

# Data Protection Policy

## Statement of intent

Canons High School collects and uses personal information about staff, students, parents and other individuals who come into contact with the school. This information is gathered in order to enable it to provide education and other associated functions. In addition, there may be a legal requirement to collect and use information to ensure that the school complies with its statutory obligations.

Schools have a duty to be registered, as Data Controllers, with the Information Commissioner's Office (ICO) detailing the information held and its use. These details are then available on the ICO's website. Schools also have a duty to issue a Fair Processing Notice to all students/parents; this summarises the information held on students, why it is held and the other parties to whom it may be passed on.

The Governing Body of Canons High School has overall responsibility for ensuring that records are maintained, including security and access arrangements, in accordance with Education Regulations and all other statutory provisions.

This policy is intended to ensure that personal information is dealt with correctly 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 collected, used, recorded, stored and destroyed, and irrespective of whether it is held in paper files or electronically.

We will comply fully with the requirements and principles of the Data Protection Act 1984 and the Data Protection Act 1988. All staff involved with the collection, processing and disclosure of personal data are aware of their duties and responsibilities within these guidelines. Terms are defined below.

## Data Protection Principles

The Data Protection Act 1998 establishes eight enforceable principles that must be adhered to at all times:

1. Personal Data shall be processed fairly and lawfully;
2. Personal Data shall be obtained only for one or more specified and lawful purposes;
3. Personal Data shall be adequate, relevant and not excessive;
4. Personal Data shall be accurate and where necessary, kept up to date;
5. Personal Data processed for any purpose shall not be kept for longer than is necessary for that purpose or those purposes;
6. Personal Data shall be processed in accordance with the rights of Data Subjects under the Data Protection Act 1998;
7. Personal data shall be kept secure i.e. protected by an appropriate degree of security;
8. Personal data shall not be transferred to a country or territory outside the European Economic Area, unless that country or territory ensures an adequate level of data protection.

## Enquiries

If you have any enquires in relation to this policy, please contact the Headteacher's PA who will also act as the contact point for any requests for Personal Data.

Further advice and information is available from the Information Commissioner's Office, [www.ico.gov.uk](http://www.ico.gov.uk) **Data Protection Policy**

## Fair obtaining and processing

The school undertakes to obtain and process data fairly and lawfully by informing all data subjects of the reasons for data collection, the purposes for which the data are held, the likely recipients of the data and the data subjects' right of access. Information about the use

of personal data is printed on the appropriate collection form. If details are given verbally, the person collecting will explain the issues before obtaining the information.

**"Processing"** means obtaining, recording or holding the information or data or carrying out any or set of operations on the information or data.

**"Data Subject"** means an individual who is the subject of personal data or the person to whom the information relates.

**"Personal Data"** means data, which relates to a living individual who can be identified.

Addresses and telephone numbers are particularly vulnerable to abuse, but so can names and photographs be, if published in the press, Internet or media.

**"Parent"** has the meaning given in the Education act 1996, and includes any person having parental responsibility or care of a child.

### **Registered purposes**

The Data Protection Registration entries for the school are available for inspection, by appointment, at the school. Explanation of any codes and categories entered is available from the Headteacher's PA who is the person nominated to deal with data protection issues in the school. Registered purposes covering the data held at the School are listed on the registration and data collection documents. Information held for these stated purposes will not be used for any other purpose without the data subject's consent.

### **Registration with ICO**

Canons High school is registered with the Information Commissioner's Office as a data controller under registration reference: Z6747004

### **Data integrity**

The School undertakes to ensure data integrity by the following methods.

### **Data accuracy**

Data held will be as accurate and up to date as is reasonably possible. If a data subject informs the school of a change of circumstances their computer record will be updated as soon as is practicable. A printout of their data record will be provided to data subjects every twelve months so they can check its accuracy and make any amendments.

Where a data subject challenges the accuracy of their data, the school will as soon as is reasonably practical mark the record as potentially inaccurate, or 'challenged'. In the case of any dispute, we shall try to resolve the issue informally, but if this proves impossible, disputes will be referred to the Governing Body for their judgement. If the problem cannot be resolved at this stage, either side may seek independent arbitration. Until resolved the 'challenged' marker will remain and all disclosures of the affected information will contain both versions of the information.

### **Data adequacy and relevance**

Data held about people will be adequate, relevant and not excessive in relation to the purpose for which the data is being held. In order to ensure compliance with this principle, The School will check records regularly for missing, irrelevant or seemingly excessive information and may contact data subjects to verify certain items of data.

### **Length of time**

Data held about individuals will not be kept for longer than necessary for the purposes registered.

### **Biometric Data**

The school catering payment system, library system all use biometric data. Students have to 'opt in' to this system to enable them to take part. An alternative is provided which does not disadvantage them in any way.

## **Subject access**

The Data Protection Acts extend to all data subjects a right of access to their own personal data. In order to ensure that people receive only information about themselves it is essential that a formal system of requests is in place. Where a request for subject access is received from a student, the School's policy is that:

- Requests from students will be processed as any subject access request as outlined below and the copy will be given directly to the student, unless it is clear that the student does not understand the nature of the request.
- Requests from students who do not appear to understand the nature of the request will be referred to their parents or carers.
- Requests from parents in respect of their own child will be discussed with the child, and with their consent, processed as requests made on behalf of the data subject (the child) and the copy will be sent in a sealed envelope to the requesting parent.
- Where the child does not consent, further advice will be sought from the appropriate body about the particular circumstances of the case.

## **Processing subject access requests**

Requests for access must be made in writing.

Students, parents or staff may ask for a Data Subject Access form (appendix 1), available from the School Office.

Completed forms should be submitted to the Headteacher's PA. Provided that there is sufficient information to process the request, an entry will be made in the Subject Access log book, showing the date of receipt, the data subject's name, the name and address of requester (if different), the type of data required (e.g. Student Record, Personnel Record), and the planned date of supplying the information (normally not more than 40 days from the request date).

Should more information be required to establish either the identity of the data subject (or agent) or the type of data requested, the date of entry in the log will be date on which sufficient information has been provided.

Note: In the case of any written request from a parent regarding their own child's record, access to the record will be provided within 15 school days in accordance with the current Education (Student Information) Regulations.

## **Authorised disclosures**

The School will, in general, only disclose data about individuals with their consent. However, there are circumstances under which the School's authorised officer may need to disclose data without explicit consent for that occasion.

These circumstances are strictly limited to:

- Student data disclosed to authorised recipients related to education and administration necessary for the School to perform its statutory duties and obligations.
- Student data disclosed to authorised recipients in respect of their child's health, safety and welfare.
- Student data disclosed to parents/carers in respect of their child's progress, achievements, attendance, attitude or general demeanour within or in the vicinity of the school.
- Staff data disclosed to relevant authorities e.g. in respect of payroll and administrative matters.
- Unavoidable disclosures, for example to an engineer during maintenance of the computer system. In such circumstances the engineer would be required to sign a form promising not to disclose the data outside the school.
- Only authorised and trained staff are allowed to make external disclosures of personal data. Data used within the school by administrative staff, teachers and welfare officers will

only be made available where the person requesting the information is a professional legitimately working within the School who **need to know** the information in order to do their work. The school will not disclose anything on students' records which would be likely to cause serious harm to their physical or mental health or that of anyone else – including anything where suggests that they are, or have been, either the subject of or at risk of child abuse.

A "**legal disclosure**" is the release of personal information from the computer to someone who requires the information to do his or her job within or for the school, provided that the purpose of that information has been registered.

An "**illegal disclosure**" is the release of information to someone who does not need it, or has no right to it, or one which falls outside the school's registered purposes.

### **Data and computer security**

The school undertakes to ensure security of personal data by the following general methods (precise details cannot, of course, be revealed)

#### **Physical security**

Appropriate building security measures are in place. Only authorised persons are allowed in rooms with computers. Disks, tapes and printouts are locked away securely when not in use. Visitors to the School are required to sign in and out, to wear identification badges whilst in the School and are, where appropriate, accompanied.

#### **Logical security**

Security software is installed on all computers containing personal data. Only authorised users are allowed access to the computer files and password changes are regularly undertaken. Computer files are backed up (ie security copies are taken) regularly.

#### **Procedural security**

In order to be given authorised access to the computer system, staff will have to undergo checks and will sign a confidentiality agreement. All staff are trained in their Data Protection obligations and their knowledge updated as necessary. Computer printouts as well as source documents are shredded before disposal.

Overall security policy for data is determined by the Governing Body and is monitored and reviewed regularly, especially if a security loophole or breach becomes apparent. The School's security policy is kept in a safe place at all times.

Any queries or concerns about security of data in the School should in the first instance be referred to the Headteacher's PA.

Individual members of staff can be personally liable in law under the terms of the Data Protection Acts. They may also be subject to claims for damages from persons who believe that they have been harmed as a result of inaccuracy, unauthorised use or disclosure of their data. A deliberate breach of this Data Protection Policy will be treated as disciplinary matter, and serious breaches could lead to dismissal.

### **Complaints**

Complaints will be dealt with in accordance with the school's complaints policy.

Complaints relating to information handling may be referred to the Information Commissioner (the statutory regulator).

### **Link to Other School Policies**

Please refer to ICT Policy and Freedom of Information for further details.

**Monitoring, evaluation and review**

This policy will be reviewed as it is deemed appropriate, but no less frequently than every 2 years. The policy review will be undertaken by the Headteacher, or nominated representative

**Appendix 1**

**Data Subject Access Form**

**DATA PROTECTION ACT 1998 Section 7.**

Enquirer's Surname ..... Enquirer's Forename .....

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 YES / NO  
(I.E. THE "Data Subject")?

If NO,

Do you have parental responsibility for a child who is the "Data Subject" of the 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

# Appendix 1

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