

# DATA PROTECTION

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| <b>CREATED:</b>   | <b>SPRING 2013</b>           |
| <b>BY:</b>  | <b>MIDDLESBROUGH COUNCIL</b> |
| <b>REVIEW DETAILS:</b>  | <b>SPRING 2014</b>           |
| <b>Currently awaiting updated policy from Navigate Academies Trust.</b> |                              |



## Rationale

To function properly the school needs to collect and use certain types of information about staff, students and other individuals who come into contact with the school in order to operate. We are also obliged to collect and use data to fulfil our obligations to the LA, DCSF and other bodies.

This personal information must be dealt with properly however it is collected, recorded and used – whether on paper, in a computer, or recorded on other material – and there are safeguards to ensure this in the Data Protection Act 1998.

We regard the lawful and correct treatment of personal information as very important to successful operations, and to maintaining confidence between those with whom we deal and ourselves. We ensure that our organisation treats personal information lawfully and correctly.

To this end we fully endorse and adhere to the Principles of Data Protection, as detailed in the Data Protection Act 1998.

## 1 Compliance

The school will comply with:

- 1.1 The terms of the 1998 Data Protection Act, and any subsequent relevant legislation, to ensure personal data is treated in a manner that is fair and lawful.
- 1.2 Advice and guidance supplied on the **BECTA Schools website**
- 1.3 Information and guidance displayed on the Information Commissioner's website ([www.dataprotection.gov.uk](http://www.dataprotection.gov.uk)).

## 2 This policy is used in conjunction with the school's *Internet Use Policy*.

## 3 Data Gathering

- 3.1 All personal data relating to staff, pupils or other people with whom we have contact, whether held on computer or in paper files, are covered by the Act.
- 3.2 Only relevant personal data may be collected and the person from whom it is collected should be informed of the data's intended use and any possible disclosures of the information that may be made.

## 4 Data Storage

- 4.1 Personal data will be stored in a secure and safe manner.
- 4.2 Electronic data will be protected by standard password and firewall systems operated by the school.
- 4.3 Computer workstations in administrative areas will be positioned so that they are not visible to casual observers waiting either in the office or at the reception hatch.
- 4.4 Manual data will be stored where it not accessible to anyone who does not have a legitimate reason to view or process that data.

4.5 Particular attention will be paid to the need for security of sensitive personal data.

## **5 Data Checking**

5.1 The school will issue regular reminders to staff and parents to ensure that personal data held is up-to-date and accurate.

5.2 Any errors discovered would be rectified and, if the incorrect information has been disclosed to a third party, any recipients informed of the corrected data.

## **6 Data Disclosures**

6.1 Personal data will only be disclosed to organisations or individuals for whom consent has been given to receive the data, or organizations that have a legal right to receive the data without consent being given.

6.2 When requests to disclose personal data are received by telephone it is the responsibility of the school to ensure the caller is entitled to receive the data and that they are who they say they are. It is advisable to call them back, preferably via a switchboard, to ensure the possibility of fraud is minimised.

6.3 If a personal request is made for personal data to be disclosed it is again the responsibility of the school to ensure the caller is entitled to receive the data and that they are who they say they are. If the person is not known personally, proof of identity should be requested.

6.4 Requests from parents or children for printed lists of the names of children in particular classes, which are frequently sought at Christmas, should politely be refused as permission would be needed from all the data subjects contained in the list. (Note: A suggestion that the child makes a list of names when all the pupils are present in class will resolve the problem.)

6.5 Personal data will not be used in newsletters, websites or other media without the consent of the data subject.

6.6 Routine consent issues will be incorporated into the school's pupil data gathering sheets, to avoid the need for frequent, similar requests for consent being made by the school.

6.7 Personal data will only be disclosed to Police Officers if they are able to supply a WA170 form which notifies of a specific, legitimate need to have access to specific personal data.

6.8 A record should be kept of any personal data disclosed so that the recipient can be informed if the data is later found to be inaccurate.

## **7 Subject Access Requests**

7.1 If the school receives a written request from a data subject to see any or all personal data that the school holds about them this should be treated as a Subject Access Request and the school will respond within the 40 day deadline.

7.2 Informal requests to view or have copies of personal data will be dealt with wherever possible at a mutually convenient time but, in the event of any disagreement over this, the person requesting the data will be instructed to make their application in writing and the school will comply with its duty to respond within the 40 day time limit.

**8 Data Protection Agreement**

All members of staff are asked to sign a Data Protection Agreement, indicating that they have been made aware of the requirements of the Data Protection Act and confirm their compliance with school policy. (Appendix A)

I have been made aware of, read and understood the Brambles Primary School 'Data Protection Policy' and I consent to any of my personal data, as held by the school, to be used in accordance with this policy.

I understand that the details of any personal data are my responsibility and that it is required of me to inform the school as requested when any such data changes or requires updating.

I understand that I am able to request a copy of my personal details by informing the School Clerk.

I have been made aware of the location of copies of the policy i.e. that it is stored electronically on MGrid and in hard copy in the Head Teacher's office.

**Name:**

**Date:**

**Signature:**