



# Ashleworth C of E and Churcham Primary School Data Protection Policy

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Ashleworth C of E and Churcham Primary Schools confidentiality of sensitive information relating to staff, pupils, parents and governors.

## 1. Introduction

- a. Ashleworth and Churcham schools need to keep certain information about our employees, pupils and other users to allow us, for example, to monitor performance, achievement and health and safety.
- b. To comply with the law, information must be collected and used fairly, stored safely and not disclosed to any other person unlawfully. To do this, we must comply with the Data Protection Principles which are set out in the Data protection Act 1998.
- c. In summary, these principles state that personal data shall:
  1. Be obtained and processed fairly and lawfully
  2. Be obtained for a specified and lawful purpose and shall not be processed in any manner incompatible with that purpose.
  3. Be adequate, relevant and not excessive for that purpose.
  4. Be accurate and kept up to date.
  5. Not be kept for longer than is necessary for that purpose.
  6. Be processed in accordance with the data subject's rights under the 1998 Data Protection Act.
  7. Be kept safe from unauthorised access, accidental loss or destruction.
  8. No be transferred to a country outside the EU unless assurances can be given that there is adequate level of protection.
- d. All staff who process or use personal information must ensure that they follow these principles at all times. In order to ensure that this happens, the Schools have developed a Data protection Policy. This policy does not form part of the contract of employment for staff, but it is a condition of employment that employees will abide by the rules and policies made by the Schools from time to time. Any failures to follow the policy can therefore result in disciplinary proceedings.

## **2. The Data Controller and the Designated Data Controllers**

- a. The Schools, as a body, is the Data Controller under the 1998 Act, and the therefore ultimately responsible for implementation. However, the Designated Data Controllers will deal with the day to day matters.
- b. The Schools have identified its Designated data Controllers as, the Headteacher and the Finance Administrator.
- c. Any member of staff, parent, or other individual who considers that the Policy has not been followed in respect of personal data about himself or herself or their child should raise the matter with the Headteacher in the first instance.

## **3. Responsibilities of staff**

- a. All staff are responsible for:
  - 1. Checking that any information that they provide to the Schools in connection with their employment is accurate and up-to-date.
  - 2. Information the Schools of any changes to information that they have provided, e.g. change of address, either at the time of appointment or subsequently. The Schools cannot be held responsible for any errors unless the staff member has informed the Schools of such changes.
  - 3. Handling all personnel data (e.g. – pupil attainment data) with reference to this policy.

## **4. Data Security**

- a. All staff are responsible for ensuring that:
  - 1. Any personal data that they hold is kept securely.
  - 2. Personal information is not disclosed either orally, in writing, via emails or by another means, accidentally or otherwise, to any unauthorised third party.
- b. Staff should note that unauthorised disclosure will usually be a disciplinary matter, and may be considered gross misconduct in some cases.
- c. Personnel information should:
  - 1. Be kept in a filing cabinet, drawer, or safe in a secure office, or;
  - 2. If it is computerised, be password protected on a network drive that is regularly backed up; and
  - 3. If a copy is kept on a usb memory key or other removable storage media, that media itself must be password protected and/or kept in a filing cabinet, drawer or safe.

## **5. Rights to Access Information**

- a. All staff, parents and other users are entitled to:
  1. Know what information the School holds and processes about them or their child and why.
  2. Know how to gain access to it.
  3. Know how to keep it up to date.
  4. Know what the School is doing to comply with its obligations under the 1998 Act.
- b. The School will, upon request, provide all staff and parents and other relevant users with a statement regarding the personal data held about them. This will state all the types of data the School holds and processes about them, and the reasons for which they are processed.
- c. All staff, parents and other users have a right under the 1998 Act to access certain personal data being kept about them or their child either on the computer or in certain files. Any person who wishes to exercise this right should make a request in writing and submit it to the Headteacher. The School will ask to see evidence of your identity, such as your passport or driving licence, before disclosure of information.
- d. The School may make a charge on each occasion that access is requested in order to meet the costs of providing the details of the information held.
- e. The Schools aims to comply with requests for access to personal information as quickly as possible, but will ensure that it is provided within 40 days, as required by the 1998 Act.

## **6. Retention of Data**

- a. The School has a duty to retain some staff and pupil personal data for a period of time following their departure from the Schools, mainly for legal reasons, but also for other purposes such as being able to provide references. Different categories of data will be retained for different periods of time.

## **7. Monitoring and Evaluation**

This is ongoing; where any clarifications or actions are needed the Policy will be amended at its next review.

*In all aspects of life at Churcham and Ashleworth C of E Primary School, the safety and well-being of all our children is paramount. We expect all staff and visitors to uphold this commitment.*

This policy was ratified by both governing bodies at their meetings during the Spring Term 2017.