



Bedenham & Holbrook Federation of Primary Schools DATA PROTECTION POLICY March 2019

Bedenham & Holbrook Federation of Primary Schools (referred to as the “Federation” in the remainder of this document) collect and use personal information (referred to in the General Data Protection Regulation (GDPR) as personal data) about staff, pupils, parents and other individuals who come into contact with the schools. This information is gathered in order to enable the provision of education and other associated functions. In addition, the Federation may be required by law to collect, use and share certain information.

The individual schools are the Data Controllers, of the personal data that they collect and receive for these purposes.

The Federation has a Data Protection Officer (DPO) at each school, who can be contacted on:

Bedenham Primary - Mrs S. Davies 01329 280445 or email s.davies@bedenham.hants.sch.uk

Holbrook Primary - Mrs.D.Bissaker 01329 286011 or email d.bissaker@holbrook.hants.sch.uk

The Federation issues Privacy Notices (also known as a Fair Processing Notice) to all pupils/parents, staff and volunteers. These summarise the personal information held about pupils and staff, the purpose for which it is held and who it may be shared with. It also provides information about an individual’s rights in respect of their personal data.

Purpose

This policy sets out how the Federation deals with personal information correctly and securely and in accordance with the GDPR, and other related legislation.

This policy applies to all personal information however it is collected, used, recorded and stored by the Federation and whether it is held on paper or electronically.

What is Personal Information/ data?

Personal information or data means any information relating to an identified or identifiable individual. An identifiable individual is one who can be identified, directly or indirectly by reference to details such as a name, an identification number, location data, an online identifier or by their physical, physiological, genetic, mental, economic, cultural or social identity.

Personal data includes (but is not limited to) an individual’s, name, address, date of birth, photograph, bank details and other information that identifies them.

Data Protection Principles

The GDPR establishes six principles as well as a number of additional duties that must be adhered to at all times:

1. Personal data shall be processed lawfully, fairly and in a transparent manner.
2. Personal data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes (subject to exceptions for specific archiving purposes).
3. Personal data shall be adequate, relevant and limited to what is necessary to the purposes for which they are processed and not excessive.
4. Personal data shall be accurate and where necessary, kept up to date.

5. Personal data shall be kept in a form that permits the identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed.
6. Personal data shall be processed in a manner that ensures appropriate security of the personnel.

Duties

Personal data shall not be transferred to a country or territory outside the European Economic Area (EEA), unless that country or territory ensures an adequate level of data protection.

Data Controllers have a General Duty of accountability for personal data.

Commitment

The Federation is committed to maintaining the principles and duties in the GDPR at all times.

Therefore, the Federation will:

- Inform individuals of the identity and contact details of the data controller.
- Inform individuals of the contact details of the Data Protection Officer.
- Inform individuals of the purposes that personal information is being collected and the basis for this.
- Inform individuals when their information is shared, and why and with whom unless the GDPR provides a reason not to do this.
- If the school plans to transfer personal data outside the EEA the school will inform individuals and provide them with details of where they can obtain details of the safeguards for that information.
- Inform individuals of their data subject rights.
- Inform individuals that the individual may withdraw consent (where relevant) and that if consent is withdrawn that the school will cease processing their data although that will not affect the legality of data processed up until that point.
- Provide details of the length of time an individual's data will be kept.
- Should the school decide to use an individual's personal data for a different reason to that for which it was originally collected the school shall inform the individual and where necessary seek consent.
- Check the accuracy of the information it holds and review it at regular intervals.
- Ensure that only authorised personnel have access to the personal information whatever medium (paper or electronic) it is stored in.
- Ensure that clear and robust safeguards are in place to ensure personal information is kept securely and to protect personal information from loss, theft and unauthorised disclosure, irrespective of the format in which it is recorded.
- Ensure that personal information is not retained longer than it is needed.
- Ensure that when information is destroyed that it is done so appropriately and securely.
- Share personal information with others only when it is legally appropriate to do so.
- Comply with the duty to respond to requests for access to personal information (known as Subject Access Requests).
- Ensure that personal information is not transferred outside the EEA without the appropriate safeguards.
- Ensure that all staff and governors are aware of and understand these policies and procedures.

The Federation is also committed to ensuring that all staff are fully aware of Data Protection Policies & Procedures, GDPR regulations, legal requirements & expectations with regard to data security, including reporting potential breaches. Adequate training is provided.

Notification:

Our data processing activities will be registered with the Information Commissioner's Office (ICO) as required of a recognised Data Controller. Details are available from the ICO:

<https://ico.org.uk/about-the-ico/what-we-do/register-of-data-controllers/>

Changes to the type of data processing activities being undertaken shall be notified to the ICO and details amended in the register.

Breaches of personal or sensitive data shall be notified immediately to the individual(s) concerned and the ICO.

Personal and Sensitive Data:

All data within the school's control shall be identified as personal, sensitive or both to ensure that it is handled in compliance with legal requirements and access to it does not breach the rights of the individuals to whom it relates.

The definitions of personal and sensitive data shall be as those published by the ICO for guidance:

<https://ico.org.uk/for-organisations/guide-to-data-protection/key-definitions/>

The principles of the Data Protection Act shall be applied to all data processed:

1. Processed fairly and lawfully
2. Obtained only for lawful purposes, and is not further used in any manner incompatible with those original purposes
3. Accurate and, where necessary, kept up to date.
4. Adequate, relevant and not excessive in relation to the purposes for which it is processed
5. Not kept for longer than is necessary for those purposes
6. Processed in accordance with the rights of data subjects under the DPA
7. Protected by appropriate technical and organisational measures against unauthorised or unlawful processing and against accidental loss, destruction or damage
8. Not transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection of the personal information.

Fair Processing / Privacy Notice:

We shall be transparent about the intended processing of data and communicate these intentions via notification to staff, parents and pupils prior to the processing of individual's data.

Notifications shall be in accordance with ICO guidance and, where relevant, be written in a form understandable by those defined as 'Children' under the legislation.

The intention to share data relating to individuals to an organisation outside of our Federation shall be clearly defined within notifications and details of the basis for sharing given. Data will be shared with external parties in circumstances where it is a legal requirement to provide such information. Any proposed change to the processing of individual's data shall first be notified to them.

Data Security:

Bedenham & Holbrook Federation of Primary Schools is committed to the protection of all personal and sensitive data for which it holds responsibility as the Data Controller and the handling of such data in line with the data protection principles and the Data Protection Act (DPA).

Changes to data protection legislation shall be monitored and implemented in order to remain compliant with all requirements.

In order to assure the protection of all data being processed and inform decisions on processing activities, we shall undertake an assessment of the associated risks of proposed processing and equally the impact on an individual's privacy in holding data related to them.

Risk and impact assessments shall be conducted in accordance with guidance given by the ICO.

Security of data shall be achieved through the implementation of proportionate physical and technical measures. Nominated staff shall be responsible for the effectiveness of the controls implemented and reporting of their performance.

The security arrangements of any organisation with which data is shared shall also be considered and these organisations shall provide evidence of competence in the security of shared data and GDPR compliance.

The requirements of this policy are mandatory for all staff employed within the school and any third party contracted to provide services within the Federation.

Data Access Requests (Subject Access Requests):

All individuals, whose data is held by us, have a legal right to request access to such data or information about them that is held. Such requests should be made in writing to Mrs W. Bolton (Executive Headteacher) and we shall respond within 30 calendar days. A charge may be applied to process the request. *Should you require further information about subject access requests please ask at the school office.*

Photographs and Video:

Images of staff and pupils may be captured at appropriate times and as part of educational activities for use in school only.

Unless prior consent from parents/pupils/staff has been given, the school shall not utilise such images for publication or communication to external sources.

It is the Federation's policy that external parties (including parents) may not capture images of staff or pupils during such activities without prior consent.

Data Disposal:

The Federation recognises that the secure disposal of redundant data is an integral element to compliance with legal requirements and an area of increased risk.

All data held in any form of media (paper, tape, electronic) shall only be passed to a disposal partner with demonstrable competence in providing secure disposal services.

All data shall be destroyed or eradicated to agreed levels meeting recognised national standards, with confirmation at completion of the disposal process.

Disposal of IT assets holding data shall be in compliance with ICO guidance:

https://ico.org.uk/media/for-rganisations/documents/1570/it_asset_disposal_for_organisations.pdf

Complaints

Complaints will be dealt with in accordance with the Federations complaints policy. Complaints relating to the handling of personal information may be referred to the Information Commissioner who can be contacted at Wycliffe House, Water Lane Wilmslow Cheshire SK9 5AF or at www.ico.gov.uk

Review

This policy will be reviewed as it is deemed appropriate and/or in light of any changes to procedures and processes arising from data audit and risk management or legislation amendments. The policy review will be undertaken by the Data Protection Officer, Executive Headteacher and nominated school governor.

Contacts

If you have any enquires in relation to this policy, please contact:

Mrs Wendy Bolton (Executive Headteacher) on 01329 280445 or 01329 286001.

Approved by the Full Governing Body 25th March 2019

Review March 2020

Signed: 
(Chair of Governors)



Head of School (Holbrook Primary)

Signed:
(Executive Headteacher)



Head of School (Bedenham Primary)