



Data Protection Policy

Policy Review: September 2023

Next Review: September 2024

Table of Contents

Introduction	3
Purpose	3
Scope.....	3
Data covered by the policy	3
The six data protection principles.....	3
Responsibilities	4
Obtaining, Disclosing, and sharing.....	5
Retention, security, and Disposal	5
Transferring Personal Data	7
Data Subjects (Subject access requests).....	7
Reporting a Data security breach	8
CCTV System	8

Introduction

Fens Primary School have produced a data protection policy to ensure that compliance is followed in relation to the data protection act 2018 (DPA 2018), the General Data Protection Register (GDPR) and all associated legislation. The DPA 2018 gives individuals rights over their personal data and protects individuals from the incorrect use of their personal data.

The school is registered with the Information Commissioner's Officer as the Data controller for the purposes of the personal data is process about individuals.

Purpose

The policy is a requirement of the DPA 2018 and the GDPR. The policy outlines the school's overall approach to its responsibilities and legal obligations as the 'Data Controller' under the DPA 2018 and the GDPR.

Scope

This policy applies to all employees (including temporary, casual or agency staff) governors, contractors and consultants working for or on behalf of the school. It also applies to any services providers that we contract with who process personal information on behalf of Fens.

This policy also covers any staff who may be involved in research or other activity that requires them to process or have access to personal data, for instance as part of a project. If this occurs, it is the responsibility of the school to ensure that data is processed in accordance with the DPA 2018, and that students and staff are advised about their responsibilities.

Data covered by the policy

A detailed description of this definition is available from the ICO, however briefly personal data is relating to an individual where the structure of the data allows the information to be accessed e.g. as part of a relevant filing system. This includes data held manually and electronically and data compiled, stored, or otherwise processed by the school, or by a third party on its behalf.

Special category data is personal data consisting of information relating to:

- Racial or ethnic origin
- Political opinions, religious beliefs or other beliefs of a similar nature
- Membership of a trade union (within the meaning of the Trade union and Labour Relations (consolidation) Act 1992)
- Physical or mental health or condition
- Sexual life or sexual orientation
- Biometric data

The six data protection principles

The DPA 2018 requires Fens, including all staff, governors and other individual who process personal information on behalf of the school, must comply with the six data protection principles.

They shall:

- Be obtained and processed fairly and lawfully and shall not be processed unless certain conditions are met.

- Be obtained for a specified and lawful purpose and shall not be processed in any manner incompatible with that purpose.
- Be limited to only what is required for the purposes for which it is being collected.
- Be accurate and kept up to date.
- Not be kept for longer than is necessary for those purposes.
- Be kept safe from unauthorised or unlawful processing and against accidental loss, destruction, or damage.

Responsibilities

Fens Primary School has an appointed Data Protection Officer to;

- Inform and advise the school and its employees about their obligations to comply with the GDPR and other data protection laws.
- Monitor the schools compliance with the GDPR and other laws, including managing internal data protection activities, advising on data protection impact assessments, conducting internal audits, and providing the required training to staff members.

The DPO reports to the highest level of management at the school, which is the Governing Body.

Our Data Protection Officer is provided by ADNS Group and can be reported to Scott Thornhill where she can be contacted to at the following address:

5 Eggleston Court, Riverside Park

Middlesbrough

TS2 1RU

Tel no: 03003033793

Email: compliance@adnsgroup.com

All new members of staff will be required to complete a mandatory information governance module as part of their induction and existing staff will be requested to undertake refresher training on a regular/annual basis.

Employees of Fen Primary School are expected to:

- Familiarise themselves and comply with the six data protection principles.
- Ensure any possession of personal data is accurate and up to date.
- Ensure their own personal information is accurate and up to date.
- Keep personal data for no longer than is necessary.
- Ensure that any personal they process is secure and in compliance with the school's information related policies and strategies.
- Acknowledge data subjects' rights (e.g., right of access to all their personal data held by the school) under the DPA 2018 and comply with access to records.

- Ensure personal data is only used for those specified purposes and is not unlawfully used for any other businesses that does not concern the school.
- Obtain consent with collecting, sharing or disclosing personal data.
- Contact the DPO at compliance@adnsgroup.com if they require advice or guidance, need to report data protection breach, or have any concerns relating to the processing of personal data under the DPA 2018.

Obtaining, Disclosing, and sharing

Only personal data that is necessary for a specific school related business reason should be obtained. Parents are informed about how their child's data will be processed when they sign the permissions form upon registration.

Upon acceptance of employment at the school, members of staff also consent to the processing and storage of their data.

Data must be collected and stored in a secure manner.

Personal information must not be disclosed to a third-party organisation without prior consent of the individual concerned unless the disclosure is legally required or permitted. This also includes information that would confirm whether an individual is or has been applicant, student, or employee of the school.

Fens Primary School may have a duty to disclose personal information to comply with legal or statutory obligation. The DPA 2018 may permit the school to share data without consent or without informing individuals in accordance with the right to be informed:

1. With the police and law enforcement bodies where it is considered necessary for the prevention and detection of crime.
2. Where the information may be necessary under enactment, for the purposes of legal proceedings and or for exercising of defending legal rights; and
3. Where the processing is necessary because it is a task carried out for in the public interest, for example safeguarding and child protection.

All requests from third party organisations seeking access, to personal data held by the school should be directed to the Headteacher and the Data Protection Officer at compliance@adnsgroup.com. The school will keep a record of all requests received from third party organisations. The information may be requested by the DPO or the information commissioner at any time to comply and actively evidence compliance, with data subject rights.

Personal information that is shared with third parties on a more regular basis shall be carried out under the agreement to stipulate the purview and boundaries of sharing.

Retention, security, and Disposal

Recipients responsible for the processing and management of personal data need to ensure that the data is accurate and up-to date. If an employee, student, or applicant is dissatisfied with the accuracy of their personal data, then they must inform the Headteacher Christopher Connor, who can be contacted on admin@fensprimary.co.uk or 01429 870405.

Personal information held in paper and electronic format shall not be retained for longer than is necessary. In accordance with Data protection principles of the DPA 2018, personal information shall be collected and retained only for business, regulatory or legal purposes.

In accordance with the provisions of the DPA 2018, all staff whose work involves processing personal data, whether in electronic or paper format, must take personal responsibility for its secure storage and ensure appropriate measures are in place to prevent accidental loss or destruction of, or damage to personal data.

Staff working from home will be responsible for ensuring that personal data is stored securely and is not accessible to others.

All departments should ensure that data is destroyed in accordance with the retention schedule when its no longer required.

Personal data in paper format must be shredded. Personal data in electronic format should be deleted. Hardware should be appropriately degaussed in compliance with your IT service provider contract to ensure data is held on the external device is screened, reviewed before being degaussed and securely destroyed.

Transferring Personal Data

Any transfer of personal data must be done securely in line with the school's acceptable user agreement policy.

Email communication is not always secure and sending personal data via external email should be avoided unless it is encrypted with a password provided to the recipient by separate means such as via telephone.

Care should be taken to ensure emails containing personal data are not sent to unintended recipients. It is important that emails are addressed correctly, and care is taken when using reply all or forwarding or copying others into emails. Use of blind copy facility should be considered when sending an email to multiple recipients to avoid disclosing personal information to others. Personal email accounts should not be used to send or receive personal data for work purposes.

Data Subjects (Subject access requests)

Under the DPA 2018, individuals (staff, pupils, parents and governors and students etc) have the following rights.

- Access to personal information processed by the school.
- Object to processing of personal data that is likely to cause, or is causing, damage or distress.
- Prevent processing for direct marketing.
- Object to decisions being taken by automated means.
- In certain circumstances, have inaccurate or incomplete personal data rectified, blocked, restricted, erased or destroyed.
- Claim compensation for damages caused by a breach of the Data Protection Regulations.

Individuals can make a 'subject access request' to any member of school staff verbally or in writing to request access to personal information the school holds about them, subject to any exemptions or restrictions that may apply.

Fens Primary School shall use its direction under the DPA 2018 to encourage informal access at a local level to a data subjects' personal information, but the school's formal procedure for the processing of Subject Access Requests must be followed to comply with the DPA 2018.

Any individual who wishes to exercise their right of access can do so verbally or in writing. There is no legal requirement to ask the requester to keep the schools subject access request form, but it may ask the requester to do so. A copy of the subject access request can be given upon request.

Fens Primary School can be contacted via email: admin@fensprimary.co.uk

Fens may not charge a fee. It will only release any information upon receipt of the completed subject access request form, along with proof of identity or proof of authorisation where requests are made on the behalf of a data subject by a third party. The requested information will be provided within the statutory timescale of 1 month from receipt of the completed form.

Reporting a Data security breach

It is important that Fens responds to a data security breach quickly and effectively. A breach may arise from a theft, a deliberate attack on the schools' systems, unauthorised use of personal data, accidental loss, or equipment failure. Any data breach should be reported to Headteacher Christopher Connor from there it will then be reported to the DPO, and if further reporting is needed the ICO.

This policy applies to all staff and pupils and contractors at the school. This includes teaching students, temporary, casual, agency, staff, suppliers, and data processors working for or on behalf of the school.

Any breach will be investigated in line with the procedures within the Data Breach Policy. In accordance with that policy, the school will treat any breach as a serious issue. Each incident will be investigated and judged on its individual circumstances and addressed accordingly.

If a breach occurs or is discovered outside the normal working hours, it must be reported to the school as soon as practicable. Note: the school must report data breaches that result or are likely to result in high risk to the rights and freedoms of individuals to the ICO within 72 hours.

The school will complete a data breach incident report that shall include the facts relating to the breach, its effect on the individuals, the action taken by the school to mitigate any risks. The report must include full and accurate details of the incident, when the breach occurred (dates and times) who is reporting it, if the data relates to people, the nature of the information and how many people are involved. These forms can be asked for on request.

CCTV System

By using CCTV systems, the school collects, stores, and uses static or moving images of individuals located in the surveillance area.

The school may be able to identify those individuals by using other existing information.

The school operates CCTV for the following purposes:

- for safeguarding children,
- for the prevention and detection of crime.

Our lawful basis for processing your personal data is Article 6(1)(e) and 6(1)(f) respectively:

- 6(1)(e) - Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller – Safeguarding children.
- 6(1)(f) - Processing is necessary for the purposes of legitimate interests - prevention and detection of crime.

All personal data captured on the CCTV system will only be processed in accordance with the Data Protection Act 2018, the General data protection regulation (GDPR) and any subsequent data protection legislation.

Data subject access request form

The General Data Protection Regulation and the Data Protection Act 2018 grants you the right to access your personal data held by us. This includes the right to obtain confirmation that we process your personal data, receive certain information about the processing of your personal data, obtain a copy of the personal data that we process. To exercise this right, we require you to complete and submit this form via post or email to:

Fen's Primary school

Mowbray Road
Hartlepool
TS25 2LY

admin@fensprimary.co.uk

We expect to respond to your request within one month of receipt of a fully completed form and proof of identity.

In addition to exercising your access right, the GDPR also grants you the right to:

- Request correction or erasure of your personal data.
- Restrict or object to certain types of data processing.
- Make a complaint with the ICO.

For more information on your rights under the GDPR, please see our Privacy Notice and the ICO's website.