

Laughton Community Primary School ("the School")

Data Protection Policy

Under the Data Protection Act 1998 ("the Act"), the School is required to comply with a number of requirements relating to the processing of personal data which it holds.

This policy is intended to ensure that such data, whether in paper or electronic form, is processed in accordance with the Act.

1. Scope of the Policy

Personal data is any information that relates to a living individual who can be identified from that information. Examples are staff and pupil records, examination and assessment marks, references, national insurance numbers and staff development reviews.

The Act distinguishes personal data from sensitive personal data, which is subject to greater restrictions on its use (see paragraph 7 below). Sensitive personal data includes information about a person's race, ethnicity, political opinions, religious beliefs, membership of trade unions, physical or mental health, sexuality and criminal offences.

Processing means collecting, using, disclosing, retaining and disposing of personal data. In addition, it may be required by law to collect and use certain types of information to comply with statutory obligations of East Sussex County Council, the Department for Education, social services, local health agencies and other schools.

2. The Eight Principles

The Act sets out eight data protection principles, or rules for 'good information handling'. These provide that personal data:

1. must be processed fairly and lawfully;
2. is obtained only for lawful purposes and is not used in any manner incompatible with those original purposes;
3. is adequate, relevant and not excessive in relation to the purposes for which it is processed;
4. is accurate and, where necessary, kept up to date;
5. is not kept for longer than is necessary for those purposes;
6. is processed in accordance with the rights of data subjects under the Act;

7. is protected by appropriate technical and organisational measures against unauthorised or unlawful processing and against accidental loss, destruction or damage;
8. is not transferred to a country outside the EEA, unless that country ensures an adequate level of protection of the personal information.

3. Data Controller and Notification

3.1 The School is a "Data Controller" under the Act. Data Controllers are people or organisations who hold and use personal data. They decide how and why the data is used and have a responsibility to establish workplace practices and policies that comply with the Act.

3.2 The school is required to notify the Information Commissioner of the purposes for which it processes personal data. This information is included in a public register which is available on the Information Commissioner's website at the following link :
[http://www.ico.gov.uk/what_we_cover/promoting_data_privacy/keeping_the_register.aspx]

4. Fair processing

A clear statement of the purposes for which the School collects personal and sensitive personal data is set out in the School's Privacy Notice, which appears on the School website and at Appendix 1 of this Policy. In addition, a hard copy of the Privacy Notice is provided to the parents/carers of all pupils when they join the School.

5. Information security

5.1 Staff and governors are given access to personal data only when required in order for them to carry out their duties.

5.2 The School shall ensure that all staff and governors are made aware of the School's obligations under the Act. In particular, staff are responsible for ensuring that:

5.2.1 Any personal data they hold is kept securely; and

5.2.2 Personal data is not disclosed either orally or in writing, accidentally or otherwise, to any unauthorised third party.

5.3 Staff are aware that unauthorised disclosure will usually be a disciplinary matter.

5.4 The School adheres to its own records management procedures which require it regularly to:

- check the quality and accuracy of the information held, including in particular producing an up-to-date list of those children whose parents/carers have requested that photos are not taken for public use;
- check that information is not held longer than is necessary;
- ensure that when information is authorised for disposal it is done securely;
- ensure appropriate security measures are in place to safeguard personal information whether that is held in paper files or on a computer system;
- only share personal information with other persons or organisations when it is necessary and legally appropriate to do so;
- train all staff so that they are aware of their responsibilities and of the School's relevant policies and procedures.

6. Subject Access Requests

All staff, parents and carers have a right under the Act to access certain personal data (including data about a parent's or carer's child) which is held by the School in electronic or paper form. To exercise this right, a request should be made in writing to the Headteacher. The School will make a charge of £10 to cover the administration of the request and will comply with the request as quickly as possible, but in any event within 40 days of receipt of the request, as required by the Act.

7. Sensitive Personal Data

On occasions it may be necessary to process sensitive personal data (see paragraph 1 above), for example to ensure safe recruitment or to operate other School policies, such as the sick pay policy. The School is permitted to process such data in specified circumstances, for instance to comply with employment law or to exercise statutory duties.

This policy will be updated as necessary to reflect best practice or amendments made to the Act from time to time.

Date: Nov 2016

Next review: Nov 2018