



DATA PROTECTION POLICY

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| Date Policy Approved by the FGB | November 25 th 2015 |
| Date of Next Review | Autumn 2017 |
| Committee Responsible for the Policy | Full Governing Body |
| Name of Headteacher | Mrs Lesley Spicer |

1. Introduction

Peel Common Nursery and Infant School (“the school”) collects and uses personal information (referred to in the Data Protection Act as personal data) about staff, pupils, parents and other individuals who come into contact with the school. This information is gathered in order to enable the provision of education and other associated functions. In addition, the school may be required by law to collect, use and share certain information.

2. Purpose

2.1 This policy sets out how the school deals with personal information correctly and securely and in accordance with the Data Protection Act 1998, and other related legislation.

2.2 This policy applies to all personal information however it is collected, used, recorded and stored and whether it is held on paper or electronically.

2.3 All school staff and governors involved with the collection, use, processing or disclosure of personal data will be aware of their duties and responsibilities and will adhere to this policy.

3. What is Personal Information/ data?

Personal information or data is information which relates to a living individual who can be identified from that data, or from that data in addition to other information available to them. Personal data includes (but is not limited to) an individual’s, name, address, date of birth, photograph, bank details and other information that identifies them.

4. What is Sensitive Personal Data?

Sensitive personal data includes information as to an individual’s racial or ethnic origin, their political opinions, religious beliefs or beliefs of a similar nature, whether they are a member of a trade union, their physical or mental health or condition, sexual life, the commission or alleged commission of an offence and any proceedings for an offence committed or alleged to have been committed by them, the disposal of those proceedings or the sentence of any court in such proceedings.

5. Data Protection Principles

The Data Protection Act 1998 establishes eight principles that must be adhered to at all times:

1. Personal data shall be processed fairly and lawfully;
2. Personal data shall be obtained only for one or more specified and lawful purpose;
3. Personal data shall be adequate, relevant and not excessive;
4. Personal data shall be accurate and where necessary, kept up to date;
5. Personal data processed for any purpose shall not be kept for longer than necessary for that purpose or those purposes;
6. Personal data shall be processed in accordance with the rights of data subject under the Data Protection Act 1998;
7. Personal data shall be kept secure i.e. protected by an appropriate degree of security;
8. Personal data shall not be transferred to a country or territory outside the European Economic Area, unless that country or territory ensures an adequate level of data protection.

6. Commitment

The school is committed to maintaining the above principles at all times. Therefore the school will:

- Inform individuals why personal information is being collected.
- Inform individuals when their information is shared, and why and with whom unless the Data Protection Act provides a reason not to do this.
- Obtain consent before processing Sensitive Personal Data, even if consent is implied within a relevant privacy notice, unless one of the other conditions for processing in the Data Protection Act applies.
- Check the accuracy of the information it holds and review it at regular intervals.
- Ensure that only authorised personnel have access to the personal information whatever medium (paper or electronic) it is stored in.
- Ensure that clear and robust safeguards are in place to ensure personal information is kept securely and to protect personal information from loss, theft and unauthorised disclosure, irrespective of the format in which it is recorded.
- Ensure that personal information is not retained longer than it is needed.
- Ensure that when information is destroyed that it is done so appropriately and securely.
- Share personal information with others only when it is legally appropriate to do so.
- Comply with the duty to respond to requests for access to personal information, known as Subject Access Requests.
- Ensure that personal information is not transferred outside the EEA without the appropriate safeguards
- Ensure all staff and governors are aware of and understand these policies and procedures.

7. Complaints

Complaints will be dealt with in accordance with the school's complaints policy. Complaints relating to the handling of personal information may be referred to the Information Commissioner who can be contacted at Wycliffe House, Water Lane Wilmslow Cheshire SK9 5AF or at www.ico.gov.uk.

8. Review

This policy will be reviewed as it is deemed appropriate, but no less frequently than every 2 years. The policy review will be undertaken by the Headteacher, or nominated representative.

9. Contacts

If you have any enquires in relation to this policy, please contact the School Business Manager who will also act as the contact point for any subject access requests.

10. Appendix 1- Privacy notice for staff

Privacy Notice - Data Protection Act 1998

1. Peel Common Nursery and Infant School are the Data Controller for the purposes of the Data Protection Act.
2. Personal data is held by the School and Local Authority 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:
 - a) Improving the management of school workforce data across the sector;
 - b) Enabling a comprehensive picture of the workforce and how it is deployed to be built up;
 - c) Informing the development of recruitment and retention policies;
 - d) Allowing better financial modeling and planning;
 - e) Enabling ethnicity and disability monitoring;
 - f) Supporting the work of the School Teacher Review Body and the School Support Staff Negotiating Body.
3. 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.
4. ***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.***
5. We are required by law to pass on some of this data to:
 - a) The Local Authority (LA)
 - b) the Department for Education (DfE)

11. Appendix 2- Privacy notice for children

Privacy Notice - Data Protection Act 1998

1. Peel Common Nursery and Infant School are the data controller for the purposes of the Data Protection Act. We collect information from you about your child(ren) and may receive information about them from their previous school and Hampshire County Council. We hold this personal data and use/share it to:
 - a) Support your child(ren)'s teaching and learning;
 - b) Monitor and report on their progress;
 - c) Contribute to improving your child(ren)'s health and reducing inequalities;
 - d) Provide appropriate pastoral care;
 - e) Assess how well their school is doing.
2. This information includes contact details, national curriculum assessment results, attendance information * and personal characteristics such as their ethnic group, any special educational needs and relevant medical information.

3. ***We will not give information about your child(ren) to anyone outside the school without your consent unless the law and our rules allow us to.***
4. We are required by law to pass some information about your child(ren) to the Local Authority and the Department for Education (DfE)
5. We also have local arrangements in place where the school exchanges information with the school nurse, the Junior School and limited information to our own 'Friends' association.
6. If you want to see a copy of the information about your child(ren) that we hold and/or share, please contact the Administration Officer in the School Office.

**Attendance is not collected for pupils under 5 at Early Years Settings or Maintained Schools as part of Censuses for the Department for Education.*

11. Appendix 3- How to get more information

If you require more information about how the Local Authority (LA) and/or DfE store and use your information, then please go to the following websites:

For Hampshire County Council:

The County Council has their own privacy notice, which can be accessed via the following link:

http://www3.hants.gov.uk/hcc_csd_privacy_notice_-_generic_sept_2014_-2.doc

To see how your information is used by the LA:

<http://www3.hants.gov.uk/education/schools/schoolsdataprotection.htm#section242880-3>

and

For the DfE:

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

If you are unable to access these websites we can send you a copy of this information. Please contact the LA or DfE as follows:

- Data Protection Team
Children's Services
Elizabeth II Court (North)
The Castle
WINCHESTER
SO23 8UQ
Website: <http://www3.hants.gov.uk/learning>
email: childrens.services.dp@hants.gov.uk
Telephone: 01962 845320
- Public Communications Unit
Department for Education
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT
Website: <https://www.gov.uk/government/organisations/department-for-education>
email: <http://www.education.gov.uk/help/contactus>
Telephone: 0370 000 2288