



**ST CHARLES'**  
**CATHOLIC PRIMARY**  
**SCHOOL**

**DATA PROTECTION**  
**POLICY**

<b><u>DATA PROTECTION POLICY</u></b>	
<b><u>REVIEWED: JANUARY 2018</u></b>	<b><u>NEXT REVIEW: JANUARY 2020</u></b>

**Our Mission at St Charles' Catholic Primary School is to...**  
**LOVE, LEARN, GROW TOGETHER**

**St Charles Catholic Primary School**  
**DATA PROTECTION POLICY**  
**(INCLUDING PRIVACY NOTICES AND RECORDS' MANAGEMENT POLICY)**

**Introduction**

The purpose of this policy is to enable St Charles' to:

- comply with the law in respect of the data it holds about individuals;
- follow good practice;
- protect St Charles' pupils, staff, volunteers and other individuals; and
- protect the organisation from the consequences of a breach of its responsibilities.

**Brief introduction to the Data Protection Act 1998**

The Data Protection Act gives individuals the right to know what information is held about them. It provides a framework to ensure that personal information is handled properly.

The Act works in two ways. First, it states that anyone who processes personal information must comply with eight principles, which make sure that personal information is:

- fairly and lawfully processed;
- processed for limited purposes;
- adequate, relevant and not excessive;
- accurate and up-to-date;
- not kept for longer than is necessary;
- processed in line with the rights of data subjects;
- secure; and
- not transferred to other countries without adequate protection.

The second area covered by the Act provides individuals with important rights, including the right to find out what personal information is held on computer and most paper records.

**Policy statement**

St Charles' Catholic Primary School will:

- comply with both the law and good practice;
- respect individuals' rights;
- be open and honest with individuals whose data is held; and
- provide training and support for staff and volunteers who handle personal data, so that they can act confidently and consistently.

St Charles' recognises that its first priority under the Data Protection Act is to avoid causing harm to individuals. Information about pupils, staff, volunteers and other individuals will be used fairly, securely and not disclosed to any person unlawfully.

Secondly, the Act aims to ensure that the legitimate concerns of individuals about the ways in which their data may be used are taken into account. In addition to being open and transparent, St Charles' will seek to give individuals as much choice as is possible and reasonable over what data is held and how it is used.

St Charles' is the data controller and is registered under the Data Protection Act 1998. All processing of personal data will be undertaken in accordance with the data protection principles.

### **Definitions**

The data subject is the individual whose personal data is being processed. Examples include:

- employees (both past and present);
- pupils (both past and present);
- governors (both past and present);
- suppliers;
- volunteers;
- job applicants;
- prospective pupils and their parents;

Processing means the use made of personal data including:

- obtaining and retrieving;
- holding and storing;
- making available within or outside the organisation; and/or
- printing, sorting, matching, comparing and/or destroying.

The data controller is the legal 'person', or organisation, that decides why and how personal data is to be processed. The data controller is responsible for complying with the Data Protection Act. The data protection officer is the name given to the person in the organisation who is the central point of contact for all data compliance issues.

### **Responsibilities**

The Governors recognise their overall responsibility for ensuring that St Charles' complies with its legal obligations.

The data protection officer is the Headteacher, who has the following responsibilities:

- briefing the Governors on data protection responsibilities;
- reviewing data protection and related policies;
- advising other staff on data protection issues;
- ensuring that data protection induction and training takes place as appropriate;
- handling subject access requests;
- approving unusual or controversial disclosures of personal data;
- electronic security; and
- approving data protection-related statements on materials as appropriate.

Each member of staff/volunteer at St Charles', who handles personal data, will comply with the organisation's operational procedures for handling personal data (including induction and training) to ensure that data protection practice is established and followed.

All staff and volunteers are required to read, understand and accept any policies and procedures that relate to the personal data they may handle in the course of their work.

Significant breaches of this policy will be handled under St Charles' disciplinary procedures.

### **Confidentiality**

Because confidentiality applies to a much wider range of information than data protection, St Charles' has a separate Confidentiality Policy. This Data Protection Policy should be read in conjunction with St Charles' Confidentiality Policy.

St Charles' has privacy notices for individuals, students and staff setting out how their information will be used. These are attached as Appendix A. Where anyone within St Charles' feels that it would be appropriate to disclose information in a way contrary to the confidentiality policy, or where an official disclosure request is received, this will only be done after discussions with a manager or the data protection officer. All such disclosures will be documented.

### **Security of personal data**

Any recorded information on students, staff, volunteers and individuals will be:

- kept in locked cabinets;
- protected by the use of passwords and authorisation levels if kept on computer; and
- destroyed confidentially if it is no longer needed.

Access to information on the databases relating to pupils, staffing and finance is password controlled and only those needing access are given the password. Staff should be careful about information which is displayed on their computer screen and make efforts to ensure that no unauthorised person can view the data when it is on display.

### **Data recording and storage**

St Charles' has a number of databases holding information about pupils, staff, volunteers and other individuals. Copies of all such data are backed up remotely each day. School data is also backed up onto hard-drives daily.

St Charles' will review regularly its procedures for ensuring that its records remain accurate and consistent. In particular:

- data on any individual will be held in as few places as necessary and all staff will be discouraged from establishing unnecessary additional data sets;
- procedures are in place so that all relevant systems are updated when information about any individual changes;
- staff who keep more detailed information about individuals will be given additional guidance on accuracy in record-keeping; and
- data will be corrected if shown to be inaccurate.

St Charles' stores paper records of students, staff and individuals securely in locked cabinets. St Charles' Records' Management Policy is attached to this policy as Appendix B.

**Access to data**

All individuals have the right to request access to all information stored about them. There is a charge of £10 for a copy of this data (as permitted by law). Any subject access requests will be handled by the data protection officer within the statutory 40-day time limit.

Subject access requests must be in writing. All staff and volunteers are required to pass on anything which might be a subject access request to the data protection officer without delay.

Where the individual making a subject access request is not known personally to the data protection officer, their identity will be verified before handing over any information.

The required information will be provided in permanent form unless the applicant makes a specific request to be given supervised access in person.

**Transparency**

St Charles' is committed to ensuring that, in principle, data subjects are aware that: their data is being processed and for what purpose; what types of disclosure are likely; and how to exercise their rights in relation to the data. Whenever data is collected, the number of mandatory fields will be kept to a minimum.

**Consent**

Consent will not normally be sought for processing information about staff – although staff details will only be disclosed for purposes unrelated to their work for St Charles' (e.g. financial references) with their consent.

Information about volunteers will be made public according to the role and requirements of the law. Consent will be sought accordingly.

Information about students (e.g. photographs) will only be made public with their/their guardian's consent.

St Charles' acknowledges that, once given, consent can be withdrawn – but not retrospectively.

There may be occasions where St Charles' has no choice but to retain data for a certain length of time, even though consent for using it has been withdrawn.

**Policy review**

This policy will be reviewed every two years. It will also be reviewed in the response to changes in relevant legislation, contractual arrangements, good practice or in response to an identified failing in its effectiveness.

## **APPENDIX A**

### **PRIVACY NOTICE - INDIVIDUALS**

St Charles' is committed to protecting individuals' privacy. This statement explains how we look after that information and what we do with it.

We have a legal duty under the Data Protection Act to prevent your information falling into the wrong hands. We must also ensure that the data we hold is accurate, adequate, relevant and not excessive.

The information which you have supplied will be used for the purposes of St Charles' only and in accordance with relevant national legislation on data protection. We will not share your details with any other company or institution without your consent, unless required to do so for law enforcement purposes. We store your information securely, restrict access to those who have a need to know and train our staff in handling the information securely.

We may contact you occasionally with updates and ways in which you might like to support St Charles'. You have the right to ask us not to contact you in this way. We will always aim to provide a clear method for you to opt out.

### **PRIVACY NOTICE - PUPILS**

St Charles' is committed to protecting individuals' privacy. This statement explains how we look after that information and what we do with it.

We have a legal duty under the Data Protection Act to prevent your information falling into the wrong hands. We must also ensure that the data we hold is accurate, adequate, relevant and not excessive.

We collect information from you and may receive information about you from your previous school. We hold this personal data and use it to:

- support your teaching and learning;
- monitor and report on your progress;
- provide appropriate pastoral care; and
- assess how well your school is doing.

This information includes your contact details, your guardian's contact details, national curriculum assessment results, attendance information and personal characteristics such as your ethnic group, special educational needs and relevant medical information.

We are required by law to pass on certain information to the local authority and the Department for Education. We store your information securely, restrict access to those who have a need to know and train our staff in handling the information securely.

### **PRIVACY NOTICE - STAFF**

St Charles' is committed to protecting individuals' privacy. This statement explains how we look after that information and what we do with it.

We have a legal duty under the Data Protection Act to prevent your information falling into the wrong hands. We must also ensure that the data we hold is accurate, adequate, relevant and not excessive.

The information which you have supplied will be used for the purposes of St Charles' only and in accordance with relevant national legislation on data protection. We will not share your details with any other company or institution without your consent, unless the law requires us to.

This personal data includes some or all of the following: identifiers such as name, date of birth, contact details and National Insurance Number and characteristics such as ethnic group; employment and remuneration details, qualifications, absence information, references and enhanced level DBS check. We store your information securely, restrict access to those who have a need to know and train our staff in handling the information securely.

## APPENDIX B

### ST CHARLES' RECORDS' MANAGEMENT POLICY

This policy has been extracted from the model action plan for developing records' management compliant with the Lord Chancellor's Code of Practice under Section 46 of the Freedom of Information Act 2000 Model Action Plan for Schools.

#### **Policy statement**

St Charles' recognises that by managing its records efficiently, it will be able to comply with its legal and regulatory obligations and to contribute to the effective overall management of the organisation. Records provide evidence for protecting the legal rights and interests of St Charles', and provide evidence for demonstrating performance and accountability. This document provides the policy framework through which this effective management can be achieved and audited.

#### **Scope**

This policy applies to all records created, received or maintained by staff at St Charles' in the course of carrying out its functions.

Records are defined as all those documents which facilitate the business carried out by St Charles' and which are thereafter retained (for a set period) to provide evidence of its transactions or activities. These records may be created or received, and then stored, in hard copy or electronically. A small percentage of St Charles' records may be selected for permanent preservation as part of the organisation's archives and for historical research.

#### **Responsibilities**

St Charles' has a corporate responsibility to maintain its records and recordkeeping systems in accordance with the regulatory environment. The person with overall responsibility for this policy is the Headteacher.

The person responsible for records' management at St Charles' will give guidance about good records' management practice and will promote compliance with this policy so that information will be retrieved easily, appropriately and in a timely way. They will also monitor compliance with this policy by surveying at least annually to check if records are stored securely and can be accessed appropriately.

Individual staff and employees must ensure that records for which they are responsible are accurate and are maintained and disposed of in accordance with the records' management retention guidelines, issued by the Information and Records' Management Society (May 2012). This policy has been drawn up within the context of the Data Protection Policy and with other legislation or regulations affecting St Charles'.