manager. Explanation of the codes and categories entered is available from the Headteacher. Information held for the purposes stated on the school's notification document will not be used for any other purpose without the data subject's consent.

Data Integrity

The school undertakes to ensure data integrity by the following methods:

Data Accuracy – data held will be as accurate and up to date as is reasonably possible. If a data subject informs the school of a change of circumstances, their records will be updated as soon as is practicable. The school has a system (Parents' Gateway) 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.

Where a data subject challenges the accuracy of their data, the school will check the data, update it and provide a new hard copy to the subject so it can be checked. Parents are able to request changes via Parents' Learning Gateway at any time but data will be checked annually as a matter of course. In the case of student data an annual request will be sent to parents using the school's automatic text service or the Parents' Learning Gateway.

Data Relevance – data held about people will be relevant to the purpose for holding the data. The data held will not be excessive in relation to the purpose for which it was collected. In order to ensure compliance with this principle the school will review the data it requires and hold regularly. Data subjects can check such data on request and request for it to be disposed of. This request will be dealt with by the Headteacher.

Length of Time – data held about individual pupils will be kept in line with the statutory retention regulations. It is the duty of the Office Manager, with appropriate guidance, to ensure that any obsolete data are erased. The same will apply for staff data which will be reviewed regularly by the HR Manager.

Subject Access Requests

The Data Protection Act 1998 extends to all data subjects a right of access to their own personal data. In order to ensure that individuals receive only information about themselves, it is essential that a formal system for handling requests is in place. Where a subject access request is received from a pupil, the school's policy is that the Headteacher will consider the request and give or withhold permission. Checks will be made to ensure that the person making the request is entitled to the data. Where a request for subject access is received in respect of a pupil, the school's policy is that:

- Requests from parents about the data held about their own child will, provided that the child is not of an age or ability to understand the nature of a subject access request, 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 pupils who do NOT understand the nature of the request will be referred to the child's parents.

Processing Subject Access Requests

Students/parents should ask for the [Subject Access](#) form (Appendix 3) available from the Pupil Data and Assessment Manager and staff should use the [Staff Request](#) form (Appendix 4) available from the HR Manager. Completed forms should be submitted to the Headteacher.

Provided that there is sufficient information about identity of the requester or their parent 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 calendar days from the date of receiving the request).

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 process in the log will be the date on which sufficient information has been provided.

Authorised Disclosures of Personal Data to Third Parties

In general, The School will only disclose data about individuals with their consent. However, there are circumstances under which the school's authorised officer(s) may need to disclose data without the express consent of the data subject. These circumstances are limited to

- In an emergency in school such as a medical emergency or police incident
- Pupil data disclosed to authorised recipients in respect of education and administration necessary for the school to perform its legitimate duties and obligations.
- Pupil data disclosed to authorised recipients in respect of a pupil's health, safety and welfare.
- Data contained within a Pupil's educational record will be disclosed to the child's parents if requested in accordance with Educational (Pupil Information) (England) Regulations 2005.
- Staff data disclosed to the relevant authority in respect of payroll and school's staff administration
- When required under the terms of the school's registration under the Data Protection Act.
- Staff data disclosed to the DFE through the school work force census

Only authorised and properly instructed staff are permitted 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

The School undertakes to ensure security of personal data by the following 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 secured computer room. Disks, tapes, printouts and files are locked away securely when not in use.

Logical Security

Security software is installed on all computers containing personal data, only authorised users are allowed access to the computer files. 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, staff will be properly checked and will sign an agreement to the school's ICT Policy. Those with relevant access will be made aware of their duties under the DPA and their knowledge updated as necessary. Computer printout and source documents are always shredded before disposal.

Overall security policy is determined by the Headteacher and will be monitored and reviewed as appropriate and whenever a major security breach or loophole is apparent.

The School's data arrangements are maintained and reviewed on a regular basis by the Business Manager.

Any queries or concerns about security of data within the school should be brought to the attention of the Headteacher.

Any deliberate breach of this Data Protection Policy by a member of staff 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.

Data Protection Act 1998: How we use pupil information

We collect and hold personal information relating to our pupils and may also receive information about them from their previous school, local authority and/or the Department for Education (DfE). We use this personal data to:

- support our pupils' learning
- monitor and report on their progress
- provide appropriate pastoral care; and
- assess the quality of our services

This information will include their contact details, national curriculum assessment results, attendance information, any exclusion information, where they go after they leave us and personal characteristics such as their ethnic group, any special educational needs they may have as well as relevant medical information. *For pupils enrolling for post 14 qualifications, the Learning Records Service will give us the unique learner number (ULN) and may also give us details about your learning or qualifications.*

Once our pupils reach the age of 13, the law requires us to pass on certain information to Bolton MBC who have responsibilities in relation to the education or training of 13-19 year olds. We may also share certain personal data relating to children aged 16 and over with post-16 education and training providers in order to secure appropriate services for them. A parent/guardian can request that **only** their child's name, address and date of birth be passed to Bolton MBC by informing *the School's Pupil Data and Assessment Manager*. *This right is transferred to the child once he/she reaches the age 16.* For more information about services for young people, please go to our local authority website www.bolton.gov.uk

Careers guidance –

We will not give information about our pupils to anyone without your consent unless the law and our policies allow us to do so. If you want to receive a copy of the information about your son/daughter that we hold, please contact: Pupil Data and Assessment Manager.

We are required, by law, to pass certain information about our pupils to our local authority (LA) and the Department for Education (DfE).

DfE may also share pupil level personal data that we supply to them, with third parties. This will only take place where legislation allows it to do so and it is in compliance with the Data Protection Act 1998.

Decisions on whether DfE releases this personal data to third parties are subject to a robust approval process and are based on a detailed assessment of who is requesting the data, the purpose for which it is required, the level and sensitivity of data requested and the arrangements in place to store and handle the data. To be granted access to pupil level data, requestors must comply with strict terms and conditions covering the confidentiality and handling of data, security arrangements and retention and use of the data.

For more information on how this sharing process works, please visit:

<https://www.gov.uk/guidance/national-pupil-database-apply-for-a-data-extract>

For information on which third party organisations (and for which project) pupil level data has been provided to, please visit: <https://www.gov.uk/government/publications/national-pupil-database-requests-received>

If you need more information about how our local authority and/or DfE collect and use your information, please visit:

- our local authority at www.bolton.gov.uk or the DfE website at <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

To: The school workforce: those employed to teach, or otherwise engaged to work at, a school

The Data Protection Act 1998: How we use your information

We process personal data relating to those we employ to work at, or otherwise engage to work at, our school. This is for employment purposes to assist in the running of the school and/or to enable individuals to be paid. The collection of this information will benefit both national and local users by:

- improving the management of workforce data across the sector
- enabling development of a comprehensive picture of the workforce and how it is deployed
- informing the development of recruitment and retention policies
- allowing better financial modelling and planning
- enabling ethnicity and disability monitoring; and

This personal data includes identifiers such as names and National Insurance numbers and characteristics such as ethnic group, employment contracts and remuneration details, qualifications and absence information.

We will not share information about you with third parties without your consent unless the law allows us to. We are required, by law, to pass on some of this personal data to:

- our local authority
- the Department for Education (DfE)
-

If you require more information about how we and/or DfE store and use your personal data please visit:

- <http://www.bolton.gov.uk/website/pages/Privacynotices.aspx>
- <https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

If you want to see a copy of information about you that we hold, please contact: Sharon Wardle, School HR Officer.

If you cannot access these websites, please contact the LA or DfE as follows:

- LA Information Management Unit,
Children's and Adult Services, Bolton Council

1st Floor, Town Hall, Bolton, BL1 1UA

website: www.bolton.gov.uk

email: ec.imu@bolton.gov.uk

tel: 01204 33 2074
- Ministerial and Public Communications Unit
Department for Education
Piccadilly Gate, Store Street, Manchester, M1 2WD
Website: <https://www.gov.uk/government/organisations/department-for-education>
You can also [contact DfE online](#). You'll usually get a reply within 15 days.

Telephone: 0370 000 2288

ST JAMES CE HIGH SCHOOL

Pupil Data Subject Access Request

The Data Protection Act 1998 extends to all data subjects a right of access to their own personal data. Please see the school's full Data Protection Policy for further details – you can access the policy on the School Website at www.st-james.bolton.sch.uk

Please complete the table below in full and return to school for the attention of the Pupil Data Manager.
The information will be sent to you within 40 calendar days from the date of receipt by the school, providing the request complies with the Data Protection Act and school policy

Full Name of Subject	
Date of Birth of Subject	
Date of Request	
Relationship to Subject (if nor requesting for yourself)	
Type of Data required	
Reason for request	
Data to be sent to	Please enter your address or email to enable the information to be sent to you
Telephone Number	

Signed: _____

Print Name: _____

FOR SCHOOL USE ONLY

Date Received	
Received By	
Date Processed and entered in Log	
Date Processed and by whom	
Date Sent and by whom	

LITTLE LEVER SCHOOL

Staff Data Subject Access Request

The Data Protection Act 1998 extends to all data subjects a right of access to their own personal data. Please see the school's full Data Protection Policy for further details – you can access the policy on the School Website at www.little-lever.bolton.sch.uk

Please complete the table below in full and return to school for the attention of the HR Manager. **The information will be sent to you within 40 calendar days from the date of receipt by the school, providing the request complies with the Data Protection Act and school policy**

Full Name of Subject	
Date of Birth of Subject	
Date of Request	
Relationship to Subject (if nor requesting for yourself)	
Type of Data required	
Reason for request	
Data to be sent to	Please enter your address or email to enable the information to be sent to you
Telephone Number	

Signed: _____

Print Name: _____

FOR SCHOOL USE ONLY

Date Received	
Received By	
Date Processed and entered in Log	
Date Processed and by whom	
Date Sent and by whom	