



Christ Church C.E. Primary School Data Protection Policy

Christ Church CE Primary School is committed to protecting and respecting the confidentiality of sensitive information relating to staff, pupils, parents and governors.

1. Introduction

- Christ Church CE Primary School needs to keep certain information about our employees, pupils and other users to allow us, for example, to monitor performance, achievement, and health and safety.
- 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 (DPA) and the General Data Protection Regulations (GDPR) which applied from 26 May 2018. This is to ensure that people's sensitive data is kept safe and secure.
- In summary these principles state that personal data shall:
 - i. Be obtained and processed fairly, transparently and lawfully
 - ii. Be obtained for a specified, explicit and lawful purposes and shall not be processed in any manner incompatible with that purpose.
 - iii. Be adequate, relevant and not excessive for that purpose.
 - iv. Be accurate and kept up to date.
 - v. Not be kept for longer than is necessary for that purpose
 - vi. Be processed in accordance with the data subject's rights
 - vii. Be kept safe from unauthorised access, accidental loss or destruction
- Under the law, individuals have rights to be informed about how their data is used, to have access to their data, to rectify incorrect information, to have their data erased, to restrict how their data is used, to move their data from one organisation to another and to object to their data being used at all.
- 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 School has developed this 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 School from time to time. Any failures to follow the policy can therefore result in disciplinary proceedings.
- This policy is scrutinised by the Finance and General Purposes Committee of the Governing Body. The Headteacher also reports to them on the Information Audit and Risk Assessment which is part of this policy.

2. The Data controller and the Designated Data Protection Officer

- The School, as a body, is the Data Controller under the 1998 Act, and the Governors are therefore ultimately responsible for implementation. However, the Designated Data Protection Officer will advise on compliance with the GDPR and other relevant data protection law. The Designated Data Controllers will continue to deal with day to day matters.

- The School has identified its Designated Data Controllers as: The Headteacher and the Office Administrators.
- The Designated Data Protection Officer is a Link Governor, Hannah Taylor.
- 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 by making a Subject Access Request. School will have one month to comply with such a request.

3. Responsibilities of Staff

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

4. Data Security

- All staff are responsible for ensuring that:
 - i. Any personal data that they hold is kept securely.
 - ii. Personal information is not disclosed either orally or in writing or via web pages or by any other means, accidentally or otherwise, to any unauthorised third party.
- Staff should note that unauthorised disclosure will usually be a disciplinary matter, and may be considered gross misconduct in some cases.
- Personal information should:
 - i. Be kept in a locked filing cabinet, drawer, or safe in a secure office, or;
 - ii. If it is computerised, be password protected both on a local hard drive and on a network drive that is regularly backed up; and
 - iii. If a copy is kept on a USB memory stick or other removable storage media, that media must itself be password protected and/or kept in a filing cabinet, drawer or safe. As a matter of regular practice, personal information should not be kept on USB memory sticks. Files on memory sticks should be restricted to planning documents and lesson preparation.

5. Lawful Basis for Processing Data

- As a school most data is processed on the basis of 'a public task' this means that we need to process personal data to carry out our official functions as a school, in the public interest.
- For some limited data (e.g. image rights) we use consent as our basis and send out annual notices to parents giving them information about how we might use that image and asking for their specific consent.

6. Privacy Notices

- We use the Government recommended privacy notices to ensure that pupils are aware of how we collect, hold and share information. This can be found at Appendix A.
- The Local Authority send out Privacy Notices to employees on behalf of the Governing Body as they also hold personal information such as payroll and contact details.
- Staff taking part in Covid lateral flow testing for the school workforce have given consent for their personal health information to be logged by the school, as requested by the NHS and PHE. They also give their own individual consent when logging test results with NHS centrally.

7. Rights to Access Information

- All staff, parents and other users are entitled to:
 - i. Know what information the School holds and processes about them or their child and why.
 - ii. Know how to gain access to it
 - iii. Know how to keep it up to date
 - iv. Know what the School is doing to comply with its obligations under the GDPR.
- 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.
- All staff, parents and other users have a right under the GDPR to access certain personal data being kept about them or their child either on 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 license, before disclosure of information.
- The School aims to comply with requests for access to personal information as quickly as possible, but will ensure that it is provided within one month, as required by the GDPR.

6. Retention of data

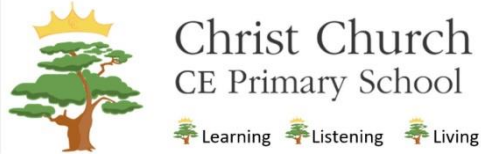
- The School has a duty to retain some staff and pupil personal data for a period of time following their departure from the School, mainly for legal reasons, but also for other purposes such as being able to provide references. Different categories of data will be retained for different periods of time.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

7. Monitoring and Evaluation

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

Policy adopted by the Governing body: Spring Term 2018

The policy has been reviewed by Finance and General Purposes Committee on 24.2.21 and will next be reviewed in Spring Term 2024



Privacy Notice (How we use pupil information)

The categories of pupil information that we collect, hold and share include but are not limited to:

- Personal information (such as name, unique pupil number and address)
- Characteristics (such as ethnicity, language, nationality, country of birth and free school meal eligibility)
- Attendance information (such as sessions attended, number of absences and absence reasons)
- Assessment Information (progress, test results)
- Relevant health information and medical details (GP details, allergies, reports)
- Special educational needs and disability information (reports from advisory service, IEP and Action plans)
- Behavioural reports and information about Exclusions

Why we collect and use this information

We use the pupil data:

- to support pupil learning
- to monitor and report on pupil progress
- to provide appropriate pastoral care
- to assess the quality of our services
- to comply with the law regarding data sharing

The lawful basis on which we use this information

We collect and use pupil information under the legal basis of the Data Protection Act 1998 (DPA) and the General Data Protection Regulations (GDPR) 2018. The vast majority of this information is used under the legal basis of our public task as a school. For some limited data, such as photo images we use consent as our lawful basis.

Collecting pupil information

Whilst the majority of pupil information you provide to us is mandatory, some of it is provided to us on a voluntary basis. In order to comply with the General Data Protection Regulation, we will inform you whether you are required to provide certain pupil information to us or if you have a choice in this.

Storing pupil data

We hold pupil data in accordance with the time limits for data storage set by the Local Authority. These differ for different categories of information eg. books are kept for one year, safeguarding information for 25 years from the child reaching age 18.

Who we share pupil information with

We routinely share pupil information with:

- schools that the pupils attend after leaving us
- our local authority
- the Department for Education (DfE)
- School Nurse, CAMHS or other NHS services
- Childrensworld where children are regularly attending after-school care

Why we share pupil information

We do not share information about our pupils with anyone without consent unless the law and our policies allow us to do so.

We share pupils' data with the Department for Education (DfE) on a statutory basis. This data sharing underpins school funding and educational attainment policy and monitoring.

We are required to share information about our pupils with our local authority (LA) and the Department for Education (DfE) under section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013.

Data collection requirements:

To find out more about the data collection requirements placed on us by the Department for Education (for example; via the school census) go to

<https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

The National Pupil Database (NPD)

The NPD is owned and managed by the Department for Education and contains information about pupils in schools in England. It provides invaluable evidence on educational performance to inform independent research, as well as studies commissioned by the Department. It is held in electronic format for statistical purposes. This information is securely collected from a range of sources including schools, local authorities and awarding bodies.

We are required by law, to provide information about our pupils to the DfE as part of statutory data collections such as the school census and early years' census. Some of this information is then stored in the NPD. The law that allows this is the Education (Information About Individual Pupils) (England) Regulations 2013.

To find out more about the NPD, go to

<https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>.

The department may share information about our pupils from the NPD with third parties who promote the education or well-being of children in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The Department has robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data. Decisions on whether DfE releases data to third parties are subject to a strict approval process and 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 information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

For more information about the department's data sharing process, please visit:

<https://www.gov.uk/data-protection-how-we-collect-and-share-research-data>

For information about which organisations the department has provided pupil information, (and for which project), please visit the following website:

<https://www.gov.uk/government/publications/national-pupil-database-requests-received>

To contact DfE: <https://www.gov.uk/contact-dfe>

Requesting access to your personal data

Under data protection legislation, parents and pupils have the right to request access to information about them that we hold. To make a request for your personal information, or be given access to your child's educational record, contact the Headteacher.

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have inaccurate personal data rectified, blocked, erased or destroyed; and
- claim compensation for damages caused by a breach of the Data Protection regulations

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office at <https://ico.org.uk/concerns/>

Contact

If you would like to discuss anything in this privacy notice, please contact:
Tracey Cansdale, Headteacher