

St Peter's Anglican/Methodist V.C Primary School



Unlocking our potential for life - long learning

Data Protection Policy

School Address	Bank Road Pilning South Gloucestershire BS35 4JG
School Contact Number	01454 631137

1. Introduction

This document is a statement of the Data Protection Policy adopted by St Peter's Primary School Anglican/Methodist VC Primary School.

The school needs to collect and use certain types of information about staff, students and other individuals who come into contact with the school in order to operate. In addition, it may be required by law to collect and use certain types of information to comply with statutory obligations of Local Authorities (LAs), government agencies and other bodies.

This policy is intended to ensure that personal information will be dealt with properly and securely and in accordance with the Data Protection Act 1998 and other related legislation. It will apply to information regardless of the way it is used, recorded and stored and whether it is held in paper files or electronically.

2. Data Protection Principles

The Eight Data Protection Principles as laid down in the 1998 Data Protection Act must be followed at all times:

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 1998 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.

The school is committed to maintaining those principles at all times. This means that the school will:-

- Tell you what purposes we will use information for when we collect it.
- If information will be shared we will tell you why, with whom and under what circumstances.
- Check the quality and accuracy of the information we hold.
- Apply our 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 to safeguard personal information whether that is held in paper files or on our computer system
- 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 our staff so that they are aware of our policies and procedures

This policy will be updated as necessary to reflect best practice or amendments made to the Data Protection Act 1998.

3. Complaints

Complaints under this policy should be made to the Chairperson of the Governing Body who will decide if it is appropriate for the complaint to be dealt with under the complaints procedure.

Complaints which are not dealt with under the school's complaint procedure should be forwarded in writing to the Information Commissioner. It is likely that complaints about procedural issues, due process and timeliness will be dealt with by the Governing Body, complaint that involve consideration of personal data or sensitive personal data should be referred to the Information Commissioner.

4. Contacts

If you have any concerns or questions in relation to this policy please contact the Headteacher who will also act as the contact point for any requests under the Data Protection Act.

Further advice and information, including a full list of exemptions, is available from the Information Commission:

www.informationcommissioner.gov.uk

5. Reason for Re-Issue

This policy will be reviewed by the Resources Committee in line with the overall policy timetable which is every two years.

Date	Reason re-issued	
Jan 2016	Template issued to standardise format of policies	

6. Policy Agreed:

Chair of Governors Date.....

Head Teacher..... Date.....

Version	Date
Taken to Staff	NA
Taken to Resources Committee	11 th Jan 2016
Adopted by Governing body	20 th Jan 2016
Next Review Date	Jan 2018

Appendix 1

Fair Processing Notice

1.0 St Peter's Primary School complies with the Data Protection Act (1998) when processing information on pupils.

St Peter's Primary School holds information on pupils in order to:

- support their teaching and learning.
- monitor and report on their progress.
- provide appropriate pastoral care.
- assess how well the school is doing as a whole.

2.0 These records include contact details. National Curriculum assessment and examination results, attendance information characteristics such as ethnic group, special educational needs and any relevant medical information. From time to time we are required to pass on some of this data to:

- the Local Authority (LA)
- another school to which a pupil is transferring
- the Qualifications and Curriculum Authority (QCA)
- Ofsted (Office for Standards in Education)
- the Learning Skills Council (LSC)
- the Department for Education and Skills (DfES)
- other agencies that are prescribed by law

3.0 The Local Authority is now part of South Gloucestershire Council's Department for Children and Young People, along with Children Social Services and the Youth Service. Pupil information may be matched with other data sources the Department holds in order to monitor pupils' educational progress and to provide comprehensive information for services. The Department uses pupil records to carry out specific tasks such as the assessment of any special educational needs a pupil may have or the tracking of children at risk. It also uses the information to produce statistics to inform decisions on (for example) the funding of schools, and to assess the performance of schools and set targets for them. In order to comply with the Children's Act (2004), the Department for Children and Young People may also share information with the South Gloucestershire Primary Care Trust and other organisations which have responsibility for children's welfare.

4.0 The Qualifications and Curriculum Authority uses information about pupils to administer the National Curriculum tests and assessments for Key Stages 1 to 3. The results of these are passed on to the DfES to compile statistics on trends and patterns in levels of achievement. The QCA uses the information to evaluate the effectiveness of the National Curriculum and the associated assessment arrangements, and to ensure that these are continually improved.

5.0 Ofsted uses information about the progress and performance of pupils to help inspectors evaluate the work of schools, to assist schools in their self-evaluation, and as part of Ofsted's assessment of the effectiveness of education initiatives and policy. Inspection reports do not identify individual pupils.

6.0 The Learning and Skills Council uses information about pupils for Statistical purposes to evaluate and develop education policy and to monitor the performance of the education service as a whole. On occasion information may be shared with other Government departments or agencies strictly for statistical or research purposes only. This information is used in such a way that individual pupils cannot be identified from them.

7.0 The Department for Education and Skills uses information about pupils for research and statistical purposes, to inform, influence and improve education policy, and to monitor the education service as a whole. The DfES will feed back to LAs and schools information about their pupils for a variety of

purposes such as data checking exercises, self-evaluation analyse and, where necessary, passing on information from a child's previous school. The DfES will also provide Ofsted with pupil level data for use in school inspections. Where relevant, pupil information may also be shared with other learning institutions to minimise the administrative burden on application for a course and to aid in the preparation of learning plans. Pupil information may be matched with other data sources the Department holds to monitor pupils' educational progress; and to provide comprehensive information back to LEAs and learning institutions to support their day to day business. The DfES may also use contact details from these sources to obtain samples for statistical surveys: these surveys may be carried out by research agencies working under contract to the Department and participation is usually voluntary.

Pupil data may also be shared with other Government Departments and Agencies (including the Office for National Statistics) for statistical or research purposes. In all these cases individual pupils' records are needed to identify the pupils to match them, but the data will be processed in such a way that it supports measures or decisions relating to particular individuals or identifies individuals in any results. This data sharing will be approved and controlled by the Department's Chief Statistician. The DfES may also disclose information about individual pupils to independent researchers into the educational achievements of pupils who have a legitimate need for it for their research; but each case will be determined on its merits and subject to the approval of the Department Chief Statistician.

PARENTS' AND PUPIL'S RIGHTS

Pupils have certain rights under the Data Protection Act, including a general right of access to personal information held on them. Parents can exercise this right on their behalf if pupils are too young to do so themselves. If your child wishes to see their records, or you wish to do so on their behalf, then please write to:

The Headteacher
St Peter's Primary School
Bank Road
Pilning
South Gloucestershire
BS35 1HT

The Data Protection Officer
South Gloucestershire LEA
Department for Children and Young People
Bowling Hill
Chipping Sodbury
South Gloucestershire
BS37 6JX

The Caldicott Guardian for Children's Social Services
Department for Children and Young People
Bowling Hill
Chipping Sodbury
South Gloucestershire
BS37 6JX

The Primary Care Trust's Caldicott Guardian
South Gloucestershire Primary Care Trust
1 Monarch Court
Emerald Park
Emerson's Green

South Gloucestershire
BS16 7HF

The QCA's Data Protection Officer
QCA
83 Piccadilly
London
WU 8QA

Ofsted's Data Protection Officer
Alexandra House
33 Kingsway
London
WC2B 6SE

The LSC's Data Protection Officer
Cheylesmore House
Quinton Road
Coventry
Warwickshire
CV1 2WT

The DfES's Data Protection Officer
DfES
Caxton House
Tothill Street
London SW1H 9NA

In order to fulfil their responsibilities under the Data Protection Act, the above organisations may, before responding to this request, seek further proof of the requester's identity and any further information needed to find the information requested.

Separately from the Data Protection Act, regulations entitle a pupil's parent (regardless of the age of the pupil) to view, or to have a copy of, their child's educational record at school. If you wish to exercise this right you should write to the Head teacher at the contact (a) above.

Please note that all the rights under the Data Protection Act to do with information about a child rests with them as soon as they are old enough to understand these rights. This will vary from one child to another and you will wish to consider the position for your child, but, as a broad guide, it is acknowledged that most children will have a sufficient understanding by the age of 12. We would therefore encourage you to discuss this notice with your child if they are aged 12 or over.

Appendix 2

Access to personal data request

Data Protection Act 1998 Section 7

Enquirer's Forenames.....

Enquirer's Surname.....

Enquirer's Address.....

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.....
.....

Enquirer's Postcode

Telephone Number

Are you the person who is the subject of the records you are enquiring about (i.e. the "Data Subject")?

YES / NO

If NO

Do you have parental responsibility for a child who is the "Data Subject" records you are enquiring about?

YES / NO

If YES,

Name of child or children about whose personal data records you are enquiring

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.....
.....

Description of Concern / Area of Concern

Description of Information or Topic(s) Requested (In your own words)

Additional information

Please dispatch Reply to: *(if different from enquirer's details as stated on this form)*

Name.....

Address.....

Postcode.....

Data subject declaration

I request that the School search its records based on the information supplied above under Section 7 (1) of the Data Protection Act 1998 and provide a description of the personal data found from the information described in the details outlined above relating to me (or my child/children) being processed by the School. I agree that the reply period will commence when I have supplied sufficient information to enable the School to perform the search.

I consent to the reply being disclosed and sent to me at my stated address (or to the Dispatch Name and Address above who I have authorised to receive such information).

Signature of "Data Subject" (or Subject's Parent)

Name of "Data Subject" (or Subject's Parent):

(PRINTED).....

Dated