



## DATA PROTECTION POLICY

### WORMHOLT PARK PRIMARY SCHOOL



#### Article 16

Every child has the right to privacy. The law should protect the child's private, family and home life.

CHAIR SIGNATURE	
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## Statement

Our school aims to ensure that all personal data collected about staff, pupils, parents, governors, visitors and other individuals is collected, stored and processed in accordance with the General Data Protection Regulation (EU) 2016/679 (GDPR) and the Data Protection Act 2018 (DPA 2018). This policy applies to all personal data, regardless of whether it is in paper or electronic format.

Wormholt Park Primary School is committed to protecting the children that come to its school, the parents and carers of those children and the staff employed to work at the school. We aim to ensure that all data the school collects about staff, parents and pupils is collected, stored and processed in accordance with the Data Protection Act 2018 and the General Data Protection Regulations 2016/679.

This policy applies to all staff, pupils and governors of Wormholt Park Primary School.

## Legislation and Guidance

This policy meets the requirements of the GDPR and the DPA 2018. It is based on guidance published by the Information Commissioner's Office (ICO) on the GDPR.

It also reflects the ICO's code of practice for the use of surveillance cameras and personal information.

In addition, this policy complies with regulation 5 of the Education (Pupil Information) (England) Regulations 2005, which gives parents the right of access to their child's educational record.

## Key Terms

Terminology used within this policy is defined in the table below:

Term	Definition
<b>Personal data</b>	Data from which a person can be identified, including data that, when combined with other readily available information, leads to a person being identified
<b>Sensitive personal data</b>	Data such as: <ul style="list-style-type: none"><li>• Contact details</li><li>• Racial or ethnic origin</li><li>• Political opinions</li><li>• Religious beliefs, or beliefs of a similar nature</li><li>• Where a person is a member of a trade union</li><li>• Physical and mental health</li><li>• Sexual orientation</li><li>• Whether a person has committed, or is alleged to have committed, an offence</li><li>• Criminal convictions</li></ul>
<b>Processing</b>	Obtaining, recording or holding data
<b>Data subject</b>	The person whose personal data is held or processed
<b>Data controller</b>	A person or organisation that determines the purposes for which, and the manner in which, personal data is processed
<b>Data processor</b>	A person, other than an employee of the data controller, who processes the data on behalf of the data controller

## The Data Controller

Wormholt Park Primary School collects personal information about pupils, parents and staff and other visitors is, therefore, a data controller.

The school is registered as a data controller with the Information Commissioner's Office and this registration is renewed annually.

## Data Protection Officer

The data protection officer (DPO) is responsible for overseeing the implementation of this policy, monitoring our compliance with data protection law, and developing related policies and guidelines where applicable.

They will provide an annual report of their activities directly to the governing board and, where relevant, report to the board their advice and recommendations on school data protection issues. The DPO is also the first point of contact for individuals whose data the school processes, and for the ICO.

Full details of the DPO's responsibilities are set out in their job description.

## Data Protection Principles

The DPA 2018 and GDPR contain key data protection principles, or rules, for good data handling and these include:

- Data shall be processed fairly, lawfully and in a transparent way
- Data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes
- Data that is collected shall be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed
- Data shall be accurate and, where necessary, kept up to date
- Data shall be kept in a form which permits identification of data subjects for no longer than is necessary for which the personal data is processed
- Data shall be processed in a manner that ensures appropriate security of the personal data

Wormholt Park Primary School shall adhere to these principles at all times.

## Roles and Responsibilities

The governing body has overall responsibility for ensuring that the school complies with its obligations under the DPA 2018. Day-to-day responsibility rests with the Headteacher. Members of staff are responsible for ensuring that they collect and store personal data in accordance with this policy and other related policies and procedures.

## Privacy Notices

### Pupils and Parents

We hold personal data about pupils at our school to support teaching and learning, provide pastoral care and to assess how the school is performing. We may also receive data about pupils from other organisations including, but not limited to, other schools, local authorities and the Department for Education. This data may include, but is not restricted to:

- Contact details
- Results of internal assessments and tests
- Data on pupil characteristics such as ethnicity or special educational needs
- Exclusion information
- Details of any medical conditions
- Information on free school meals eligibility

Data from other schools, local authorities and the Department for Education are transferred to the school using secure portals. Where other organisations share data with the school they are required to comply with the requirements of GDPR by ensuring that personal data is transferred using a secure system such as encrypted emails.

We will retain the data we collect only for as long as necessary to satisfy the purpose for which it has been collected and once it is no longer required will be deleted in accordance with the storage limitation principle of GDPR. We will not share information about pupils with anyone without parental consent unless the law and our policies allow us to do so. Individuals who wish to see information that we hold about them should refer to our Subject Access Requests Policy.

We are required, by law, to pass certain information about pupils to specified external bodies such as our local authority, the Department for Education and social services so that they are able to meet their statutory obligations.

## Staff

We process data relating to those we employ to work at, or otherwise engage to work at, our school. The purpose of processing this data is to assist in the running of the school, including to:

- Enable individuals to be paid
- Facilitate safe recruitment
- Support effective performance management of staff
- Improvement management of workforce data across the sector
- Allow better financial modelling and planning
- Enable ethnicity and disability monitoring by the LA / Government
- Support the work of the School Teachers' Review Body

Staff personal data includes, but is not limited to, information such as:

- Contact details
- National insurance number
- Qualifications
- Salary information
- Absence data
- Personal characteristics, including ethnic groups, nationality, marital status
- Medical information
- Outcome of any disciplinary procedures

We will retain the data we collect for as long as is necessary to satisfy the purpose for which it has been collected or in accordance with legislative requirements. We will not share information about staff with third parties without consent unless the law allows us to.

We are required, by law, to pass certain information about staff to specified external bodies, such as our local authority, Department for Education and outsourced payroll provider, so that they are able to meet their statutory obligations.

Staff members who wish to obtain copies of information held about them should submit a Subject Access Request in accordance with the procedures set out in the school's Subject Access Requests Policy and Procedures.

## Storage of records

- Records are stored in accordance with the school's Records Retention Policy and Schedule which outlines requirements as published by the Records Management Society. The schedule will be updated at such time that further guidance is issued.

- Paper-based records and portable electronic devices, such as laptops and hard drives that contain personal information are kept under lock and key when not in use
- Papers containing confidential personal information will not be left on office and classroom desks, on staffroom tables or pinned to noticeboards where there is general access
- Where personal information needs to be taken off site (in paper or electronic form), staff must follow the Data Management Policy
- Passwords that are at least 8 characters long containing letters and numbers are used to access school computers, laptops and other electronic devices. Staff are reminded to change their passwords at regular intervals
- Encryption software is used to protect all portable devices and removable media, such as laptops and USB devices. Staff must not use personal devices.

## Disposal of records

Records are disposed of in accordance with the timeline stated in the school's Records Retention Policy and Schedule which complies with legislation and statutory requirements and in accordance with guidance published by the Records Management Society.

Personal information that is no longer needed is disposed of securely. All personal information is securely contained onsite, then collected by an outside company for safe disposal, electronic files are overwritten. We also use an outside company to safely dispose of computer hard drives.

## Photos and Videos

Images of staff and pupils may be captured at appropriate times and as part of educational activities for use in school only. Photos taken of pupils will only be taken using school equipment including digital cameras, tablets and iPads.

Unless prior consent from parents/pupils/staff has been given, the school shall not utilise such images for publication or communication to external sources.

Where pupils participate in a school production parents may use their own devices to take photographs. We expect parents to respect the choice of others and act in accordance with this policy by not publishing photographs that contain other individuals onto social media sites. If a parent wishes to use a personal photograph of their child that parent is responsible for ensuring that other individuals are cropped out of the picture.

## CCTV

We use CCTV in various locations around the school site to ensure it remains safe. We will adhere to the ICO's code of practice for the use of CCTV. We do not need to ask individuals' permission to use CCTV, but we make it clear where individuals are being recorded. Security cameras are clearly visible and accompanied by prominent signs explaining that CCTV is in use.

## Training

Staff and governors will be provided with data protection training as part of their induction process. Data protection will also form part of continuing professional development, where changes to legislation or the school's processes make it necessary.

## Links with other policies

Other policies that relate to data protection include:-

[CCTV Policy](#)

[Data Management and ICT Security Policy](#)

[Individual Rights Policy](#)

[Records Retention and Disposal Policy](#)

[Subject Access Requests Policy and Procedure](#)