



ST MARY'S CATHOLIC PRIMARY

A Community where we Live, Learn and Laugh Together in God's Love

Data Protection Policy

At St Mary's Catholic Primary School we are the data controller for the purposes of the Data Protection Act.

Our **Registration Number is Z7460602**. Our Registration expires on the 29th of January 2020.

We collect information from you and may receive information about you and your child from your previous school and the Learning Records Service. We hold this personal data and use it to support the effective management of the school. For more details about what data we hold and how we use it please see the attached Registration Document.

Among other things, this information includes your contact details, national curriculum assessment results, attendance information¹ and personal characteristics such as your ethnic group, any special educational needs and relevant medical information. If you are enrolling for post 14 qualifications we will be provided with your unique learner number (ULN) by the Learning Records Service and may also obtain from them details of any learning or qualifications you or your child have undertaken.

We will not give information about you to anyone outside the school without your consent unless the law and our rules allow us to.

We are required by law to pass some information about you to the Local Authority and the Department for Education (DfE)

If you want to see a copy of the information about you that we hold and/or share, please contact Mr Brennan (Headteacher)

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:

<http://www.calderdale.go.uk/education/schools/childrens-records/index.html> ² and

<http://media.education.gov.uk/assets/files/doc/w/what%20the%20department%20does%20with%20data%20on%20pupils%20and%20children.doc>

<http://www.education.gov.uk/researchandstatistics/childrenandyoungpeople/a0064391/who-the-department-passes-pupil-data-to>

¹ Attendance is not collected for pupils under 5 at Early Years Settings or Maintained Schools as part of Censuses for the Department for Education. This footnote can be removed where Local Authorities collect attendance for under 5's for their own specific purposes.

² Local Authority to provide a link to their website with information on uses they make of data and any other organisations they share data with. Ideally they should also provide an address where parents without internet access can write for information.

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:

- Corporate Information Manager
Calderdale Council
Westgate House
Westgate
Halifax
HX1 1PS
Telephone 01422 392298
Website <http://calderdale.gov.uk/council/accessinformation/data-protection/index.html>

- Public Communications Unit
Department for Education
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT
Website: www.education.gov.uk
email: <http://www.education.gov.uk/help/contactus>
Telephone: 0370 000 2288

Appendix 1: Subject Access Request Form

ST MARY'S CATHOLIC PRIMARY

Subject Access Request Form

1. *YOUR DETAILS (BLOCK CAPITALS PLEASE)

Surname:	First names:
Title:	Any other names used (e.g. maiden name):
Date of birth:	
Current address:	Previous address:
Postcode:	Postcode:
Daytime telephone number:	
Email address:	

*You will be asked to provide proof of your identity and address. Please see the Guidance Notes attached.

2. WHOSE INFORMATION ARE YOU REQUESTING? (Please tick relevant box)

- My own
- Someone else's
- Both my own and someone else's
-
- Father
- Carer
- Other (please explain below)

*You will be asked to provide proof of entitlement to request information on someone else's behalf.

Please see the Guidance Notes attached.

4. DETAILS OF THE INFORMATION YOU ARE REQUESTING:

Please describe the type of information you want to see:

Which people do you think hold the information you are requesting:

5. PROOF OF IDENTIFICATION AND ENTITLEMENT

Documents provided as proof of identity (please see the Guidance Notes):

- Passport or photo ID driving licence
- Birth certificate
- Bank statement
- Recent utility bill (original, less than 3 months old)
- Change of name documents (original)

Payment:

Please enclose a cheque for £10 made payable to St. Joseph's CPS, Halifax. The completed application form, fee and supporting proof of identity should be taken in or sent to the School.

Signature of applicant:	Date:
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Subject Access Request Guidance Notes

1. **Personal Details:** Please complete your personal details as requested. Please tell us if you have been known by any other name and if you have lived at your previous address for less than two years please provide your previous address. If you are requesting historical information, then provide as many details as possible, for example previous addresses with dates. Use a separate sheet of paper if required.
2. **Details of the information you require:** You should give as much detail as possible about the information you want us to provide and the people you think might hold the information to assist us in our data search.
3. **Proof of identification:** Proof of name and address is required to ensure we only give information to the correct person. We require two original pieces of documentation, e.g. a recent utility bill (less than three months old) or a bank statement showing your name *and* address and an original piece of photo documentation such as a passport or photo ID driving licence. If you have changed your name please provide proof of this. All documents must be originals, photocopies will not be accepted.
4. **Keep your documents secure:** Documents may be brought into school or sent to us in the post. Always send these important original documents by Recorded, Special or Registered post. The school cannot be held liable for any documents lost in the post.
5. **Proof of entitlement:** Under the Data Protection Act, only the data subject has the right to ask to see their own records. All individuals aged 16 or over should make their own subject access requests if they have the mental capacity to make their own decisions, (mental capacity here as defined in the Mental Capacity Act 2005), unless they appoints someone else to make the request on their behalf.
6. **Making a request on behalf of someone else:** People making subject access requests on behalf of someone else need to demonstrate that they have the right to do so and we have listed the categories and proof required below. *Please note that if you make a subject access request on behalf of a child or young person aged 12 - 15 years old, we may independently seek their consent to release the documents to you, even if you have parental responsibility for them. This means we may not disclose the information to you if they refuse their consent.
7. **A birth parent making a subject access request on behalf of their child aged below 16 years:**
 - **Birth mother:** Child's birth certificate.
 - **Birth father (married to the birth mother of the child):** Child's birth certificate and birth parent's marriage certificate.
 - **Birth father (unmarried to the birth mother of the child) for children born before**

- **December 2003:** Child's birth certificate showing registration or re-registration of the birth after 1 December 2003 naming the birth father as the child's father **or** Parental Responsibility Order granted by Court **or** Residence Order granted by Court **or** proof of being appointed the child's Guardian by Court, by child's birth mother or other Guardian **or** Parental Responsibility Agreement with the birth mother.
 - **Birth father (unmarried to the birth mother of the child) for children born after 1 December 2003:** Child's birth certificate naming the birth father **or** Parental Responsibility Order granted by Court **or** Residence Order granted by Court **or** proof of being appointed the child's Guardian by Court, by child's birth mother or other Guardian **or** Parental Responsibility Agreement with the birth mother.
- 8. An adoptive parent making a subject access request on behalf of their child aged below 16 years:**
- The Adoption Order
- 9. A person who is not the child's parent making a subject access request on behalf of their child aged below 16 years:**
- Residence Order granted by the Court **or**
 - Special Guardianship Order granted by the Court **or**
 - Proof of permission to make the subject access request, a signed letter or consent form from a person with parental responsibility and/or the child if the child is 12 years or older
- 10. A person making a subject access request on behalf of a person aged 16 years or over:**
- We require proof of permission to make the request on their behalf, such as a signed letter or consent form from the person. We may contact the person for confirmation that we can release the information to you.
- 11. A person making a subject access request on behalf of a person lacking mental capacity aged 16 years or over:**
- For a young person aged 16 – 17 years old we require proof of parental responsibility, as given in sections 5 and 6, or if you are a carer as in section 7 we require a Residence Order granted by the Court or a Special Guardianship Order granted by the Court.
 - For persons aged 18 or over we require proof of a valid Lasting Power of Attorney **or** an Enduring Power of Attorney **or** proof of a Court appointed Deputyship.
- 12. Payment:** A search fee of £10.00 is required for each separate request, an additional £10.00 fee may be charged if more than one person's records are requested. The fee is not refundable if the search shows that there is no information to be supplied. Please make all cheques payable to the school.

Appendix 2

Retention periods recommended by The Information Commissioner

Type of Document	Retention Period
Application form	Duration of employment
References received	1 year
Payroll and tax information	6 years
Sickness records	3 years
Annual leave records	2 years
Unpaid leave/special leave records	3 years
Annual appraisal/assessment records	5 years
Records relating to promotion, transfer, training, disciplinary matters	1 year from end of employment
References given/information to enable references to be provided	5 years from reference/end of employment
Summary of record of service, eg name, position held, dates of employment	10 years from end of employment
Records relating to accident or injury at work	12 years

Appendix 3

Disclosure and Barring Service Advice

(adapted from...) **Advice on Handling of DBS certificate information**

(with regards to...) **Secure storage, handling, use, retention and disposal of DBS certificates and certificate information**

Storage and access - DBS disclosure information must not be stored on an employee's personnel file but should be stored separately in lockable storage with access limited to those who are entitled to see it as part of their duties.

Handling – DBS disclosure information can only be released to those who are authorised to receive it in the course of their duties. A record should be maintained of all those to whom disclosure information has been revealed. It is a criminal offence to pass this information to anyone who is not entitled to receive it.

Usage - DBS disclosure information is only to be used for the specific purpose for which it was requested and for which the applicant's full consent will have been obtained.

Retention - Once a recruitment (or other relevant) decision has been made, DBS disclosure information should not be stored for longer than is necessary. This is generally for a period of up to six months to allow for consideration and resolution of any disputes or complaints. If, in exceptional circumstances, it is considered necessary to keep such information for longer than six months, full consideration must be given to the Data Protection rights of the individual.

Disposal - Once the retention period has elapsed, the organisation (eg school) must ensure that any DBS disclosure information is destroyed and that, whilst awaiting destruction, DBS disclosure information must be kept securely. A record of the date of issue of a disclosure, the name of the subject, the type of disclosure requested, the position for which the disclosure was requested, the unique reference number of the disclosure and the details of the recruitment decision taken should, however, be securely stored (this may be indefinitely) for monitoring purposes