

# Halstead CP School

# DATA PROTECTION POLICY



Reviewed and approved by the Strategy  
Team  
Signed :

Caroline Harrison (Chair of Strategy)  
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Mr Hawkins (Headteacher)

# Halstead Community Primary School

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## Halstead Community Primary School

### 1. General statement

The Head teacher and the Governors of the School intend to comply fully with the requirements and principles of the Data Protection Act 1998 in relation to the management of personal data in the school.

The school will endeavour to ensure that all processing is appropriately Registered / notified and will review and update notified entries.

- All staff involved with the collection, processing and disclosure of personal data will be made aware of their duties and responsibilities within these guidelines.
- It is recognised that other legislation (for example the Crime and Disorder Act) may override Data Protection law.

### 2. Enquiries and Information

Enquiries about this policy should be made to the Headteacher, who can also provide further information about school procedures. The registered purposes for processing personal information, as recorded for notification by the school, are available by appointment for inspection in the school. Explanation of the entries registered is available from the Headteacher who is the person nominated to deal with data protection issues.

### 3. Fair obtaining

The school undertakes to obtain information fairly and lawfully by informing all data subjects of the reasons for its collection, the purposes for which the data will be held, where possible the likely recipients, and the data subject's rights of access. Information about the use of personal data is printed on the appropriate collection forms. Where details are given in person or by telephone the staff member collecting the details will advise on how those details will be used.

### 4. Data uses and processes

The school will not use or process personal information that contravenes its statutory or registered / notified purposes.

Any new purposes for data processing introduced will, where appropriate, be notified to the individual and, if required by law, their consent will be sought. A copy of the up to date notification / registration will be kept at the school for inspection purposes.

In general the school will only process data with subject's data's consent (or with the consent of parents / guardian acting on behalf of their child). There may be exceptions as outlined in Schedules 2 and 3 of the Data Protection Act where processing is necessary for example for the school to comply with its other legal obligations or to protect the vital interests of the data subject. Only authorised and properly instructed staff are allowed to make external disclosures of personal data. Data used within the school should be made available to staff only if they need to know for their work in the school.

## 5. Data integrity

The school will not collect data from individuals that is excessive or irrelevant in relation to the registered / notified purpose(s). Details collected will be adequate and no more. Information collected which becomes irrelevant or excessive will be deleted.

- Information will only be held for as long as is necessary for the Registered / notified period - after which the details will be deleted.
- Data held will be accurate and up-to-date as is reasonably possible. If a data subject informs the school of a change of circumstances their record will be updated as soon as possible. Information received from a third party will be recorded as such.
- Where a data subject challenges the accuracy of their data, and it cannot be updated immediately, or where the new information needs to be checked for accuracy and validity, a marker will be placed on the "challenged" record indicating the nature of the dispute or delay. The school will try to resolve issues informally and amicably with the individual but if this is not possible any disputes will be referred to the Governing Body.

## 6. Security

The school undertakes to ensure the security of personal data to prevent unauthorised individuals and staff from gaining access to personal information.

The school building is fully alarmed whenever unoccupied, the alarms being set by the Caretaker, Headteacher. The alarms are monitored by the City Council

### ***Emergency Services Unit.***

During school hours external gates are locked and access to the building is only through the security door.

- All personal data on paper is kept in the Admin or Headteacher's office in filing cabinets. The office doors are lockable when staff are not in them. No personal data is to be left on desks or computer screens when staff are not in the office.
- Personal data on the computer can be accessed only by authorised personnel using individual passwords. Passwords are changed regularly.

Laptop computers are signed out in the equipment loan book and kept in secure storage when off site, e.g. locked house, locked car boot.

### ***Procedures and protocols***

The Headteacher is responsible for giving access to all personal data records.

- Personal data is rarely taken off site. If necessary (e.g. for child protection conference) then, the member of staff is responsible for the security of that information at all times. Information is transferred to new schools or other authorised receivers either electronically, when directed, or by hand, or post in sealed envelopes, clearly addressed and marked confidential.

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- The Headteacher is responsible for making all staff aware of their responsibilities for data protection and for general security matters and their knowledge is updated as required.
- Redundant data will be destroyed in accordance with the school's procedures for disposing of confidential materials.

### 7. Subject access/subject information requests

- Any person whose details are held / processed by the school (data subjects) has a general right to receive a copy of their own information. There are a few exceptions to this rule, such as data held for child protection or crime detection/prevention purposes.
- The school will respond in writing to requests for access to pupil records within 15 school days and for all other types of record within the 40 days allowed by the Data Protection Act.
- The school's policy for dealing with requests for subject access in respect of a pupil is:
  - Requests from parents / legal guardians in respect of their own child will, provided that the child does not understand the nature of the subject access requests, be processed as requests made on behalf of the data subject (child)

Requests from pupils who **do not** understand the nature of their request will be referred to the child's parents.

Requests from pupils who demonstrate an understanding of the nature of their request will be processed as any subject access request as outlined below.

The data controller (head teacher or authorised person acting on his behalf) will make the judgement about whether a child has the necessary level of understanding, and will seek guidance from the Information Commissioner and / or City Council in the event of a dispute.

- A subject access / information request should be submitted on the appropriate forms wherever possible to ensure that the school has the required information to be able to conduct a data search and fulfil the request (see below).
- Where information is not available from the school but is processed by the Local Authority (such as admissions and transfers) the requests will be directed to the appropriate officer.
- In some cases, especially with requests not submitted on the appropriate forms, further information may need to be required from the requester which may delay the start of the 40 day maximum period.
- Repeat requests will be fulfilled unless deemed unreasonable, such as second request received so soon after the first it would be impossible for the details to have changed.

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### **Complaints and appeals**

Complaints, disputes or challenges as described above should be first taken up with the Head teacher (Data controller) or an authorised person acting on his behalf.

**June 2015**