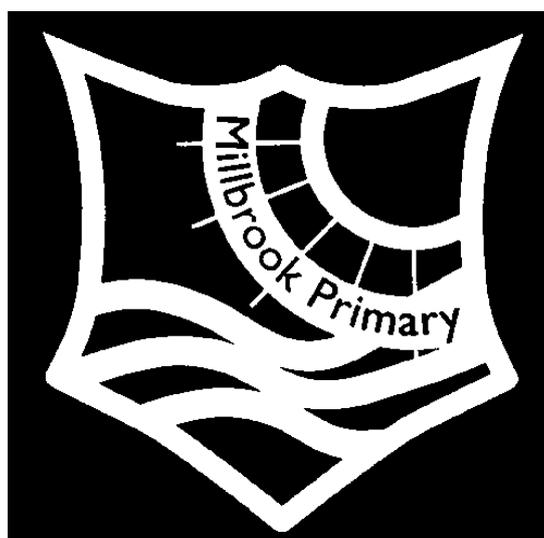


Millbrook Primary School



Data Protection Policy

Date Policy reviewed: November 2017

Policy Review period: 2 Years

Date of next review: November 2019

Millbrook Primary School is committed to protecting and respecting the confidentiality of sensitive information relating to staff, pupils, parents and governors.

Millbrook Primary School, as a data controller is registered with the ICO and abides by the **eight principles of the DPA**

Introduction

Millbrook Primary School needs to keep certain information about our employees, pupils and other users to allow us, for example, to monitor performance, achievement, and health and safety.

To comply with the law, information must be collected and used fairly, stored safely and not disclosed to any other person unlawfully. To do this, we must comply with the Data Protection Principles which are set out in the Data Protection Act 1998.

In summary these principles state that personal data shall:

- Be obtained and processed fairly and lawfully.
- Be obtained for a specified and lawful purpose and shall not be processed in any manner incompatible with that purpose.
- Be adequate, relevant and not excessive for that purpose.
- Be accurate and kept up to date.
- Not be kept for longer than is necessary for that purpose.
- Be processed in accordance with the data subject's rights.
- Be kept safe from unauthorised access, accidental loss or destruction.

All staff who process or use personal information must ensure that they follow these principles at all times. In order to ensure that this happens, the School has developed this Data Protection Policy. This policy does not form part of the contract of employment for staff, but it is a condition of employment that employees will abide by the rules and policies made by the School from time to time. Any failures to follow the policy can therefore result in disciplinary proceedings.

The Data Controller and the Designated Data Controllers

The School, as a body, is the Data Controller under the 1998 Act, and the Governors are therefore ultimately responsible for implementation. However, the Designated Data Controllers will deal with day to day matters. The School has identified its Designated Data Controllers as:

- The Headteacher,
- Deputy Headteacher
- Business Manager
- Administrative Staff
- Learning Mentors

*All designated Data Controllers must have taken part in a Data Protection Training Course.

Any member of staff, parent or other individual who considers that the Policy has not been followed in respect of personal data about himself or herself or their child should raise the matter with the Head Teacher, in the first instance.

Responsibilities of Staff

All staff are responsible for:

- Checking that any information that they provide to the School in connection with their employment is accurate and up to date.
- Informing the School of any changes to information that they have provided, e.g. change of address, either at the time of appointment or subsequently. The School cannot be held responsible for any errors unless the staff member has informed the School of such changes.
- Handling all personal data (eg – pupil attainment data) with reference to this policy.
- Reading and complying with the Data Protection Policy.

Data Sharing

Information will only be shared with others when legally appropriate to do so.

Data Security

All staff are responsible for ensuring that:

- Any personal data that they hold is kept securely.
- Personal information is not disclosed either orally or in writing or via Web pages or by any other means, accidentally or otherwise, to any unauthorised third party.
- Staff should note that unauthorised disclosure will usually be a disciplinary matter, and may be considered gross misconduct in some cases.

Personal information should:

- Be kept in a filing cabinet, drawer, or safe in a secure office, or;
 - If it is computerised, be password protected both on a local hard drive and on a network drive that is regularly backed up; and
 - If a copy is kept on a USB memory key or other removable storage media, that media must itself be password protected and/or kept in a filing cabinet, drawer, or safe.

Rights to Access Information

All staff, parents and other users are entitled to:

- Know what information the School holds and processes about them or their child and why.
- Know how to gain access to it.
- Know how to keep it up to date.
- Know what the School is doing to comply with its obligations under the 1998 Act.

The School will, upon request, provide all staff and parents and other relevant users with a statement regarding the personal data held about them. This will state all the types of data the School holds and processes about them, and the reasons for which they are processed.

All staff, parents and other users have a right under the 1998 Act to access certain personal data being kept about them or their child either on computer or in certain files. Any person who wishes to exercise this right should make a request in writing and submit it to the Headteacher. The School will ask to see evidence of your identity, such as your passport or driving license, before disclosure of information. Please note some information may be exempt, but an explanation will be given.

The School may make a charge on each occasion that access is requested in order to meet the costs of providing the details of the information held.

The School aims to comply with requests for access to personal information as quickly as possible, but will ensure that it is provided within 40 days, as required by the 1998 Act.

Retention of Data

The School has a duty to retain some staff and pupil personal data for a period of time following their departure from the School, mainly for legal reasons, but also for other purposes such as being able to provide references. Different categories of data will be retained for different periods of time, such as;

- ❖ Staff files - are to be kept for a minimum of 6 years following their departure.
- ❖ Pupil files – all pupil files must be kept until the child turns 25 – However for a primary school child this responsibility moves with them to their new school.

Staff Training

All staff will receive a copy of the Data Protection Policy as part of their induction. Online Data Protection Awareness Training will also be offered via 'Ollie'. All Designated Data Controllers will receive Data Protection Training via T&W Governance.

A Data Protection Summary will be held in all classes as a reminder.

Monitoring and Evaluation

This is ongoing; where any clarifications or actions are needed the Policy will be amended at its next review.

DATA PROTECTION SUMMARY FOR MILLBROOK PRIMARY STAFF

We are committed to protecting and respecting the confidentiality of sensitive information relating to staff, pupils, parents and governors.

Staff are required under the Data Protection Act 1998 to protect and respect personal data. Below are some examples of how we can help comply with the guidance set out in the Data Protection Policy, please note this is not an exhaustive list, a copy of the Data Protection Policy has been sent to all staff, additional copies are available from the school office;

- Do not disclose information without authority and always clarify the identity of the individual making the request.
- Think! Is it appropriate for the person requesting information to have it – what is their need?
- Be mindful when discussing sensitive information in open areas – try and find a quiet confidential area to hold your discussions.
- Do not leave files with sensitive information unattended
- Lock all files away – securely
- Be mindful of the information that is on your computer screen – can others see!
'Remember turn it off or close the document before walking away!'
- Emails, who are you sending information to and is it secure?!
- Only send emails from your TAW email address – if you're using a tablet or phone and you have a personal email address set up on it as well, are you forwarding it via your secure TAW address or your private address????
- Never put anything on a social media site about school – you could be identifying a member of staff/pupil without using their name and not realise it!

- Telephone calls – Please make telephones calls to parents/other agencies in private. Think who may be listening.
- Cameras – Please only use cameras/devices issued by the school. Download all photographs to the T drive. **DO NOT DOWNLOAD PHOTOGRAPHS TO YOUR LAPTOPS HARD DRIVE** (if in doubt please ask for assistant)
- DO NOT LABEL BOOKS with a photograph and a name – if a book is lost it reduces the risk.
- DISPOSE OF PHOTOGRAPHS SAFELY – all photographs must be disposed of in a ‘BURN BAG’ or ‘SHREDDER’
- STICKING PHOTOGRAPHS IN BOOKS – remember when sticking photographs in books, who else is on the picture, can they be identified, have all the children on the photograph got the relevant photograph permission.

Remember this list is not exhaustive.....

DATA BREACHES MAY CARRY A SCHOOL FINE OF £500,000.00 and an INDIVIDUAL FINE of £5,000.00

Millbrook Primary School and Nursery

DATA PROTECTION POLICY

Please complete and return this acknowledgment slip to the School Business Manager.

I acknowledge that I have received and read the DATA PROTECTION POLICY and understand my responsibilities in complying with the Data Protection act 1998.

Name: _____

Position: _____

Date: _____