Blaenavon Heritage Voluntary Controlled Primary School



DATA PROTECTION POLICY

Author: Mrs Jane Howells

Written: January 2019

Review: January 2020

Ratified: 10 April 2019

CoG:

DOCUMENT CONTROL

Title:			
Document Owner:	**HEADTEACHER**		
Document Author:			
Reference:	**SCHOOL-IG001**	**Retention Period:**	**Until next review**
Document Classification:	Official	**Location:**	
Version / Status:	Draft	**Approved by:**	SCHOOL /BOARD GOVERNORS
Current Issue Date:		**Next Review Date:**	

REVISION HISTORY

Issue Date	Version / Status	Reason for Change	Changed By:
	1.0	Policy Refresh	

Table of Contents

DOCUMENT CONTROL 2

REVISION HISTORY 2

1. PURPOSE 4

2. SCOPE 4

3. RESPONSIBILITIES 4

4. TRAINING AND AWARENESS 5

5. NOTIFICATION TO THE INFORMATION COMMISSIONER 5

6. PRIVACY NOTICE 5

7. LEGISLATION & KEY REFERENCE DOCUMENTS 6

8. MONITORING AND REVIEW 6

9. COMPLIANCE 7

APPENDIX 1 – Key Definitions 8

1. PURPOSE

Blaenavon Heritage VC Primary is committed to full compliance with the General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679) and Data Protection Act 2018 which now supersedes the previous Data Protection Act 1998. To achieve this commitment, information about employees, pupils and other clients and/or contacts, must be collected and used fairly, stored safely and not unlawfully disclosed to any other person. In order to operate efficiently, the School will collect and use information about people with whom it works. These will include past and present pupils and employees, prospective pupils and employees. This may also include clients, customers, parents, volunteers and suppliers. In addition we may be required by law to collect and use information in order to comply with the requirements of central government.

2. SCOPE

The policy applies to:

- Governors, employees, whether office based or working via remote access, including contractors, volunteers, agencies and partner organisations operating on behalf of the School.

3. RESPONSIBILITIES

Maintaining the security, confidentiality, integrity and availability of all School information, is the responsibility of all people employed or contracted to undertake work on behalf of the School.

Governors and Head teacher:
Are responsible for the oversight and implementation of this policy.

Head teacher
The School is registered as a data controller with the Information Commissioners Office (ICO) and the Head teacher will renew this registration annually.

Head teacher/ Senior Management Team/ Bursar:
It will be the responsibility of those above to ensure compliance with the policy and for communicating the policy and procedures around handling personal and sensitive information to all staff.

- The provision of data protection training for staff within the School.
- Development of best practice guidelines.
- Undertaking compliance checks to ensure adherence throughout the school with GDPR and Data Protection Act 2018.
- Undertaking Data Protection investigations and implementing actions and reports to the Information Commissioner's Office.
- Asses monitor and action information security protocols, data security breaches and incidents.

Bullock, Sue 23/11/2018 10:28
Deleted:

All Staff

All staff are responsible for ensuring that any personal data which they hold is kept securely and personal information is not disclosed in any way to any unauthorised third party.

All staff are responsible for ensuring that they understand the process for wanting to make enquiries about handling personal information internally and externally. (Subject Access Requests - SAR's).

All staff are responsible for ensuring that incidents and breaches are reported immediately to the Head teacher.

All staff are responsible for ensuring that processes outlined within the Schools Data Protection Policy & Procedures are followed at all times.

All staff are responsible for ensuring that media devices are securely destroyed when no longer required in line with the Schools Secure Destruction Policy.

All staff are responsible for the secure destruction of information data in line with the Schools Retention Policy.

All staff are responsible for ensuring that sufficient measures are put in place when sending personal/special category (personal sensitive) data externally.

Contractors, Consultants and Other Parties

All contractors, consultants, partners or agents of the School must ensure that they, and all of their staff who have access to personal data held or processed for or on behalf of the School are aware of their duties and responsibilities under the GDPR.

4. TRAINING AND AWARENESS

The Head teacher is responsible for ensuring that adequate and appropriate knowledge of the Data Protection Act and the schools legal obligations is available to all staff.

5. NOTIFICATION TO THE INFORMATION COMMISSIONER

The School is currently registered with the Information Commissioner as part of the public register of data controllers in line with the General Data Protection Regulation.

6. PRIVACY NOTICE

The School will ensure that individuals are made aware of personal information being held by the school and how this information is being used, held, who can access it, with whom it is being shared and for how long it will be kept. There is a general Privacy Notice displayed on the schools website.

7. LEGISLATION & KEY REFERENCE DOCUMENTS

(Please note this list is not exhaustive)

The School will abide by all relevant UK and EU legislation and the following policies and procedures:

- The General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679)
- The Data Protection Act (2018)
- The Copyright, Designs and patents Act (1988)
- The Computer Misuse Act (1990)
- The Health and Safety at Work Act (1974)
- Human Rights Act (1998)
- Regulation of Investigatory Powers Act 2000
- Freedom of Information Act 2000
- Environmental Information Regulations 2004
- Health & Social Care Act 2001
- Social Services & Wellbeing Act 2014
- Children Act 2004
- Equality Act 2010
- Crime and Disorder Act 1998

SCHOOL POLICIES

- Information Retention Policy
- Information/Data Loss Policy
- Data Protection (GDPR) Requests for Information Policy

SCHOOL PROCEDURES

- Information/Data Loss Procedures
- Requests for Information Procedures

8. MONITORING AND REVIEW

The Head Teacher together with the board of governors will monitor the implementation of this policy.

This policy will be subject to review when any of the following conditions are met:

- Content errors or admissions are highlighted.
- Where another standard/guidance issued conflicts with the information in this policy.
- There will be an initial 1 year review from policy implementation.
- Thereafter reviews will be scheduled on a 3 year basis from the date of approval of the current version.

9. COMPLIANCE

Failure to comply with this Policy could result in disciplinary action resulting in termination of employment and in serious cases individuals being prosecuted under the General Data Protection Regulation.

APPENDIX 1 – Key Definitions

Data – is defined under the Data Protection Act as:

- Information that is processed automatically
- Information that is recorded with the intention that it should be processed automatically
- Information that is recorded as part of a relevant filing system or with the intention of being part of such as system.
- Information that does not fall within the above three categories but which forms part of an accessible record. Records considered to be accessible are health records, educational records (local education authority and special schools only), local housing records and local authority social service records.
- Information which is recorded and held by a public authority which does not fall within the above 4 categories.

Personal Data – is that which relates to a natural person (living individual)

Special Category Data (Sensitive Personal) – is information relating to a living individuals race/ethnic origin, religion, sexual life, health, trade union membership, political opinions or criminal/alleged criminal offences.

Data Processing – relates to almost any activity carried out in relation to personal information. Examples are holding, processing, releasing, amending and destroying information.

Data Controller – an individual or organisation that decides how and why personal information will be processed.

Data Processor – an individual or organisation that process personal information on behalf of the Data Controller, under instruction from the Data Controller.

Natural Person (Data Subject) – an individual who is the subject of the personal information.