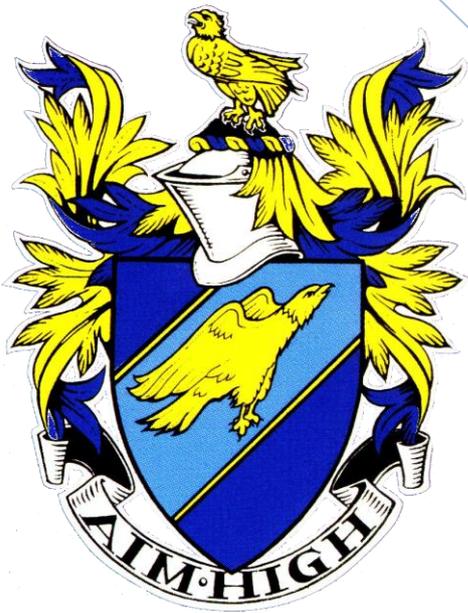


West Hill School



Data Protection Policy

Reviewed by the Finance & Resources
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West Hill School Data Protection Policy

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West Hill School Data Protection Policy

1. Introduction

The School holds and processes information about employees, students and other data subjects for academic, administrative and commercial purposes. When handling such information, the School and all staff or others who process or use any personal information, must comply with the Data Protection Principles which are set out in the Data Protection Act 1998 (the Act). These are attached as the School's Data Protection Guidelines on [Appendix II - Data Protection Guidelines](#).

In summary these state that personal data will:

- be processed fairly and lawfully
- be obtained for a specified and lawful purpose and will not be processed in any manner incompatible with the purpose
- be adequate, relevant and not excessive for the purpose
- be accurate and up-to-date
- not to be kept for longer than necessary for the purpose
- be processed in accordance with the data subject's rights
- be kept safe from unauthorised processing and accidental loss, damage or destruction
- not be transferred to a country outside the European Economic Area, unless that country has equivalent levels of protection for personal data, except in specified circumstances

Definitions: Staff, students and other data subjects may include past, present and potential members of those groups. Other data subjects and third parties may include contractors, suppliers, contacts, referees, friends or family members. Processing refers to any action involving personal information, including obtaining, viewing, copying, amending, adding, deleting, extracting, storing, disclosing or destroying information.

This policy should be read in conjunction with other school policies, primarily, but not limited to:

- Safeguarding
- E-Safety
- CCTV

2. Notification of Data Held

The School will notify all staff and students and other relevant data subjects of the types of data held and processed by the School concerning them, and the reasons for which it is processed. The information, which is currently held by the School and the purposes for which it is processed are set out in the Appendix 1 to this Policy. When processing for a new or different purpose is introduced the individuals affected by that change will be informed and the [Appendix 1](#) will be amended.

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3. Staff Responsibilities

All staff will ensure that all personal information which they provide to the School in connection with their employment is accurate and up-to-date inform the School of any changes to information, e.g. changes of address check the information which the School will make available from time to time, in written or automated form, and inform the School of any errors or, where appropriate, follow procedures for up-dating entries on computer forms. The School will not be held responsible for errors of which it has not been informed.

When staff hold or process information about students, colleagues or other data subjects (e.g. students' course work, pastoral files, references to other academic institutions, or details of personal circumstances), they should comply with the Data Protection Guidelines for Staff attached as [Appendix 2](#).

Staff will ensure that:

- all personal information is kept securely
- personal information is not disclosed either orally or in writing, accidentally or otherwise to any unauthorised third party,
- Unauthorised disclosure may be a disciplinary matter, and may be considered gross misconduct in some cases.

When staff supervise students doing work which involves the processing of personal information, they must ensure that those students are aware of the Data Protection principles, in particular, the requirement to obtain the data subject's consent where appropriate.

Staff will be advised on an annual basis of any changes or amendments to this policy or any guidelines, as well as good practice.

4. Student and Parental Responsibilities

All students and parents / guardians will ensure that all personal information which they provide to the School is accurate and up-to-date inform the School of any changes to that information, e.g. changes of address, check the information which the School will make available from time to time, in written or automated form, and inform the School of any errors or, where appropriate, follow procedures for up-dating entries on computer forms. The School will not be held responsible for errors of which it has not been informed.

5. Rights to Access Information

Staff, students and other data subjects in the School have the right to access any personal data that is being kept about them either on computer or in structured and accessible manual files. Any person may exercise this right by submitting a request in writing to the Headteacher or nominated person. The School aims to comply with requests for access to personal information as quickly as possible, but will ensure that a response is provided within 21 days unless there is good reason for delay. In such cases, the reason for the delay will be explained in writing by the Headteacher to the data subject making the request. Further guidance on access to information is processed under the School's procedures for the Freedom of Information Act.

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6. Subject Consent

In some cases, such as the handling of sensitive information or the processing of research data, the School is entitled to process personal data, only with the consent of the individual. Agreement to the School processing some specified classes of personal data is a condition of acceptance of a student, and a condition of employment for staff. (See [Appendix 1](#))

7. Sensitive Information

The School may process sensitive information about a person's health, disabilities, criminal convictions, race or ethnic origin, or trade union membership. For example, some jobs or courses will bring the applicants into contact with children, including young people between the ages of 16 and 19, and the School has a duty under the Children Act 1989 and other enactments to ensure that staff are suitable for the job, and students for the courses offered. The School may also require such information for the administration of the sick pay policy, the absence policy or the equal opportunities policy, other School policies, or for academic assessment.

The School also asks for information about particular health needs, such as allergies to particular forms of medication, or conditions such as asthma or diabetes. The School will also use such information to protect the health and safety of the individual, e.g. in the event of a medical emergency.

8. The Data Controller and the Designated Data Controllers

The School is the data controller under the Act, and the Headteacher is ultimately responsible for implementation. Responsibility for day-to-day matters will be delegated to the Leadership Team and nominated members of staff as designated data controllers, as information and advice about the holding and processing of personal information is available from the designated data controllers.

9. Assessment Grades

Students will be entitled to information about their grades for assessments; however this may take longer than other information to provide. The School may withhold enrolment, awards, certificates, accreditation or references in the event that monies are due to the School.

10. Standard Publication of Information

The School will not publish information into the public forum of any data classes specified in [Appendix 1](#) without the specific permission of individuals involved.

The School, or associated 3rd parties, will only publish digital or materials-based photographic or video sources in compliance with the School's Data Protection – Photography and Video Guidance.

11. Retention of Data

The School will keep different types of information for differing lengths of time, depending on legal, academic and operational requirements. A list of recommended retention times is set out in the Retention Schedule (appendix 3 of Freedom of Information Act Policy).

12. Compliance

Compliance with the Act is the responsibility of all students and members of staff. Any deliberate or reckless breach of this Policy may lead to disciplinary, and where appropriate, legal proceedings. Any questions or concerns about the interpretation or operation of this policy should be taken up with the Headteacher.

Any individual, who considers that the policy has not been followed in respect of personal data about him or herself, should raise the matter with the designated data controller initially. If the matter is not resolved it should be referred to the complaints or grievance procedure.

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13. Appendix I - Data Held

Schedule of data classes and uses of data classes from the register held by the ICO.

Nature of work - Academy

Description of processing

The following is a broad description of the way this organisation/data controller processes personal information. To understand how your own personal information is processed you may need to refer to any personal communications you have received, check any privacy notices the organisation has provided or contact the organisation to ask about your personal circumstances.

Reasons/purposes for processing information

We process personal information to enable us to provide education, training, welfare and educational support services, to administer school property; maintaining our own accounts and records, undertake fundraising; support and manage our employees. We also use CCTV for security and the prevention and detection of crime.

Type/classes of information processed

We process information relevant to the above reasons/purposes. This may include:

- personal details
- family details
- lifestyle and social circumstances
- education and employment details
- financial details
- goods and services
- disciplinary and attendance records
- vetting checks
- visual images, personal appearance and behaviour

We also process sensitive classes of information that may include:

- physical or mental health details
- racial or ethnic origin
- religious or other beliefs
- trade union membership
- sexual life
- information about offences and alleged offences

Who the information is processed about

We process personal information about:

- employees
- students and pupils
- professional experts and advisers
- members of school boards
- sponsors and supporters
- suppliers and service providers
- complainants, enquirers
- individuals captured by CCTV images

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Who the information may be shared with

We sometimes need to share the personal information we process with the individual themselves and also with other organisations. Where this is necessary we are required to comply with all aspects of the Data Protection Act (DPA). What follows is a description of the types of organisations we may need to share some of the personal information we process with for one or more reasons. Where necessary or required we share information with:

- family, associates and representatives of the person whose personal data we are processing
- educators and examining bodies
- careers service
- school boards
- local and central government
- academy trusts
- healthcare, social and welfare organisations
- police forces, courts
- current, past or prospective employers
- voluntary and charitable organisations
- business associates, professional advisers
- suppliers and service providers
- financial organisations
- press and the media

Transfers

It may sometimes be necessary to transfer personal information overseas. When this is needed information may be transferred to countries or territories around the world. Any transfers made will be in full compliance with all aspects of the data protection act.

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14. Appendix II - Data Protection Guidelines

West Hill School has clearly set out the statutory requirements for all staff, students and associated agencies and suppliers will follow and operate the Data Protection Principles.

In summary these state that personal data will:

- be processed fairly and lawfully
- be obtained for a specified and lawful purpose and will not be processed in any manner incompatible with the purpose
- be adequate, relevant and not excessive for the purpose
- be accurate and up-to-date
- not to be kept for longer than necessary for the purpose
- be processed in accordance with the data subject's rights
- be kept safe from unauthorised processing and accidental loss, damage or destruction
- not be transferred to a country outside the European Economic Area, unless that country has equivalent levels of protection for personal data, except in specified circumstances

Below are examples of how these principles may be applied within the School and are by no way the only ways that the principles apply:

1. Personal data will be processed fairly and lawfully. By this, we mean that any information that is collected and stored electronic will be gathered and will be used within the confines of the various laws that apply and will not be altered or distorted in any way. Assessment grades, for example, those recorded as Teacher Assessments for KS3 National Tests, will be kept in their original format and not be changed or adapted at a later date.
2. Personal data will be obtained for a specific and lawful purpose and will not be processed in any manner incompatible with the purpose. The School collects a wide variety of information over an academic year. Each section of information is collected for a specific reason, for example, ethnicity as part of regular returns to local and central government. This generic information may be used for multiple purposes, but when information is collected for a specific purpose, for example, family information as part of a subject project; it cannot then be used for other reasons, such as contacting other members of that student's family if the student is not in school.
3. Personal data will be adequate, relevant and not excessive for the purpose. Although this may seem common sense we have to remember only to ask for information we really need. Students completing a project about how other students travel to school (walk, cycle, bus, etc.) do not need to get telephone numbers even if they think they 'may' need them for their next project.
4. Personal data will be accurate and up-to-date. Again, this might seem common sense but it is important that when you use personal data you take every opportunity to make sure it is the most recent information. Information changes at an ever increasing rate and this needs to be reflected in how we use it.
5. Personal data will not be kept for longer than is necessary. Once you have finished using personal information, it needs to be removed and destroyed where possible. Information can only be kept for as long as it is needed, and not retained 'just in case.'

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6. Personal data will be processed in accordance with the data subject's rights. All of us have rights to allow us to ensure that information about us is not being used for purposes that we are not happy with or if we have to legally allow information to be used we have a right to know how it is being used. As part of this we need to keep people informed about how and why we are using their information. This may simply be informing the class that information is being collected to allow a unit of work to be completed (e.g. looking at methods of travelling to school) but we also have to realise that some people may refuse to give us that information, or ask us to stop using it.
7. Personal data will be kept safe from unauthorised processing and accidental loss, damage or destruction. This is one of the most important principles. This covers everything from ensuring that you do not share information with those who have no right to it, e.g. those professing to be 'family members', through to allowing unauthorised people access to a computer where you have personal, confidential or sensitive information, e.g. a student logging on to a staff laptop that has the SEN register on it, or sharing your password with another person, therefore allowing them complete access to all the information that you have.
8. Personal information will not be transferred to a country outside the European Economic Area, unless that country has equivalent levels of protection for personal data, except in specified circumstances. Whilst this may seem to be an unimportant principle in the scheme of things, we have to accept that many companies are now global and by giving information to a company we have to be clear about where and how the information is used. We need to make every effort to ensure that information is only shared with those who are going to follow the same legal principles, and this can be done by restricting to those working and operating within the European Economic Area. Where in doubt, it is recommended that you ask the School's nominated Data Control Officer.

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15. Appendix III - Access To Personal Data Request

DATA PROTECTION ACT 1998 Section 7.

Enquirer's Surname: -----

Enquirer's Forenames: -----

Enquirer's Address: -----

Enquirer's Postcode -----

Telephone Number -----

Are you the person who is the subject of the records you are enquiring about (i.e. the "Data Subject")? YES / NO

If NO,

Do you have parental responsibility for a child who is the "Data Subject" of the records you are enquiring about? YES / NO

If YES,

Name of child, or children, about whose personal data records you are enquiring

Description of Concern / Area of Concern

Description of Information or Topic(s) Requested (in your own words)

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Additional information

Please despatch Reply to: *(if different from enquirer's details as stated on this form)*

Name: -----

Address -----

Postcode -----

DATA SUBJECT DECLARATION

I request that the School search its records based on the information supplied above under Section 7 (1) of the Data Protection Act 1998 and provide a description of the personal data found from the information described in the details outlined above relating to me (or my child/children) being processed by the School.

I agree that the reply period will commence when I have supplied sufficient information to enable the School to perform the search.

I consent to the reply being disclosed and sent to me at my stated address (or to the Despatch Name and Address above who I have authorised to receive such information).

Signature of "Data Subject" (or Subject's Parent) -----

Name of "Data Subject" (or Subject's Parent) (PRINTED) -----

Dated -----

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16. Appendix IV – School Workforce Privacy Notice

PRIVACY NOTICE

School Workforce: those employed or otherwise engaged to work at a school or the Local Authority

Privacy Notice - Data Protection Act 1998

We West Hill School are the Data Controller for the purposes of the Data Protection Act.

Personal data is held by the school about those employed or otherwise engaged to work at the school or Local Authority. This is to assist in the smooth running of the school and/or enable individuals to be paid. The collection of this information will benefit both national and local users by:

- Improving the management of school workforce data across the sector;
- Enabling a comprehensive picture of the workforce and how it is deployed to be built up;
- Informing the development of recruitment and retention policies;
- Allowing better financial modeling and planning;
- Enabling ethnicity and disability monitoring; and
- Supporting the work of the School Teacher Review Body and the School Support Staff Negotiating Body.

This personal data includes some or all of the following - identifiers such as name and National Insurance Number and characteristics such as ethnic group; employment contract and remuneration details, qualifications and absence information.

We will not give information about you to anyone outside the school or Local Authority (LA) without your consent unless the law and our rules allow us to.

We are required by law to pass on some of this data to:

- the LA
- the Department for Education (DfE)
- payroll provider
- pension schemes (Teachers' and Local Government)

If you require more information about how the LA and/or DfE store and use this data please go to the following websites:

- http://www.manchester.gov.uk/info/100005/schools_and_education/4403/privacy_notices
- <http://www.education.gov.uk/schools/adminandfinance/schooladmin/ims/datacollections/swf/a0063755/swf-privacy-notices>
- <http://www.education.gov.uk/schools/adminandfinance/schooladmin/a0077963/what-the-department-does-with-school-workforce-data>

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If you are unable to access these websites, please contact the LA or DfE as follows:

- Email: CSWeb@manchester.gov.uk
- Public Communications Unit
Department for Education
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT
Website: www.education.gov.uk
Email: info@education.gsi.gov.uk
Telephone: 0370 000 2288.

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17. Appendix IV – Declaration for secure wipe of PC

ERADICATION OF DATA FROM IT EQUIPMENT

The school provides safe storage space on a network location for your personal and shared files. This is the only location which is backed up and protected against disaster.

In the event of problems occurring with your device, files may be permanently damaged and cannot be recovered. You are responsible for ensuring that files are stored in the approved location and you take sole responsibility for any other files you may require.

In requesting that maintenance be performed on the above IT equipment, should you require any attempt to recover data prior to repairs being carried out you must inform IT Services from the outset. You must understand that this can be a lengthy process, is not always successful and will require you to be without your device for longer than otherwise required. Data recovery is not an alternative to ensuring your files are safe before requesting maintenance. This recovery is not available post-repair. Otherwise, by signing below, you assert that the data stored on the above device may be safely destroyed without loss.

I confirm that all data stored on the above-mentioned equipment is no longer required / has been backed up to at least one other destination*. All data on this equipment can be eradicated.

Signed: _____

Name: _____

Role: _____

Date: _____

IT SERVICES USE ONLY: I confirm that all data stored on the above-mentioned equipment has been electronically purged according to the methods recommended by IT Services for redeployment of IT equipment / for disposal of IT equipment*.

Signed: _____

Name: _____

Role: _____

Date: _____