Spalding Grammar School

GDPR Data Protection Policy and Notices

Author: A H Wild

Ratified by: HT

Review Cycle: Annual

Next Review Date:

The Data Protection Act 2018 is the law that protects personal privacy and upholds individual's rights. It applies to anyone who handles or has access to people's personal data. It also incorporates the EU GDPR legislation (General Data Protection Regulation).

This policy is intended to ensure that personal information is dealt with properly and securely and in accordance with the Data Protection Act and GDPR regulation.

The policy applies to all personal data, regardless of whether it is in paper or electronic format and our biometric data.

1. Scope of the Policy

- GDPR is about Personal Data. Anything which identifies an individual or can be associated with an individual is Personal Data.
- Personal information is any information that relates to a living individual who can be identified from the information. This includes any expression of opinion about an individual and intentions towards an individual. It also applies to personal data held visually in photographs or video clips (including CCTV) or as sound recordings.

- The School collects a large amount of personal data every year including: staff and student records, names and addresses. In addition, it may be required by law to collect and use certain types of information to comply with statutory obligations of Academies, which include government agencies, the LA (Local Authority) and other authorised bodies.

Roles and Responsibilities

- Our Academy processes personal data relating to students, staff, Governors, visitors and others.
- This policy applies to all staff employed by our Academy. Non compliance is disciplinary.

DPO (Data Protection Officer)

- The Data Protection Officer (DPO) is responsible for overseeing the implementation of this policy.
- The DPO is also responsible for monitoring compliance to the data protection law.

The DPO is Director of an IT company. Joe Lee, can be contacted by email at the address below:
dpo@ark.me.uk

2. The Eight Principles

The Act is based on eight data protection principles, or rules for 'good information handling'.

1. Data must be processed fairly and lawfully.

2. Personal data shall be obtained only for one or more specific and lawful purposes.

3. Personal data shall be adequate, relevant and not excessive in relation to the purpose(s) for which they are processed.

4. Personal data shall be accurate and where necessary kept up to date.

5. Personal data processed for any purpose(s) shall not be kept for longer than is necessary for that purpose.

6. Personal data shall be processed in accordance with the rights of data subjects under the 2018 Data Protection Act.

7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.

8. Personal data shall not be transferred to a country outside the EEA, unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

3. Responsibilities

The School must:

- Manage and process personal data properly
- Protect the individual's right to privacy
- Provide an individual with access to all personal data held on them.

- The School has a legal responsibility to comply with the Act. The School, as a corporate body, is named as the Data Controller under the Act.

- Data Controllers are people or organisations who hold and use personal information. They decide how and why the information is used and have a responsibility to establish workplace practices and policies that are in line with the Act.

- The School is required to 'notify' the Information Commissioner of the processing of personal data. This information will be included in a public register which is available on the Information Commissioner's website at the following link:
- http://www.ico.gov.uk/what_we_cover/promoting_data_privacy/keeping_the_register.aspx

- Every member of staff that holds personal information has to comply with the Act when managing that information.

The School is committed to maintaining the eight principles at all times. This means that the School will:

- inform Data Subjects why they need their personal information, how they will use it and with whom it may be shared. This is known as a Privacy Notice (see appendices)

- check the quality and accuracy of the information held

- apply the records management policies and procedures to ensure that information is not held longer than is necessary

- ensure that when information is authorised for disposal it is done appropriately

- ensure appropriate security measures are in place to safeguard personal information whether that is held in paper files or on a computer system

- only share personal information with others when it is necessary and legally appropriate to do so

- set out clear procedures for responding to requests for access to personal information known as subject access in the Data Protection Act

- train all staff so that they are aware of their responsibilities and of the schools relevant policies and procedures

This policy will be updated as necessary to reflect best practice or amendments made to the Data Protection Act 2018.

APPENDIX A

Privacy Notice for Pupils:

Data Protection Act 2018: How we use your information

We process personal information relating to our pupils and may receive information about them from their previous school or college, local authority, the Department for Education (DfE) and the Learning Records Service. We hold this personal data to:

- support our pupils' learning
- monitor and report on their progress
- provide appropriate pastoral care; and
- assess the quality of our services

Information about our pupils that we hold will include their contact details, assessment results, attendance information, any exclusion information, where they go after they leave us and personal characteristics such as their ethnic group, any special educational needs they may have as well as relevant medical information. For pupils enrolling for post-14 qualifications, the Learning Records Service will give us the unique learner number (ULN) and may also give us details about your learning or qualifications.

In addition, once our pupils reach the age of 13, the law requires us to pass on certain information about them to South Holland District Council who have responsibilities in relation to the education or training of 13-19 year olds. We provide them with these pupils' names and addresses, dates of birth, name(s)/address(es) of their parent(s)/guardian(s) and any other information relevant to their role. We may also share certain personal data relating to children aged 16 and over with post-16 education and training providers in order to secure appropriate services for them.

A parent/guardian can ask that no information apart from their child's name, address and date of birth be passed South Holland District Council by informing Mrs A Stamp. This right is transferred to the child once he/she reaches the age 16.

We will not give information about you to anyone without your consent unless the law and our policies allow us to.

We are required, by law, to pass some information about you to the Department for Education (DfE). This information will, in turn, then be made available for the use by the LA.

If you need more information about how our local authority and/or DfE collect and use your information, please visit:

- our local authority at www.sholland.gov.uk; or

- the DfE website at https://www.gov.uk/data-protection-how-we-collect-and-share-research-data

APPENDIX B

Privacy Notice for School Staff:

The Data Protection Act 2018: How we use your information

We process personal data relating to those we employ to work at, or otherwise engage to work at, our school. This is for employment purposes to assist in the running of the school and/or to enable individuals to be paid. The collection of this information will benefit both national and local users by:

- improving the management of workforce data across the sector
- enabling development of a comprehensive picture of the workforce and how it is deployed
- informing the development of recruitment and retention policies
- allowing better financial modelling and planning
- enabling ethnicity and disability monitoring; and
- supporting the work of the School Teachers' Review Body

This personal data includes identifiers such as names and National Insurance numbers and characteristics such as ethnic group, employment contracts and remuneration details, qualifications and absence information.

We will not share information about you with third parties without your consent unless the law allows us to. We are required, by law, to pass on some of this personal data to:

- our local authority
- the Department for Education (DfE)

If you require more information about how we and/or DfE store and use your personal data please visit https://www.gov.uk/data-protection-how-we-collect-and-share-research-data

APPENDIX C

Privacy Notice for Looked-After Children:

The Data Protection Act 2018: How we use your information

We collect and process information about children in our care and children to whom we provide services. We use this personal data to:

- support these children and monitor their progress
- provide them with pastoral care; and
- assess the quality of our services

We are required, by law, to pass on some of this information to the Department for Education (DfE) which uses it to; develop national policies, manage local authority performance, administer and allocate funding and identify and encourage good practice. Under certain conditions, DfE may share some of the information we provide to them with third parties (e.g. for the purpose of research). Any such sharing by DfE is strictly controlled and in compliance with the Data Protection Act 2018

If you require more information about how we and/or the DfE use this information, please visit the DfE's website at: https://www.gov.uk/data-protection-how-we-collect-and-share-research-data