

LETHBRIDGE PRIMARY SCHOOL DATA PROTECTION POLICY

AIMS

This document is a statement of the aims and principles of Lethbridge Primary School, for ensuring the confidentiality of sensitive information relating to staff, pupils, parents and governors.

RATIONALE

Lethbridge Primary School needs to keep certain information about its employees, students and other users to allow it to monitor performance, achievements, and health and safety, for example. It is also necessary to process information so that staff can be recruited and paid, courses organised and legal obligations to funding bodies and government complied with.

To comply with the law, information must be collected and used fairly, stored safely and not disclosed to any other person unlawfully. To do this, Lethbridge Primary School must comply with the Data Protection Principles which are set out in the Data Protection Act 1998 (the 1998 Act). In summary these state that personal data shall:

- Be obtained and processed fairly and lawfully and shall not be processed unless certain conditions are met.
- Be obtained for a specified and lawful purpose and shall not be processed in any manner incompatible with that purpose.
- Be adequate, relevant and not excessive for that purpose.
- Be accurate and kept up to date.
- Not be kept for longer than is necessary for that purpose.
- Be processed in accordance with the data subject's rights.
- Be kept safe from unauthorised access, accidental loss or destruction.

Lethbridge Primary School and all staff or others who process or use personal information must ensure that they follow these principles at all times. In order to ensure that this happens, Lethbridge Primary School has developed this Data Protection Policy.

In addition Lethbridge Primary School will fully comply with DfE statutory guidance on keeping and maintaining records, as required by The Education (Pupil Information) (England) Regulations 2005.

STATUS OF THIS POLICY

This policy does not form part of the contract of employment for staff, but it is a condition of employment that employees will abide by the rules and policies made by Lethbridge Primary School from time to time. Any failures to follow the policy can therefore result in disciplinary proceedings.

THE DATA CONTROLLER AND THE DESIGNATED DATA CONTROLLER

Lethbridge Primary School as a body corporate is the Data Controller under the 1998 Act, and the Governors are therefore ultimately responsible for implementation. However, the Designated Data Controller will deal with day to day matters.

The Designated Data Controller is Lethbridge Primary School's Business Manager. Any member of staff, parent or other individual who considers that the Policy has not been followed in respect of personal data about themselves or their child should raise the matter with Lethbridge Primary School's Business Manager.

RESPONSIBILITIES OF STAFF

All staff are responsible for:

- Checking that any information that they provide to Lethbridge Primary School in connection with their employment is accurate and up to date.
- Informing Lethbridge Primary School of any changes to information that they have provided, e.g. change of address, either at the time of appointment or subsequently.

Lethbridge Primary School cannot be held responsible for any errors unless the staff member has informed The School of such changes.

If and when, as part of their responsibilities, staff collect information about other people (e.g. about a pupil's coursework, opinions about ability, references to other academic institutions, or details of personal circumstances), they must comply with the guidelines for staff set out in Lethbridge Primary Schools Data Protection Code of Practise.

DATA SECURITY

All staff are responsible for ensuring that:

- Any personal data that they hold is kept securely.
- Personal information is not disclosed either orally or in writing or via Web pages or by any other means, accidentally or otherwise, to any unauthorised third party.

Staff should note that unauthorised disclosure will usually be a disciplinary matter, and may be considered gross misconduct in some cases.

Personal information should:

- Be kept in a locked filing cabinet, drawer, or safe; or
- If it is computerised, be coded, encrypted or password protected both on a local hard drive and on a network drive that is regularly backed up; and
- If a copy is kept on a portable memory stick or other removable storage media, that media must itself be kept in a locked filing cabinet, drawer, or safe.

RIGHTS TO ACCESS INFORMATION

All staff, parents and other users are entitled to:

- Know what information Lethbridge Primary School holds and processes about them or their child and why.
- Know how to gain access to it.
- Know how to keep it up to date.
- Know what Lethbridge Primary School is doing to comply with its obligations under the 1998 Act.

Lethbridge Primary School will, upon request, provide all staff and parents and other relevant users with a statement regarding the personal data held about them. This will state all the types of data Lethbridge Primary School holds and processes about them, and the reasons for which they are processed.

All staff, parents and other users have a right under the 1998 Act to access certain personal data being kept about them or their child either on computer or in certain files. Any person who wishes to exercise this right should submit their request in writing to Lethbridge Primary School Business Manager.

Lethbridge Primary School will make a charge of £10 on each occasion that access is requested, although Lethbridge Primary School has discretion to waive this.

Lethbridge Primary School aims to comply with requests for access to personal information as quickly as possible, but will ensure that it is provided within 40 days, as required by the 1998 Act.

SUBJECT CONSENT

In many cases, Lethbridge Primary School can only process personal data with the consent of the individual.

In some cases, if the data is sensitive, as defined in the 1998 Act, express consent must be obtained. Agreement to Lethbridge Primary School processing some specified classes of personal data is a condition of acceptance of employment for staff. This includes information about previous criminal convictions.

Jobs will bring the applicants into contact with children. Lethbridge Primary School has a duty under the Children Act 1989 and other enactments to ensure that staff are suitable for the job.

Lethbridge Primary School has a duty of care to all staff and students and must therefore make sure that employees and those who use School facilities do not pose a threat or danger to other users.

Lethbridge Primary School may also ask for information about particular health needs, such as allergies to particular forms of medication, or any medical condition such as asthma or diabetes. Lethbridge Primary School will only use this information in the protection of the health and safety of the individual, but will need consent to process this data in the event of a medical emergency, for example.

PROCESSING SENSITIVE INFORMATION

Sometimes it is necessary to process information about a person's health, criminal convictions, or race. This may be to ensure that Lethbridge Primary School is a safe place for everyone, or to operate other School policies, for example with regards to sick pay or equal opportunities.

Because this information is considered **sensitive** under the 1998 Act, staff (and pupils where appropriate) will be asked to give their express consent for Lethbridge Primary School to process this data. An offer of employment may be withdrawn if an individual refuses to consent to this without good reason.

PUBLICATION OF SCHOOL INFORMATION

Certain items of information relating to School staff will be made available via searchable directories on the public Web site, in order to meet the legitimate needs of researchers, visitors and enquirers seeking to make contact with Lethbridge Primary School.

RETENTION OF DATA

Lethbridge Primary School has a duty to retain some staff and pupil personal data for a period of time following their departure from Lethbridge Primary School, mainly for legal reasons, but also for other purposes such as being able to provide references or academic transcripts.

Different categories of data will be retained for different periods of time. Retention periods of retention for governors' records are outlined in the separate Records Retention policy. Retention periods for other school documents will be in accordance with the most up to date 'Information and Records Management Society Retention Guidelines for Schools'

For the purposes of the policy, retention and destruction of records will be as follows:

	Retention	Destruction
Paper records	<ul style="list-style-type: none">• Filing• Archiving as required	<ul style="list-style-type: none">• Removal from file and disposal / shredding
Confidential paper records	<ul style="list-style-type: none">• Secure filing• Archiving as required	<ul style="list-style-type: none">• Secure shredding
Electronic records	<ul style="list-style-type: none">• Storage on school servers or portable devices. Availability on Lethbridge Primary School website where appropriate• Saved to disk for archiving	<ul style="list-style-type: none">• Deletion from servers and devices. Removal from website where appropriate.• Deletion from disk
Confidential electronic records	<ul style="list-style-type: none">• Storage on school servers• Saved to disk for archiving	<ul style="list-style-type: none">• Deletion from servers and devices.• Deletion from disk

MONITORING AND REVIEW

The Governing Body will monitor this policy on an annual yearly basis.

Next review date: May 2018