

Home Farm Primary School policy on data protection and managing information

Home Farm Primary School collects and uses personal information about staff, pupils, parents and other individuals who come into contact with the school. This information is gathered in order to enable it to provide education and other associated functions. In addition, there may be a legal requirement to collect and use information to ensure that the school complies with its statutory obligations.

Schools have a duty to be registered, as Data Controllers, with the Information Commissioner's Office (ICO) detailing the information held and its use. These details are then available on the ICO's website. Schools also have a duty to issue a Privacy Notice to all pupils / parents. This summarises the information held on pupils, why it is held and the other parties to whom it may be passed on. Home Farm Primary School publishes its privacy notice on the school website.

Purpose

This policy is intended to ensure that personal information is dealt with correctly and securely and in accordance with the Data Protection Act 1998, and other related legislation. It will apply to information regardless of the way it is collected, used, recorded, stored and destroyed, and irrespective of whether it is held in paper files or electronically.

All staff involved with the collection, processing and disclosure of personal data will be aware of their duties and responsibilities by adhering to these guidelines.

What is Personal Information?

Personal information or data is defined as data which relates to a living individual who can be identified from that data, or other information held.

Data Protection Principles

The Data Protection Act 1998 establishes eight enforceable 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 purposes;
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 is necessary for that purpose or those purposes;
6. Personal data shall be processed in accordance with the rights of data subjects 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.

General Statement

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

- Inform individuals why the information is being collected when it is collected
- Inform individuals when their information is shared, and why and with whom it was shared
- Check the quality and the accuracy of the information it holds
- Ensure that information is not retained for longer than is necessary
- Ensure that when obsolete information is destroyed that it is done so appropriately and securely
- Ensure that clear and robust safeguards are in place to protect personal information from loss, theft and unauthorised disclosure, irrespective of the format in which it is recorded
- Share information with others only when it is legally appropriate to do so
- Set out procedures to ensure compliance with the duty to respond to requests for access to personal information, known as Subject Access Requests
- Ensure our staff are aware of and understand our policies and procedures

Implementing the GDPR

In 2018, these data protection principles will be supplemented and developed through the General Data Protection Regulations. This will include a greater emphasis on accountability for data protection matters. Home Farm Primary School has designated the Headteacher as the Data Protection Officer. The school has a programme of work in place to prepare for the introduction of the GDPR.

Our preparations for the GDPR include:

- Training and awareness-raising within our organisation;
- Documentation of the information we hold, where it comes from, and who we share it with and the legal basis for holding the information;
- Review of our privacy notice;
- Review of our information retention schedule;
- Review and update of our procedures for handling subject access requests;
- Review and update of our procedures for gaining consent;
- Seeking assurances from third parties with whom we work about their adherence with data protection principles.

Complaints

Complaints will be dealt with in accordance with the school's complaints policy. Complaints relating to information handling may be referred to the Information Commissioner (the statutory regulator).

Review

This policy will be reviewed by the Governing Body every two years.

Contacts

If you have any enquires in relation to this policy, please contact the Headteacher who will also act as the contact point for any subject access requests. Further advice and information is available from the Information Commissioner's Office, www.ico.gov.uk or telephone 01625 545745 3

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Procedures for responding to subject access requests made under the Data Protection Act 1998

Rights of access to information

There are two distinct rights of access to information held by schools about pupils.

1. Under the Data Protection Act 1998 any individual has the right to make a request to access the personal information held about them.
2. The right of those entitled to have access to curricular and educational records as defined within the Education Pupil Information (Wales) Regulations 2004.

These procedures relate to subject access requests made under the Data Protection Act 1998.

Actioning a subject access request

Requests for information must be made in writing; which includes email, and be addressed to the Headteacher. If the initial request does not clearly identify the information required, then further enquiries will be made.

The identity of the requestor must be established before the disclosure of any information, and checks should also be carried out regarding proof of relationship to the child. Evidence of identity can be established by requesting production of:

- passport
- driving licence
- utility bills with the current address
- Birth / Marriage certificate
- P45/P60
- Credit Card or Mortgage statement

3. Any individual has the right of access to information held about them. However with children, this is dependent upon their capacity to understand (normally age 12 or above) and the nature of the request. The Headteacher should discuss the request with the child and take their views into account when making a decision. A child with competency to understand can refuse to consent to the request for their records. Where the child is not deemed to be competent an individual with parental responsibility or guardian shall make the decision on behalf of the child.

4. The school may make a charge for the provision of information, dependant upon the following:

- Should the information requested contain the educational record then the amount charged will be dependant upon the number of pages provided.
- Should the information requested be personal information that does not include any information contained within educational records schools can charge up to £10 to provide it.
- If the information requested is only the educational record viewing will be free, but a charge not exceeding the cost of copying the information can be made by the Headteacher.

5. The response time for subject access requests, once officially received, is 40 days. However the 40 days will not commence until after receipt of fees or clarification of information sought.
6. The Data Protection Act 1998 allows exemptions as to the provision of some information; **therefore all information will be reviewed prior to disclosure.**
7. Third party information is that which has been provided by another, such as the Police, Local Authority, Health Care professional or another school. Before disclosing third party information consent should normally be obtained. There is still a need to adhere to the 40 day statutory timescale.
8. Any information which may cause serious harm to the physical or mental health or emotional condition of the pupil or another should not be disclosed, nor should information that would reveal that the child is at risk of abuse, or information relating to court proceedings.
9. If there are concerns over the disclosure of information then additional advice should be sought.
10. Where redaction (information blacked out/removed) has taken place then a full copy of the information provided should be retained in order to establish, if a complaint is made, what was redacted and why.
11. Information disclosed should be clear, thus any codes or technical terms will need to be clarified and explained. If information contained within the disclosure is difficult to read or illegible, then it should be retyped.
12. Information can be provided at the school with a member of staff on hand to help and explain matters if requested, or provided at face to face handover. The views of the applicant should be taken into account when considering the method of delivery. If postal systems have to be used then registered/recorded mail must be used.

Complaints

Complaints about the above procedures should be made to the Chairperson of the Governing Body who will decide whether it is appropriate for the complaint to be dealt with in accordance with the school's complaint procedure. Complaints which are not appropriate to be dealt with through the school's complaint procedure can be dealt with by the Information Commissioner. Contact details of both will be provided with the disclosure information.

Contacts

If you have any queries or concerns regarding these policies / procedures then please contact Mr R Potter, Headteacher.

Further advice and information can be obtained from the Information Commissioner's Office, www.ico.gov.uk or telephone

Appendix 2

Home Farm Primary School Publication Scheme

We make certain categories of information available to the public under our publication scheme. In some cases we charge for the provision of this information. Further details are in the table below.

Information to be published	How the information can be obtained	Cost
Class of information 1 - Who we are and what we do		
This will be current information only		
Who's who in the school	Website Hard copy Contact school office	Free Disbursement costs
Who's who on the governing body and the basis of their appointment	Website Hard copy Contact school office	Free Disbursement costs
Instrument of Government	Hard Copy Contact school office	Disbursement costs
Contact details for the Head teacher and for the governing body	Website Hard copy Contact school office	Free Disbursement costs
School prospectus	Website Hard copy Contact school office	Free Disbursement costs
Staffing structure	Website Hard copy Contact school office	Free Disbursement costs
School session times and term dates	Website Hard copy Contact school office	Free Disbursement costs
Class of information 2 – What we spend and how we spend it		
Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit for the current and previous financial year.		
Annual budget plan and financial statements	Hard Copy	Disbursement costs
Capitalised funding	Hard Copy	Disbursement costs
Additional funding	Hard Copy	Disbursement costs
Procurement and projects	Hard Copy	Disbursement costs
Pay policy	Hard Copy	Disbursement costs
Staffing and grading structure	Hard Copy	Disbursement costs
Governors' allowances	Hard Copy	Disbursement costs
Class of information 3 – What our priorities are and how we are doing		
Strategies and plans, performance indicators, audits, inspections and reviews		
School profile <ul style="list-style-type: none"> Government supplied performance data The latest Ofsted report <ul style="list-style-type: none"> Summary Full report 	Website Hard copy Contact school office	Free Disbursement costs
Performance management policy and procedures adopted by the governing body.	Hard copy	Disbursement costs
Schools future plans	Website Hard copy Contact school office	Free Disbursement costs

Class of information 4 – How we make decisions		
Decision making processes and records of decisions – information provided for the current year and previous three years.		
Admissions policy/decisions (not individual admission decisions)	Website Hard copy Contact school office	Free Disbursement costs
Agendas of meetings of the governing body and (if held) its sub-committees	Hard copy	Disbursement costs
Minutes of meetings (as above) – nb this will exclude information that is properly regarded as private to the meetings.	Hard copy	Disbursement costs
Class of information 5 – Our policies and procedures		
(Current written protocols, policies and procedures for delivering our services and responsibilities)		
School policies including: <ul style="list-style-type: none"> • Charging and remissions policy • Health and Safety • Complaints procedure • Staff code of conduct • Discipline and grievance policies • Equalities framework • Staff recruitment policies 	Some available on website at: Hard copy Contact school office	Free Disbursement costs
Pupil and curriculum policies, including: <ul style="list-style-type: none"> • Home-school agreement • Safeguarding • Curriculum • Sex and relationship education • Inclusion (including SEN) • Collective worship 	Website: Hard copy Contact school office	Free Disbursement costs
Records management and personal data policies, including: <ul style="list-style-type: none"> • Information handling and data protection policy • Records retention destruction and archive policies 	Website: Hard copy Contact school office	Free Disbursement costs
Charging regimes and policies.	Hard Copy	Disbursement costs
Class of information 6 – Lists and Registers		
Any information the school is currently legally required to hold in publicly available registers (this does not include the attendance register)	Hard copy	Disbursement costs
Class of information 7 – The services we offer		
Current information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses		
Extra-curricular activities and out of school clubs	Website Hard copy	Free Disbursement costs
School publications	Hard copy	Disbursement costs
Services for which the school is entitled to recover a fee, together with those fees	Hard copy	Disbursement costs
Leaflets, books and newsletters	Website Hard copy	Free Disbursement costs

SCHEDULE OF CHARGES

TYPE OF CHARGE	DESCRIPTION	BASIS OF CHARGE
Disbursement cost	Photocopying/printing @ 2p per sheet (black & white)	Actual cost per print
	Photocopying/printing @ 5p per sheet (colour)	Actual cost
	Postage	Actual cost of Royal Mail standard 2 nd class

Privacy Notice - Data Protection Act 1998

We, Home Farm Primary School, are a data controller for the purposes of the Data Protection Act. We collect personal information from you and may receive information about you from your previous school and the Learning Records Service. We hold this personal data to:

- Support your learning;
- Monitor and report on your progress;
- Provide appropriate pastoral care, and
- Assess how well we are doing.

Information about you that we hold includes your contact details, national curriculum assessment results, attendance information and personal characteristics such as your ethnic group, any special educational needs you may have and relevant medical information. If you are enrolling for post 14 qualifications the Learning Records Service will give us your unique learner number (ULN) and may also give us details about your learning or qualifications.

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

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

If you want to receive a copy of the information about you that we hold or share, please contact Mr R Potter, Headteacher

If you need more information about how the LA and DfE store and use your information, then please go to the following website - <http://www.essex.gov.uk/> and follow the links to Education and Schools / Schools / Delivering education in Essex / Privacy policies for pupil data.

If you are unable to access this website paper copies of this information can be obtained from the school office.

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