

Stanton St Quintin Primary School, Stanton St Quintin, Wiltshire. SN14 6DQ			
Name of Policy	Data Protection Policy		
Last Reviewed	November 2017	Reviewed by	Christina Smith
Approved by	FGB	Owned by	F&P
Next review	November 2019		

Our Commitment

Stanton St Quintin 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). <https://ico.org.uk/for-organisations/guide-to-data-protection/data-protection-principles/>

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

The member of staff responsible for data protection is the Head Teacher.

The school is also committed to ensuring that its staff are aware of data protection policies, legal requirements and adequate training is provided to them.

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

Notification

Our data processing 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:

Personal data: Is data which relates to a living individual who can be identified either from those data or from those data and other information which is in the possession of, or likely to come into the possession of, the data controller, and it includes any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual.

Sensitive personal data: Is personal data consisting of information as to: racial or ethnic origin of the subject, political opinions, religious beliefs, trade union membership, physical or mental health or condition, sexual orientation, commission or alleged commission of any offence, any proceedings for any offence or alleged offence committed.

Data Protection Principles

The Data Protection Act 1998 establishes eight enforceable principles that shall be applied to all data processed:

1. Personal data shall be processed fairly and lawfully;
2. Personal data shall be obtained only for one or more specified and lawful purposes, and will not be used further in any manner incompatible with those original purposes;
3. Personal data shall be adequate, relevant and not excessive in relation to the purposes for which it is processed;
4. Personal data shall be accurate and, where necessary, kept up to date;
5. Personal data shall not be kept for longer than is necessary for those purposes;
6. Personal data shall be processed in accordance with the rights of data subjects under the Data Protection Act 1998;
7. Personal data shall be kept secure i.e. protected by an appropriate degree of security;
8. Personal data shall not be transferred to a country or territory outside the European Economic Area, unless that country or territory ensures an adequate level of data protection of the personal information.

Fair Processing / Privacy Notice

Stanton St Quintin Primary School 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 our school 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

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 the proposed processing and, equally, the impact on an individual's privacy in holding data related to them.

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

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/accountability-and-governance/data-protection-impact-assessments/>
<https://ico.org.uk/for-organisations/guide-to-data-protection/principle-7-security/>

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 the competence in the security of shared data.

Subject Data Access Requests

All individuals whose data is held by us have a legal right to request access to such data or information about what is held. We shall respond to such requests within 40 days and they should be made in writing to the Head Teacher.

A charge may be applied to process the request.

Photographs and Videos

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

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

External parties (including parents) may not capture images of staff or pupils during such activities without prior consent.

Data Disposal

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

The school recognises the difference between archiving and deletion of data, and within this policy the school identifies disposal as 'destruction' and 'no longer retrievable'.

All data held in any form of media (paper, tape, electronic (including USB drives, SD cards, mobile phones)) shall be disposed of safely and securely. If disposal services are to be used the school shall request a demonstration of competence in the provision of such services.

All data shall be disposed of to agreed levels, meeting recognised national standards, with confirmation of the completed disposal process.

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

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

Complaints

Complaints will be dealt with in accordance with the school's complaints policy.

Complaints or concerns relating to information handling by the school may be referred to the Information Commissioner (the statutory regulator).

<https://ico.org.uk/concerns>

Review

This policy will be reviewed as it is deemed appropriate, but no less frequently than every 2 years. The policy review will be undertaken by the Headteacher, or nominated representative.

Contacts

If you have any enquires in relation to this policy, please contact the Head Teacher who will also act as the contact point for any subject access requests.

Further advice and information is available from the Information Commissioner's Office, <https://ico.org.uk/> or telephone 0303 123 1113.