



# Data Protection Policy

<b>Committee ownership for this policy:</b>	F&R
<b>Must be approved by FGB:</b>	Yes
<b>Required by: 1 / 2</b> <ul style="list-style-type: none"> <li>Where 1 is indicated, the requirement is statutory</li> <li>Where 2 is indicated, the requirement is recommended</li> </ul>	1
<b>Frequency of review:</b>	Bi-annually
<b>Date last reviewed:</b>	June 2016
<b>Date of next review:</b>	June 2018
<b>Display on website:</b>	Yes
<b>Purpose:</b>	
<b>Consultation:</b>	F&R committee
<b>Links with other policies:</b>	SFVS, Whole school pay policy, e-safety, Assessment policy, Privacy Notice for Parents Carers and Pupils and Privacy Notice for School Workforce

## **Kew Riverside Primary School Data Protection Policy**

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

The Data Protection Act 1998 is the law that protects personal privacy and upholds individual's rights. It applies to anyone who handles or has access to people's personal data.

This policy is intended to ensure that personal information is dealt with properly and securely and in accordance with the Data Protection Act. It will apply to information regardless of the way it is used, recorded and stored and whether it is held in paper files or electronically.

### **1. Scope of the Policy**

Personal information is any information that relates to a living individual who can be identified from the information. This includes any expression of opinion about an individual and intentions towards an individual. It also applies to personal data held visually in photographs or video clips (including CCTV) or as sound recordings.

The School collects a large amount of personal data every year including: staff records, names and addresses of those requesting prospectuses, examination marks, references, fee collection as well as the many different types of research data used by the School. In addition, it may be required by law to collect and use certain types of information to comply with statutory obligations of Local Authorities (LAs), government agencies and other bodies.

### **2. The Eight Principles**

The Act is based on eight data protection principles, or rules for 'good information handling'.

1. Data must be processed fairly and lawfully.
2. Personal data shall be obtained only for one or more specific and lawful purposes.
3. Personal data shall be adequate, relevant and not excessive in relation to the purpose(s) for which they are processed.
4. Personal data shall be accurate and where necessary kept up to date.

5. Personal data processed for any purpose(s) shall not be kept for longer than is necessary for that purpose.
6. Personal data shall be processed in accordance with the rights of data subjects under the 1998 Data Protection Act.
7. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
8. Personal data shall not be transferred to a country outside the EEA, unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

### **3. Responsibilities**

#### 3.1 The school must:

- Manage and process personal data properly
- Protect the individuals right to privacy
- Provide an individual with access to all personal data held on them.

3.2 The school has a legal responsibility to comply with the Act. The school, as a corporate body, is named as the Data Controller under the Act.

Data Controllers are people or organisations who hold and use personal information. They decide how and why the information is used and have a responsibility to establish workplace practices and policies that are in line with the Act.

3.3 The school is required to 'notify' the Information Commissioner of the processing of personal data. This information will be included in a public register which is available on the Information Commissioner's website at the following link:  
[http://www.ico.org.uk/what\\_we\\_cover/promoting\\_data\\_privacy/keeping\\_the\\_register.aspx](http://www.ico.org.uk/what_we_cover/promoting_data_privacy/keeping_the_register.aspx)

3.4 Every member of staff that holds personal information has to comply with the Act when managing that information.

3.5 The school is committed to maintaining the eight principles at all times. This means that the school will:

- inform Data Subjects why they need their personal information, how they will use it and with whom it may be shared. This is known as a Privacy Notice.
- check the quality and accuracy of the information held
- apply the records management policies and procedures to ensure that information is not held longer than is necessary

- ensure that when information is authorised for disposal it is done appropriately
- ensure appropriate security measures are in place to safeguard personal information whether that is held in paper files or on a computer system
- only share personal information with others when it is necessary and legally appropriate to do so
- set out clear procedures for responding to requests for access to personal information known as subject access in the Data Protection Act (see link for guidance <https://ico.org.uk/for-organisations/guide-to-data-protection/principle-6-rights/subject-access-request/> )
- train all staff so that they are aware of their responsibilities and of the schools relevant policies and procedures

This policy will be updated as necessary to reflect best practice or amendments made to the Data Protection Act 1998.

Please follow this link to the ICO's website ([www.ico.org.uk](http://www.ico.org.uk)) which provides further detailed guidance on a range of topics including individuals' rights, exemptions from the Act, dealing with subject access requests, how to handle requests from third parties for personal data to be disclosed etc. In particular, you may find it helpful to read the Guide to Data Protection which is available from the website.

### **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.
- Staff should only use their designated email account to communicate about school. These are not secure accounts, and initials should be used to communicate about a specific child.
- Data Controllers have access to the borough's secure document email system, and only these staff members can send and receive secure documents.
- 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.
- 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.
- In line with the Freedom of Information Act, the school has a 'Freedom of information publication scheme' outlining where much of the information can be found.

### **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, this is outlined on our 'Retention of data' procedures.

### **Monitoring and Evaluation.**

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

### **Contacts**

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

Further advice and information can be obtained from the Information Commissioner's Office, [www.ico.org.uk](http://www.ico.org.uk) or telephone.

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