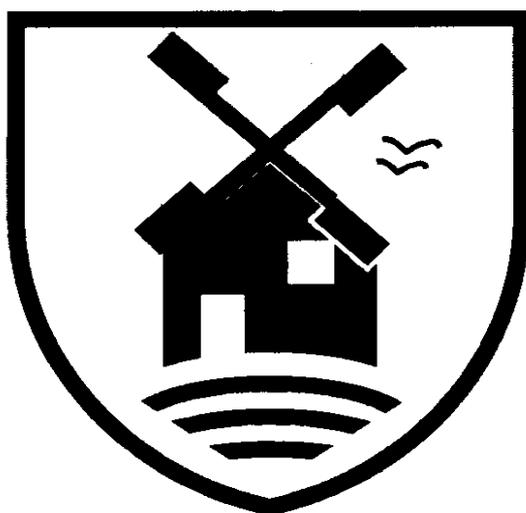


# GREASBY JUNIOR SCHOOL



## DATA PROTECTION POLICY

\_\_\_\_\_ Chair of Governors

\_\_\_\_\_ Headteacher

Date: \_\_\_\_\_

## **Introduction**

Greasby Junior School follows the 2004 statutory requirement to have a publication scheme which sets out the information which can be made available. The Governing Body has overall responsibility for ensuring that records are maintained, including security and access arrangements, in accordance with Education Regulations and all other statutory provisions.

### **The principles upon which our policy is based:**

In line with the Data Protection Act, we comply with a number of important principles regarding privacy.

In processing personal information Greasby Junior School must comply with the eight principles laid down in the 1998 Data Protection Act:

1. Data must be processed fairly and lawfully.
2. Personal data shall be obtained only for one or more specific and lawful purposes.
3. Personal data shall be adequate, relevant and not excessive in relation to the purpose(s) for which it is processed.
4. Personal data shall be accurate and where necessary kept up-to-date.
5. Personal data processed for any purpose(s) shall not be kept for longer than is necessary for that purpose.
6. Personal data shall be processed in accordance with the rights of data subjects under the 1998 Data Protection Act.
7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
8. Personal data shall not be transferred to a country outside the EEA, unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

The principles define how data can be legally processed. 'Processing' includes obtaining, recording, holding or storing information and carrying out any operations on the data, including adaptation, alteration, use, disclosure, transfer, erasure and destruction. The school is committed to maintain these principles at all times.

The policy will be updated as necessary to reflect best practice or amendments made to the Data Protection Act 1998.

Adrian Martin, Headteacher.

## **Data Protection Officer**

The Data Protection Officer is responsible for overseeing data protection within the School so if you do have any questions in this regard, please do contact them on the information below: -

**Data Protection Officer: Craig Stilwell**  
**Company: Judicium Consulting Ltd**  
**Address: 72 Cannon Street , London, EC4N 6AE**  
**Email: [dataservices@judicium.com](mailto:dataservices@judicium.com)**  
**Telephone: 0203 326 9174**

### **Appendix 1**

#### **PROCEDURE FOR RESPONDING TO REQUESTS FOR PERSONAL INFORMATION IN ACCORDANCE WITH THE DATA PROTECTION ACT 1998**

- Anyone requesting to see their file, their child's file or other information relating to them is making a request under the Data Protection Act 1998. In this instance all types of information will be considered for disclosure
- There is a statutory exemption to the above – parents have automatic rights to access defined materials under the Education (School Records) Regulations 1989. The school observes this.
- If there is a current court order relating to data, the school must observe this.

#### **DEALING WITH A REQUEST**

- A request under the act must be made in writing.
- In many cases a letter to the Headteacher will be sufficient to identify the information required.
- The Headteacher must be confident about the identity of the individual making the request. Signatures may be verified, identification may be requested in addition to proof of relationship with the child.
- An individual only has the automatic right to access information about themselves. Requests from family members, carers and parents will be considered. The Headteacher has the responsibility for ensuring the child's welfare is considered in deciding whether to comply with the request. Normally the requester will have to prove both their relationship with the child and that the disclosure is in the child's best interest to the satisfaction of the Headteacher. In the event of the child having capacity to understand (approximately 12 years) the Headteacher should discuss the request with the child to take their views into account. There may be circumstance when the child refuses their consent.
- The school may charge a statutory fee, currently calculated on a sliding scale but only if a permanent copy is required. Charges will be made clear when a request is made. If a letter is sent out requesting the fee the 40 calendar day statutory

timescale does not begin until after the fee is received. No request be delayed unnecessarily by time taken to send the fee letter

- The school will make use of exemption under the Act as appropriate. All files must be reviewed before any disclosure takes place. **UNDER NO CIRCUMSTANCES WILL ACCESS BE GRANTED IMMEDIATELY OR BEFORE THIS REVIEW PROCESS HAS TAKEN PLACE.**
- Where information has been provided to the school by a third party (LA, the police, health care etc) but is held on the school's file, the school will seek consent of the third party before disclosing the information. This will be done within the 40 day timescale. If consent is not granted additional advice will be sought.
- The applicant will be told the data that the school holds, be given a copy of the data, be told the purposes for which it is processed and whether it has been shared with another party. Basic details about withheld data may be made as the Headteacher feels appropriate considering the child's welfare. The school will give details of who to contact in the case of a complaint.
- Where some data in a document cannot be disclosed a copy of the document will be made with the relevant data obscured, or the document may be retyped. In any event a copy of the full document (before obscuring) and the altered document should be retained together with the reason why the document was altered. This is so that in the event of a complaint a clear audit trail can be followed.
- Information may be provided by registered mail or on deposit at the school with an officer available to help the applicant. If the latter is used the occupant should have access to a photocopier. In considering the methods of delivery of data the views of the applicant should be considered. Any data that is difficult to read should be re typed.
- The school will monitor all requests and the 40 calendar day statutory timescale.
- The Act applies only to living individuals.

#### **USE OF EMAIL**

- When transferring information to and from the DfE, a secure transfer system is used.
- This also applies when transferring information to and from the local authority.
- When school staff transfer information to each other about pupils using the school's email system, initials rather than full names are used.

## Appendix 2

### TRANSFER OF DATA TO PUPIL SERVICES

The following form will be completed when data about either pupils or members of staff is requested from the LA:

<b>School:</b>	ITS Call ref number:
<b>Type of data to be processed by IT Services:</b> Pupil Assessment <input type="checkbox"/> Teacher's personal data <input type="checkbox"/> Pupil's personal data <input type="checkbox"/>	
<b>Brief description of data to be input (ie year group(s), subject(s), type of data, etc); include the total number of pages/filenames.</b>  <i>[Please Note: All documents should be classified in accordance with the Government Protective Marking Scheme, guidance can be found on the following intranet site:</i>  <a href="http://wbcnet.admin.ad.wirral.gov.uk/departments/cypd/DataSecurity/DataSecurity.shtml">http://wbcnet.admin.ad.wirral.gov.uk/departments/cypd/DataSecurity/DataSecurity.shtml</a>	
<b>Method of data transfer:</b>  <b>Please advise on the method that you will use to transfer the data to IT Services</b> <i>[Please ensure that this adheres to your school data security policy. Further guidance can be found at:</i> <a href="http://wbcnet.admin.ad.wirral.gov.uk/departments/cypd/DataSecurity/DataSecurity.shtml">http://wbcnet.admin.ad.wirral.gov.uk/departments/cypd/DataSecurity/DataSecurity.shtml</a>	
Following confirmation that the job is satisfactorily completed IT Services will contact you to agree arrangements to destroy or return data.	
<b>By signing this form you are confirming that you have adhered to your school data protection policy.</b>	
<b>Data from school</b> Date: _____ Time: _____ Signature: _____ Print name: _____	
<b>Data received by IT Services</b> Date: _____ Time: _____ Signature: _____ Print name: _____	

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