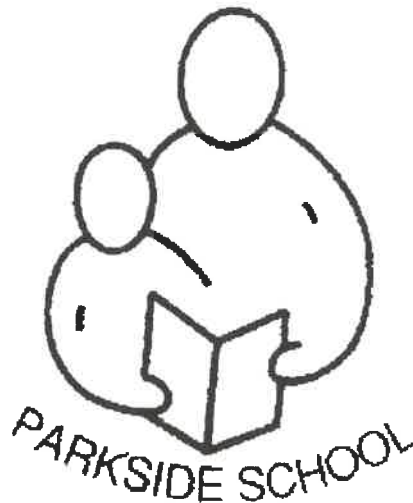


Privacy Notice Policy

Parkside School and Recreation Road Sports Centre



Approved by:
Governors

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1. Aims

Our school aims to ensure that all data collected about staff, pupils, parents and visitors is collected, stored and processed in accordance with the Data Protection Act 1998.

This policy applies to all data, regardless of whether it is in paper or electronic format.

2. Legislation and guidance

This policy meets the requirements of the [General Data Protection Regulations \(GDPR\)](#), and is based on [guidance published by the Information Commissioner's Office](#) and [model privacy notices published by the Department for Education](#).



In addition, this policy complies with regulation 5 of the [Education \(Pupil Information\) \(England\) Regulations 2005](#), which gives parents the right of access to their child's educational record.

This policy complies with our funding agreement and articles of association.

3. Definitions

Term	Definition
Personal data	Data from which a person can be identified, including data that, when combined with other readily available information, leads to a person being identified
Sensitive personal data	Data such as: <ul style="list-style-type: none">• Contact details• Racial or ethnic origin• Political opinions• Religious beliefs, or beliefs of a similar nature• Where a person is a member of a trade union• Physical and mental health• Sexual orientation• Whether a person has committed, or is alleged to have committed, an offence• Criminal convictions
Processing	Obtaining, recording or holding data
Data subject	The person whose personal data is held or processed
Data controller	A person or organisation that determines the purposes for which, and the manner in which, personal data is processed



Data processor

A person, other than an employee of the data controller, who processes the data on behalf of the data controller

4. The data controller

Our school processes personal information relating to pupils, staff and visitors, and, therefore, is a data controller. Our school delegates the responsibility of data controller to the Head Teacher.

The school is registered as a data controller with the Information Commissioner's Office and renews this registration annually.

5. Data protection principles

The GDPR is based on the following data protection principles, or rules for good data handling:

- Data shall be processed lawfully, fairly and in a transparent manner in relation to individuals.
- Personal data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.
- Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed ('data minimization').
- Personal data shall be accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased, or rectified without delay ('accuracy').
- Personal data shall not be kept for longer than is necessary for the purpose(s) for which it is processed
- Personal data shall be processed in accordance with the rights of data subjects under the GDPR including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage.

6. Roles and responsibilities

The governing board has overall responsibility for ensuring that the school complies with its obligations under the GDPR.

Day-to-day responsibilities rest with the Head Teacher, or the Deputy Head in the Head Teacher's absence. The Head Teacher will ensure that all staff are aware of their data protection obligations, and oversee any queries related to the storing or processing of personal data.



Staff are responsible for ensuring that they collect and store any personal data in accordance with this policy. Staff must also inform the school of any changes to their personal data, such as a change of address.

7. Privacy/fair processing notice

7.1 Pupils and parents

We hold personal data about pupils to support teaching and learning, to provide pastoral care and to assess how the school is performing. We may also receive data about pupils from other organisations including, but not limited to, other schools, local authorities and the Department for Education.

This data includes, but is not restricted to:

- Contact details
- Results of internal assessment and externally set tests
- Data on pupil characteristics, such as ethnic group or special educational needs
- Exclusion information
- Details of any medical conditions

We will only retain the data we collect for as long as is necessary to satisfy the purpose for which it has been collected.

We will not share information about pupils with anyone without consent unless the law and our policies allow us to do so. Individuals who wish to receive a copy of the information that we hold about them/their child should refer to sections 8 and 9 of this policy.

Once our pupils reach the age of 13, we are legally required to pass on certain information to Norfolk County Council or other relevant Local Authority, which has responsibilities in relation to the education or training of 13-19 year-olds. Parents, or pupils if aged 16 or over, can request that only their name, address and date of birth be passed to Norfolk County Council or other relevant Local Authority by informing the Data Controller.

We are required, by law, to pass certain information about pupils to specified external bodies, such as our local authority and the Department for Education, so that they are able to meet their statutory obligations.

7.2 Staff

We process data relating to those we employ to work at, or otherwise engage to work at, our school/Sports Centre. The purpose of processing this data is to assist in the running of the school, including to:

- Enable individuals to be paid
- Facilitate safe recruitment (including photos)



- Support the effective performance management of staff
- Improve the management of workforce data across the sector
- Inform our recruitment and retention policies
- Allow better financial modelling and planning
- Enable ethnicity and disability monitoring
- Support the work of the School Teachers' Review Body

Staff personal data includes, but is not limited to, information such as:

- Contact details
- National Insurance numbers
- Salary information
- Qualifications
- Absence data
- Personal characteristics, including ethnic groups
- Medical information
- Outcomes of any disciplinary procedures

We will only retain the data we collect for as long as is necessary to satisfy the purpose for which it has been collected.

We will not share information about staff with third parties without consent unless the law allows us to.

We are required, by law, to pass certain information about staff to specified external bodies, such as our local authority and the Department for Education, so that they are able to meet their statutory obligations.

Any staff member wishing to see a copy of information about them that the school holds should contact the Data Controller.

7.3 Description of processing (The school is registered with the ICO to enable the following data processing)

The following is a broad description of the way Parkside School processes personal information.

Reasons/purposes for processing information

We process personal information to enable us to:

provide education, training, welfare and educational support services

administer school property



maintain our own accounts and records

carry out fundraising

support and manage our employees

We also use CCTV systems to monitor and collect visual images for security and the prevention of crime.

Type/classes of information processed

We process information relating to the above reasons/purposes. This information may include:

- name and personal details
- family, lifestyle and social circumstances
- financial details
- education details
- employment details
- student and disciplinary records
- vetting checks
- goods and services
- visual images, personal appearance and behaviour

We also process sensitive classes of information that may include:

- physical or mental health details
- racial or ethnic origin
- religious or other beliefs of a similar nature
- trade union membership
- sexual life
- offences and alleged offences

Who the information is processed about

We process personal information about:

- our students and pupils
- advisers and other professional experts



- school staff
- members of school boards
- donors and potential donors
- suppliers
- complainants and enquirers
- individuals captured by CCTV images

Who the information may be shared with

We sometimes need to share the personal information we process with the individual themselves and also with other organisations. Where this is necessary we are required to comply with all aspects of GDPR. What follows is a description of the types of organisations we may need to share some of the personal information we process with for one or more reasons.

Where necessary or required we share information with:

- education, training, careers and examining bodies
- school staff and boards
- family, associates and representatives of the person whose personal data we are processing
- local and central government
- healthcare professionals
- social and welfare organisations
- police forces
- courts
- current, past or prospective employers
- voluntary and charitable organisations
- business associates and other professional advisers
- suppliers and service providers
- financial organisations
- security organisations
- press and the media

A detailed list of actual suppliers can be obtained by contacting the office.



Transfers

It may sometimes be necessary to transfer personal information overseas. When this is needed information may be transferred to countries or territories around the world. Any transfers made will be in full compliance with all aspects of the data protection act.

8. Subject access requests

Under GDPR, pupils have a right to request access to information the school holds about them. This is known as a subject access request.

Subject access requests must be submitted in writing, either by letter, email or fax. Requests should include:

- The pupil's name
- A correspondence address
- A contact number and email address
- Details about the information requested

The school will not reveal the following information in response to subject access requests:

- Information that might cause serious harm to the physical or mental health of the pupil or another individual
- Information that would reveal that the child is at risk of abuse, where disclosure of that information would not be in the child's best interests
- Information contained in adoption and parental order records
- Certain information given to a court in proceedings concerning the child

Subject access requests for all or part of the pupil's educational record will be provided within 15 school days. The table below summarises the charges that apply.

Number of pages of information to be supplied	Maximum fee (£)
1-19	1.00
20-29	2.00
30-39	3.00
40-49	4.00
50-59	5.00
60-69	6.00



Privacy Notice**Policy document**

70-79	7.00
80-89	8.00
90-99	9.00
100-149	10.00
150-199	15.00
200-249	20.00
250-299	25.00
300-349	30.00
350-399	35.00
400-449	40.00
450-499	45.00
500+	50.00

If a subject access request does not relate to the educational record, we will respond within 40 calendar days. The maximum charge that will apply is £10.00.

9. Parental requests to see the educational record

Parents have the right of access to their child's educational record, free of charge, within 15 school days of a request.

Personal data about a child belongs to that child, and not the child's parents. This is the case even where a child is too young to understand the implications of subject access rights.

For a parent to make a subject access request, the child must either be unable to understand their rights and the implications of a subject access request, or have given their consent.

The Information Commissioner's Office, the organisation that upholds information rights, generally regards children aged 12 and above as mature enough to understand their rights and the implications of a subject access request. For children aged 11 or younger subject access requests from parents may be granted without the express permission of the pupil. For children aged 12 or older subject access requests may not be granted without the express permission of the pupil. Therefore, most subject access requests from parents of pupils at our school may be granted without the express permission of the pupil.



If parents ask for copies of information, they will be required to pay the cost of making the copies.

10. Storage of records

- Paper-based records and portable electronic devices, such as laptops and hard drives, that contain personal information are kept under lock and key when not in use
- Papers containing confidential personal information should not be left on office and classroom desks, on staffroom tables or pinned to noticeboards where there is general access
- Where personal information needs to be taken off site (in paper or electronic form), staff must sign it in and out from the school office
- Passwords that are at least 8 characters long containing letters and numbers are used to access school computers, laptops and other electronic devices. Staff and pupils are reminded to change their passwords at regular intervals
- Encryption software is used to protect all portable devices and removable media, such as laptops and USB devices
- Staff, pupils or governors who store personal information on their personal devices are expected to follow the same security procedures for school-owned equipment

11. Disposal of records

Personal information that is no longer needed, or has become inaccurate or out of date, is disposed of securely.

For example, we will shred paper-based records, and override electronic files. We may also use an outside company to safely dispose of electronic records.

12. Training

Our staff and governors are provided with GDPR training as part of their induction process. GDPR will also form part of continuing professional development, where changes to legislation or the school's processes make it necessary.

13. Monitoring arrangements

Head Teacher is responsible for monitoring and reviewing this policy.

Data Controller checks that the school complies with this policy by, among other things, reviewing school records.

This document will be reviewed **every 2 years**.

At every review, the policy will be shared with the governing board.



15. Staff Responsibility

Staff have personal responsibility to comply with this policy. This policy will be issued to new members of staff as part of their induction. All staff will be required to read the reviewed policy in light of the GDPR regulation.

16. Links to other documents

Complaints Procedures, Staff Handbook, Safeguarding including Child Protection.

Signed..... *Paul Lewis*Chair of Governors

Date..... *07/11/2018*

To be reviewed Spring 2020



APPENDIX A

Procedures for responding to subject access requests made under the GDPR.

Rights of access to information

There are two distinct rights of access to information held by schools about pupils.

1. Under GDPR any individual has the right to make a request to access the personal information held about them.
2. The right of those entitled to have access to curricular and educational records as defined within the Education Pupil Information (Wales) Regulations 2004.

These procedures relate to subject access requests made under GDPR.

Actioning a subject access request

1. Requests for information must be made in writing, which includes email, and be addressed to Mr Holderness, Head Teacher. If the initial request does not clearly identify the information required, then further enquiries will be made.
2. The identity of the requestor must be established before the disclosure of any information, and checks should also be carried out regarding proof of relationship to the child. Evidence of identity can be established by requesting production of:
 - Passport
 - Driving licence
 - Utility bills with the current address
 - Birth/marriage certificate
 - P45/P60
 - Credit card or mortgage statement

This list is not exhaustive

3. Any individual has the right of access to information held about them. However, with children, this is dependent upon their capacity to understand (normally age 12 or above) and the nature of the request. The Head of School should discuss the request with the child and take their views into account when making a decision. A child with competency to understand can refuse to consent to the request for their records. Where the child is not deemed to be competent an individual with parental responsibility or guardian shall make the decision on behalf of the child.
4. The school may make a charge for the provision of information, dependant upon the following:
 - Should the information requested contain the educational record then the amount charged will be dependant upon the number of pages provided.
 - Should the information requested be personal information that does not include any information contained within educational records schools can charge up to £10 to provide it.

- If the information requested is only the educational record viewing will be free, but a charge not exceeding the cost of copying the information can be made by the Head Teacher.
5. The response time for subject access requests, once officially received is one month **(not working or school days but calendar days, irrespective of school holiday periods)**. However, the one month will not commence until after receipt of fees or clarification of information sought.
 6. The GDPR allows exemptions as to the provision of some information, **therefore all information will be reviewed prior to disclosure.**
 7. Third party information is that which has been provided by another, such as the Police, Local Authority, Health Care professional or another school. Before disclosing third party information consent should normally be obtained. There is still a need to adhere to the one month statutory timescale.
 8. Any information which may cause serious harm to the physical or mental health or emotional condition of the pupil or another should not be disclosed, nor should information that would reveal that the child is at risk of abuse, or information relating to court proceedings.
 9. If there are concerns over the disclosure of information then additional advice should be sought.
 10. Where redaction (information blacked out/removed) has taken place then a full copy of the information provided should be retained in order to establish, if a complaint is made, what was redacted and why.
 11. Information disclosed should be clear, thus any codes or technical terms will need to be clarified and explained. If information contained within the disclosure is difficult to read or illegible, then it should be retyped.
 12. Information can be provided at the school with a member of staff on hand to help and explain matters if requested, or provided at face to face handover. The views of the applicant should be taken into account when considering the method of delivery. If postal systems have to be used then registered/recorded mail must be used.

Complaints

Complaints about the above procedures should be made to the Chairperson of the Governing Body who will decide whether it is appropriate for the complaint to be dealt with in accordance with the school's complaint procedure.

Complaints which are not appropriate to be dealt with through the school's complaint procedure can be dealt with by the Information Commissioner. Contact details of both will be provided with the disclosure information.



Contacts

If you have any queries or concerns regarding these policies/procedures then please contact Mr Holderness, Head Teacher.

Further advice and information can be obtained from the Information Commissioner's Office, www.ico.gov.uk