

Data Protection Policy

Incorporating

- Fair Processing for Secondary Schools
- CCTV use and Data Protection Statement
- Use of Images, Video and Photographs

Co-ordinator – Business Manager

Updated – November 2016

Ratified by Governors – November 2016

Review Date – November 2017

1. Information

- 1.1. Robertsbridge Community College processes personal data about its' students and is a 'data controller' in respect of this for the purposes of the Data Protection Act 1998. It processes these data to:
 - a. support its students' teaching and learning
 - b. monitor and report on their progress
 - c. provide appropriate pastoral care, and
 - d. assess how well the college as a whole is doing.
- 1.2. These data include contact details, national curriculum assessment results, attendance, information, characteristics such as ethnic group, special educational needs and any relevant medical information. These data may only be used or passed on for specific purposes allowed by law.
- 1.3. The governing body of a maintained school in England is required by law to supply basic information to ContactPoint. ContactPoint is a directory that will help people who work with children to find out quickly who else is working with the same child, making it easier to deliver more coordinated support. The data we pass on only include the name and address of the child, contact details for the child's parents or carers (with parental responsibility) and the contact details of the school.
- 1.4. From time to time the college is also required to pass on some of the data to local authorities, the Department for Education (DfE) and to agencies that are prescribed by law, such as the Qualifications and Curriculum Authority (QCA), Ofsted, other local Schools and authorities for transfer of students, the Department of Health and Primary Care Trusts and the Police and youth offending team. All these are data controllers in respect of the data they receive and are subject to the same legal constraints in how they deal with the data.
- 1.5. Other adults working with students in college:
 - a. On occasion, any student in the college could benefit from the work of a number of adults who are neither employed by the college nor by the Local Authority.
 - b. Currently this includes teachers in training, the School Nurse, employed by the Primary Healthcare Trust, and other external contractors who are independently employed by the College, which currently includes counsellors and careers advisers.
 - c. The College intends to share medical information and contact information, as well as academic information and attendance data, with these adults.

2. Your Rights under the Data Protection Act 1998

- 2.1. Students and their parents or carers, as data subjects, have certain rights under the Data Protection Act, including a general right to be given access to personal data held about them by any data controller. The presumption is that by the age of 12 children have sufficient maturity to understand their rights and to make access requests themselves if they wish. A parent would normally be expected to make a request on a child's behalf if the child is younger. If you wish to access your personal data, or those of your child, then please contact the relevant organisation in writing.
- 2.2. East Sussex County Council uses student information from the School Census for providing universal services such as the Youth Support Service.
- 2.3. Once you are aged 13 or over, by law we have to pass on certain information to the provider of youth support services in your area. This is East Sussex County Council's youth support services for all young people aged 11 to 19. We have to pass on your

- name, address and date of birth and your parent's or carer's name and address and other information that the youth support services need to provide their services.
- 2.4. However, you (if you are 16 years or older) or your parent or carer can ask that no information beyond your name, address and date of birth and your parent's or carer's name and address be passed to the youth support services. Please tell the Data Controller at the College if you wish to opt-out of this arrangement.
 - 2.1. If you want more information about youth support services in East Sussex, please contact East Sussex County Council. Their website and contact details are given below. You can also see more information about young people's services on the Directgov Young People page at www.direct.gov.uk/en/YoungPeople/index.htm
 - 2.2. A sheet detailing the main items of personal data stored on our systems, relating to your child will be sent home annually as a data check exercise. Please return this sheet indicating any corrections required. If nothing is wrong we would still like you to sign it and return it. Additional detailed data (for example on attendance and assessment) is stored and it is possible for you to obtain a copy of the remaining data. Please contact your child's Learning Leader

3. East Sussex County Council

- 3.1. Although schools send the Census data they collect directly to the Department for Education (DfE), the County Council has access to the data and has a role in helping schools collect them every year. The County Council also checks the School Census data for accuracy and validates them before the DfE can start using them.
- 3.2. The County Council uses information about children for whom it provides services to carry out specific functions for which it is responsible, such as the assessment of any special educational needs the child may have. It also uses the information to derive statistics to inform decisions on, for example the funding of schools, and to assess the performance of schools and set targets for them. The statistics are used in such a way that individual children cannot be identified from them.
- 3.3. If you need to know more about how East Sussex County Council stores and uses your information please see their website: www.eastsussex.gov.uk/dataprotection
If you are unable to access this website, please contact:

Information Governance Officer

Children's Services

East Sussex County Council

County Hall

St Anne's Crescent

Lewes

BN7 1UE

☎ 01273 482901

✉ CS.DPA@eastsussex.gov.uk

🌐 www.eastsussex.gov.uk

4. Department for Education (DfE)

- 4.1. DfE uses information about students for research and statistical purposes, to inform, influence and improve education policy and to monitor the performance of the education service as a whole. The DoE will feed back to local authorities and schools information about their students for a variety of purposes that will include data checking exercises, use in self-evaluation analyses and where information is missing because it was not passed on by a former school.
- 4.2. The DfE will also provide Ofsted with student data for use in school inspections.

- 4.3. Where relevant, student information may also be shared with post-16 learning institutions to minimise the administrative burden on application for a course and to aid the preparation of learning plans.
- 4.4. Student information may be matched with other data sources that the Department holds in order to model and monitor students' educational progression and to provide comprehensive information back to local authorities and learning institutions to support their day-to-day business. The DfE 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 in such surveys is usually voluntary. The Department may also match data from these sources to data obtained from statistical surveys.
- 4.5. Student data may also be shared with other government departments and agencies (including the Office for National Statistics) for statistical or research purposes only.
- 4.6. In all these cases, the matching will require that individualised data are used in the processing operation, but those data will not 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.
- 4.7. The DfE may also disclose individual student information to independent researchers studying the educational achievements of students and who have a legitimate need for it for their research. However, each case will be determined on its merits and subject to the approval of the Department's Chief Statistician.
www.dfe.gov.uk
Data Protection Officer, DfE, Sanctuary Buildings, Great Smith Street, London, SW1Y 3BT
- 4.8. If you need to know more about how the DfE stores and uses your information please see their websites:

<http://media.education.gov.uk/assets/files/doc/w/what%20the%20department%20does%20with%20data%20on%20pupils%20and%20children.doc>

<http://www.education.gov.uk/researchandstatistics/childrenandyoungpeople/a0064391/who-the-department-passes-pupil-data-to>

If you are unable to access these websites, the DfE can send you a copy of this information. Please contact:

Public Communications Unit
Department for Education

Sanctuary Buildings
Great Smith Street

London
SW1P 3BT

☎ 0870 000 2288

✉ <http://www.education.gov.uk/help/contactus>

🌐 www.education.gov.uk

5. Qualifications And Curriculum AUTHORITY (QCA)

- 5.1. The QCA uses information about students to administer the national curriculum assessments portfolio throughout Key Stages 1 to 3. This includes both assessments

required by statute and those that are optional. The results of these are passed on to DCSF 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.

www.qca.org.uk

Data Protection Officer, QCA, 83 Piccadilly, London, W1J 8QA

6. OFSTED

- 6.1. Ofsted uses information about the progress and performance of students 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. Ofsted also uses information about the views of children and young people, to inform children's services inspections in local authority areas. Inspection reports do not identify individual students.

www.ofsted.gov.uk

7. Data Protection Officer

- 7.1. All natural parents, whether they are married or not; any person who, although not a natural parent, has parental responsibility (as defined in the Children Act 1989) for a child or young person; and any person who, although not a natural parent, has care of a child or young person. Having care of a child or young person means that a person with whom the child lives and who looks after the child, irrespective of what their relationship is with the child, is considered to be a parent in education law.

Data Protection Officer, Alexandra House, 33 Kingsway, London, WC2B 6SE

8. Learner Registration System (LRS)

- 8.1. Managing Information Across Partners (MIAP) Programme on behalf of the MIAP membership. More information about MIAP membership can be found at www.miap.gov.uk. For students aged 14 years and over and for students registering for post-14 qualifications, the College will pass on certain identification information to the LRS to create and maintain a unique learner number (ULN) and achievement information to the MIAP Service to create and maintain a learner record.
- 8.2. The LRS will enable organisations allowed by law and detailed at www.miap.gov.uk to access the ULN and contain it in their systems, thereby saving individuals having to supply the same information repeatedly to different organisations. Details of how an individual may opt out of sharing achievement data in their learner record with those organisations detailed at www.miap.gov.uk can also be found at this website.

www.miap.gov.uk

Data Protection Officer, Cheylesmore House, Quinton Road, Coventry, CV1 2WT

9. Hastings and Rother Clinical Commissioning Groups

- 9.1. CCG's use information about students for research and statistical purposes, to monitor the performance of local health services and to evaluate and develop them. The statistics are used in such a way that individual students cannot be identified from them.
- 9.2. Information on the height and weight of individual students may however be provided to the child and its parents and this will require the CCGs to maintain details of students' names for this purpose for a period designated by the Department of Health following the weighing and measuring process. CCGs may also provide individual schools and local authorities with aggregate information on students' height and weight.

- 9.3. The PCTs in East Sussex are:
- a. Hastings and Rother CCG
Bexhill Hospital 36-38 Friars Walk
Bexhill-on-Sea
East Sussex
Tel: 01424 735600
Fax: 01424 735601
HRCCG.enquiries@nhs.net

- b. High Weald, Lewes and Havens CCG
36-38 Friars Walk
Lewes East Sussex,
BN7 2PB
Tel: 01273 485300
<http://www.highwealdleweshavensccg.nhs.uk/>

10. Department Of Health (DH)

- 10.1. The DH uses aggregate information (at school year group level) about students' height and weight for research and statistical purposes, to inform, influence and improve health policy and to monitor the performance of the health service as a whole. The DH will base performance management discussions with Strategic Health Authorities on aggregate information about students attending schools in the PCT areas to help focus local resources and deliver the Public Service Agreement target to halt the year on year rise in obesity among children under 11 by 2010 in the context of a broader strategy to tackle obesity in the population as a whole. The DH will also provide aggregate PCT level data to the Healthcare Commission for performance assessment of the health service.
- www.dh.gov.uk

11. Access to Personal Data

- 11.1. Students, as data subjects, have certain rights under the Data Protection Act, including a general right of access to personal data held on them, with parents exercising this right on their behalf if they are too young to do so themselves. If you wish to access the personal data held about your child, then please contact the relevant organisation in writing:
- a. the College at Knelle Road, Robertsbridge, East Sussex, TN32 5EA
 - b. the LA's Data Protection Officer at Children's Services, PO Box 4 County Hall, St Anne's Crescent, Lewes, East Sussex BN7 1SG;
 - c. the QCA's Data Protection Officer at QCA, 83 Piccadilly, London W1J 8QA;
 - d. Ofsted's Data Protection Officer at Alexandra House, 33 Kingsway, London WC2B 6SE;
 - e. the DfE's Data Protection Officer at DfE, Sanctuary Buildings, Great Smith Street, London, SW1Y 3BT
 - f. the DH's Data Protection Officer at Skipton House, 80 London Road, London SE1 6LH;
 - g. your local CCG.
- 11.2. In order to fulfil their responsibilities under the Act the organisation may, before responding to this request, seek proof of the requestor's identity and any further information required to locate the personal data requested.
- 11.3. Separately from the Data Protection Act, regulations provide a student's parent (regardless of the age of the student) with the right to view, or to have a copy of, their

child's educational record at the College. If they wish to exercise this right parents should write to the College.

12. CCTV images

- 12.1. Robertsbridge Community College is registered with the information commissioner covering a range of data protection issues. In terms of the use of CCTV on the College site. There is a CCTV system where different parts of each system are used for differing purposes as defined below.
- 12.2. External CCTV
 - a. This is used for security and safety purposes to protect students and staff from intruders coming onto the school premises, to monitor behaviour and for out of hours security of the site. This CCTV system is monitored on site by College staff.
- 12.3. Internal CCTV - Corridors
 - a. This is used for security and safety purposes monitoring intruders, entrances and behaviour of students around the College.
- 12.4. Data Storage
 - a. CCTV images are stored securely on digital storage they can only be accessed by authorised staff. All data is stored securely for a maximum of 14 days unless any incidents have been previously identified and the images are kept for legal purposes. You can request to see any information held on the system through a written request to the Business Manager, Robertsbridge Community College.

13. Photographic and Video images

- 13.1. Image taking by parents, legal guardians or family members:
 - a. Parents, legal guardians, family members and friends can take images of their child and friends participating in school activities for family and personal use.
 - b. Parents will be asked for their permission before photography is allowed.
 - c. Before they are allowed to take images during school activities, parents or legal guardians have to sign an agreement that any images they take will not be used inappropriately.
 - d. Parents or family members wishing to take images during an activity will be asked to sign a dated register.
 - e. Photography and video filming will be limited to designated areas.
 - f. Use of cameras and other equipment will be monitored.
- 13.2. Images for College publications
 - a. The College will only take and use images that are appropriate and are considered to not be open to misuse.
 - b. If an image of a child is used, the child's name **will not** be published. If a name is published, **no image will be used** without specific consent.
 - c. Students will be made aware of why their picture is being taken and how it will be used.
 - d. Students will be given the option to not have their image used if they are the sole focus of the picture.
 - e. Students and parents should be encouraged to recognise the value of group photographs or recordings of school events.
 - f. Images will be kept securely and held by the school for the duration of the pupil's time there, after which they will be destroyed.

- g. Images of Students from the school will not be used to illustrate controversial subjects.

13.3. Images for the College Website

- a. The College websites are part of the internet and are more easily accessible than paper based school publications. The College will make sure that only appropriate images are used. Image filenames will avoid using student's names.

13.4. Webcams and video conferencing

- a. Webcams are a useful tool for learning. They can allow an individual or class to interact over the internet with others and support links between pupils in different schools, countries and cultures.
- b. A webcam will only be used in appropriate circumstances such as a normal class setting.
- c. Both Students and Teachers will be made aware of when a webcam is in use.

13.5. Students photographing or videoing one another

- a. Staff will supervise and maintain control over any photographing or videoing that students do during on-school or off-site activities.
- b. Camera phones are less visible and can be used to bully or take inappropriate images. It is College policy to allow pupils to bring camera phones on site, their use is not be permitted in changing rooms, toilets or in other areas with a heightened expectation of privacy.
- c. If it is found that cameras or camera phones have been misused, the College will follow its usual disciplinary procedures.

13.6. Video recorded images

- a. The use of video images will form the basis of some pieces of coursework evidence, for work submitted as evidence to examination boards students will be identified, both by name and image in order for valid and reliable assessment to take place.
- b. The use of video images may be used in a range of curriculum areas, usually but not confined to the more practical subjects as part of teaching and learning methods.
- c. All video footage will be stored securely and deleted when they are no longer required.

Please note that images taken by the media are not covered by this policy and are subject to a separate set of regulations.

Should you have any comments or concerns please contact the Data Controller - Business Manager on 01580 880360 x 222 or by email devans@robertsbridge.org.uk